

MINUTES
DES PERES BOARD OF ALDERMEN
July 13th, 2020
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 commencing at 7:00 PM on Monday July 13th, 2020.

ROLL CALL

The City Clerk took roll with the following board members present: Alderman Pound, Alderman Sansone, Alderman Fitzpatrick, Alderman Kleinschmidt, Alderman Concagh, and Alderman Barrett. Mayor Becker was also present.

For the record, Alderman Kleinschmidt and Alderman Sansