

**MINUTES
BOARD OF ALDERMEN
JUNE 26, 2023
DES PERES GOVERNMENT CENTER**

The Regular Meeting of the Board of Aldermen of the City of Des Peres, Missouri was held at the Des Peres Government Center, 12325 Manchester Road 63131, commencing at 7:01 P.M. on Monday, June 26, 2023.

ROLL CALL

The City Clerk took roll call with the following elected officials physically present: Alderman Barrett, Alderman Fitzpatrick, Alderman Kleinschmidt, Alderman Osherow and Alderman Pound. Mayor Becker was also present.

Alderman Concagh was absent with excuse.

Staff members present included the City Administrator, Assistant City Administrator, Director of Public Works, Director of Finance, Director of Public Safety, Director of Parks and Recreation attended remotely via zoom, City Clerk and City Attorney.

All present rose for the Pledge of Allegiance.

WORK SESSION – Prior to the Regular Board of Aldermen Meeting, Discussion ensued regarding the status of all building projects and issues with Navigate Building Solutions:

- Street Garage Expansion Bids
- Government Center Renovations
- Proposal for Additional parking Lot of the Government Center/Des Peres Park
- Public Safety Building Expansion and Renovation

AMENDMENT TO AGENDA – R23-3969 was added (Tabled at the June 12th Meeting) to New Business as line-item F.

PUBLIC HEARING

An Ordinance Rezoning a 6.45 Acre Tract of Land Located at 13431 Manchester Road from the Commercial “C-1” District to the Planned Development Mixed Use (PD-MXD) District; Establishing Commercial to Planned Development and Approving a Preliminary Development Plan Related Thereto

The City Clerk read aloud the following eleven Public Hearing Exhibits:

1. Notice of Public Hearing of June 26, 2023 advertised in the St. Louis Countian and Webster Kirkwood Times on May 19, 2023;
2. Notice of Public Hearing posted at the following locations: (1) Des Peres City Hall, (2) Des Peres Website on May 19, 2023
3. June 2023 Webster Kirkwood Times Newsletter addressing the Public Hearing on Magnolia Ridge scheduled for June 26, 2023.

4. Transmittal from the Planning & Zoning Commission addressed to the Mayor and Board of Aldermen summarizing a recommendation in favor of approving a Preliminary Development Plan for Magnolia Ridge which includes a Rezoning to PD-MXD
5. Magnolia Ridge Site Plan dated April 26, 2023 as recommended for approval by the Planning & Zoning Commission on May 10, 2023
6. Ordinance 2963 An Ordinance Amending Appendix C: Zoning District Regulations of the Municipal Code of the City of Des Peres, Missouri to Allow Multi-Family Uses in the Planned Development Mixed District (PD-MXD)
7. Transmittal From the Planning & Zoning Commission addressed to the Mayor and Board of Aldermen pertaining to the Zoning Text Amendments, Planned Development Mixed Multifamily Housing Considerations dated December 26, 2022
8. Transmittal from the Planning & Zoning Commission addressed to the Mayor and Board of Aldermen summarizing the Comprehensive Plan Amendment dated September 21, 2022.
9. 2015 Des Peres Comprehensive Plan
10. Internal Memo prepared by the office of the City Administrator dated July 11, 2022 pertaining to the Fiscal Impact of apartment uses
11. Municipal Code of the City of Des Peres

The 11 Public Hearing Exhibits were received and made a part of the record.

Assistant City Administrator, Scott Schaefer provided a slideshow presentation outlining the details of the zoning amendment and Magnolia Ridge Project.

Mayor Becker asked if anyone wished to comment.

Doug McCloskey – expressed his concern about the traffic coming in and out of Magnolia Ridge Apartments.

Dan Thies, President of Thies Group, gave a presentation on the development features and community features of Magnolia Ridge Apartments.

Joe Denny – asked if the presentation from the developer will be on the website. City Administrator Harms stated the presentation will be added to the website on the June 26 Board of Aldermen Agenda under the Public Hearing section.

Doug McCloskey – questioned the lower section and retaining wall.

Stranton Wicker – stated he is meeting with Randy Martis to discuss screening.

Diane Renda – questioned the pricing of each square foot unit.

Kristine Pitzer – 12327 Creekhaven – expressed her opposition of apartments in Des Peres.

Mr. Hessel – a representative of the Thies Group – stated Magnolia Ridge will do back ground checks on all perspective tenants and will not allow leasing to anyone other than tenant.

Jeanne Fluri – 1820 Gray Drive – sent an email before the Board Meeting, expressing her opposition on the Development of Magnolia Ridge.

Mary Ann Wagner - 35 Armat Court – sent an email before the Board Meeting, expressing she is not in favor of Ordinance B23-2995.

Mayor Becker asked if there were any more questions or concerns pertaining to the Public Hearing. Hearing none, Mayor Becker closed the Public Hearing at 7:42pm.

CITIZEN COMMENTS

Kristine Pitzer – 12327 Creekhaven – expressed her concern of parking at Root 66.

CONSENT AGENDA

Mayor Becker announced that there were two (2) action items currently under the Consent Agenda. At the request of Mayor Becker, Alderman Osherow read aloud those two (2) items individually:

1. Minutes of the Board of Aldermen Meeting of June 12, 2023
2. Warrant List Dated June 22, 2023

Mayor Becker asked if there were any questions or comments pertaining to the consent agenda. Hearing none, Alderman Kleinschmidt made a motion, seconded by Alderman Pound to approve the two (2) items on the Consent Agenda as proposed. A roll call vote was taken with the following results: Alderman Barrett, "AYE", Alderman Fitzpatrick, "AYE", Alderman Kleinschmidt, "AYE", Alderman Osherow, "AYE" and Alderman Pound, "AYE". Motion passed unanimously 5-0.

REPORTS OF OFFICERS AND COMMITTEES

- **Reports of Boards and Commissions**
 - Report of the Planning and Zoning Commission Meeting held June 14, 2023
 - Report of the Parks & Recreation Commission Meeting held June 19, 2023

Mayor Becker asked if there were any questions or comments relating to the report. Hearing none, he ordered them filed and received.

LEGISLATION

UNFINISHED BUSINESS –

- a. **B23-2994** An Ordinance Authorizing an Agreement with SSM Health Systems of St Louis to Provide Medical Director Service for the Department of Public Safety (Second Reading)

Alderman Pound read B23-2994 for the second time. (Alderman Concagh introduced the bill, however he was absent)

Alderman Pound made a motion, seconded by Alderman Kleinschmidt to approve B23-2994. A roll call vote was taken with the following results: Alderman Barrett, "AYE", Alderman Fitzpatrick, "AYE", Alderman Kleinschmidt, "AYE", Alderman Osherow, "AYE" and Alderman Pound, "AYE". Motion passed unanimously 5-0.

- b. **B23-2995** An Ordinance Rezoning a 6.45 Acre Tract of Land Located at 13431Manchester Road from the "C-1" Commercial District to Planned Development Mixed (PD-MXD) District and Approving a Preliminary Development Plan Related Thereto (Public Hearing and Second Reading)

Alderman Barrett read B23-2995 for the second time. (Alderman Concagh introduced the bill, however he was absent)

Alderman Kleinschmidt made a motion, seconded by Alderman Barrett to approve B23-2995. A roll call vote was taken with the following results: Alderman Barrett, "AYE", Alderman Fitzpatrick, "AYE", Alderman Kleinschmidt, "AYE", Alderman Osherow, "AYE" and Alderman Pound, "AYE". Motion passed unanimously 5-0.

NEW BUSINESS –

- a. B23-2997 An Ordinance Amending Section 420.005 of Appendix C. Zoning Regulations of the Municipal Code to Provide a Process for Proposing Amendments to the Text of the Zoning Code (Introduction, Hold for Public Hearing on July 10, 2023)

At the request of the Mayor, Alderman Kleinschmidt read B23-2997 for the first time.

Mayor Becker stated B23-2997 will be held until the July 10th meeting for Public Hearing, second reading and passage approval at that time.

- b. B23-2998 An Ordinance of the City of Des Peres Amending Section 404.055 of Appendix C. Zoning Related to Conditional Use Permits Providing for Storage of Beer and Spirits as a Conditional Use in the C-1 Commercial District (Introduction, Hold for Public Hearing on July 10, 2023)

At the request of the Mayor, Alderman Barrett read B23-2998 for the first time.

Mayor Becker stated B23-2998 will be held until the July 10th meeting for Public Hearing, second reading and passage approval at that time.

- c. B23-2999 An Ordinance Amending Section 406.020 Appendix C. Zoning of the Municipal Code Relating to Maximum Size of Accessory Uses and Structures in Residential Zoning Districts (Introduction, Hold for Public Hearing on July 10, 2023)

At the request of the Mayor, Alderman Osherow read B23-2999 for the first time.

Mayor Becker stated B23-2999 will be held until the July 10th meeting for Public Hearing, second reading and passage approval at that time.

- d. B23-3000 An Ordinance Reaffirming the Gross Receipts Tax to be Imposed Upon Water Companies Conducting Business Within the City at the Rate of Five (5.0%) Percent (Introduction, 2nd Reading and Consideration for Passage)

At the Request of the Mayor, Alderman Pound read B23-3000.

Alderman Pound made a motion, seconded by Alderman Kleinschmidt to waive the rules and read B23-3000 for a second time. A roll call vote was taken with the following results: Alderman Barrett, "AYE", Alderman Fitzpatrick. "AYE", Alderman Kleinschmidt, "AYE", Alderman Osherow, "AYE" and Alderman Pound, "AYE". Motion passed unanimously 5-0.

Alderman Pound read B23-3000 for the second time.

Alderman Pound made a motion, seconded by Alderman Kleinschmidt to approve B23-3000. A roll call vote was taken with the following results: Alderman Barrett, "AYE", Alderman Fitzpatrick. "AYE", Alderman Kleinschmidt, "AYE", Alderman Osherow, "AYE" and Alderman Pound, "AYE". Motion passed unanimously 5-0.

- e. B23-3001 Authorizing A Contract with Hankins for Construction of an Expansion to and Repair of the Street Garage and Related Facilities (Introduction, 2nd Reading and Consideration for Passage)

At the Request of the Mayor, Alderman Fitzpatrick read B23-3001.

Alderman Fitzpatrick made a motion, seconded by Alderman Kleinschmidt to waive the rules and read B23-3001 for a second time. A roll call vote was taken with the following results: Alderman Barrett, "AYE", Alderman Fitzpatrick. "AYE", Alderman Kleinschmidt, "AYE", Alderman Osherow, "AYE" and Alderman Pound, "AYE". Motion passed unanimously 5-0.

Alderman Fitzpatrick read B23-3001 for the second time.

Alderman Fitzpatrick made a motion, seconded by Alderman Kleinschmidt to approve B23-3001. A roll call vote was taken with the following results: Alderman Barrett, "AYE", Alderman Fitzpatrick. "AYE", Alderman Kleinschmidt, "AYE", Alderman Osherow, "AYE" and Alderman Pound, "AYE". Motion passed unanimously 5-0.

- f. R23-3696 Authorizing an Agreement with Civil Design Inc (CDI) for Design and Construction Management Services Relating to Expansion of the City Hall Parking Lot and Adopting a Supplemental Appropriation Relating Thereto

At the Request of the Mayor, Alderman Kleinschmidt read R23-3696.

Alderman Pound questioned the \$100,000 amount the city would give to CDI. City Administrator Harms stated it was the best guestimate. Alderman Pound also questioned parking at St. Clement, to which City Administrator stated St. Clement will also be going through renovations at that time Des Peres is.

Alderman Kleinschmidt made a motion, seconded by Alderman Fitzpatrick to approve R23-3696. A roll call vote was taken with the following results: Alderman Barrett, "AYE", Alderman Fitzpatrick. "AYE", Alderman Kleinschmidt, "AYE", Alderman Osherow, "AYE" and Alderman Pound, "AYE". Motion passed 5-0.

MISCELLANEOUS BUSINESS –

Report of the City Administrator

1. Report on Potential Building Lease with Edward Jones for Temporary Police Quarters

City Administrator Doug Harms informed the Board that Edward Jones has made a generous offer for the city to lease the first floor of the JJ Kelley Building for space to relocate public safety operations and city hall functions during the Public Safety Building/City Hall renovations. The lease would be for a nominal amount of \$1.00 per year, plus utility costs relating to the first floor and janitorial services for the space using their janitorial contract. Public Safety Director, Eric Hall stated the JJ Kelley Building has plenty of space, security and many other positives.

City Administrator asked for direction from the Board. The Board all agreed it makes sense and is a brilliant idea to use the Edward Jones building during renovations.

2. Discussion of Work Session Schedules for July

The Board decided to meet the following dates:

July 17th Work session regarding pension and LAGERS including the promised educational session relating to the pros and cons of Defined Contribution Pensions vs Defined Benefit Pension structures; discussion of pension goals and objective; and costs associated with LAGERS alternatives.

July 31st Strategic planning - a two hour meeting with the consultant and senior staff to keep the momentum going on this project.

City Administrator, Doug Harms mentioned Assistant City Administrator, Scott Schaefer is leaving the City of Des Peres and going to the City of Frontenac to be their new City Administrator. City Administrator Harms congratulated Mr. Schaefer in his new endeavor.

ADJOURNMENT

Alderman Barrett made a motion, seconded by Aldermen Fitzpatrick to adjourn the Regular Meeting at 8:26 P.M.

Amanda Hurley
City Clerk

Minutes approved by the Board of Aldermen on the 10th day of July, 2023.

Mark Becker, Mayor

ATTEST:

Amanda Hurley
City Clerk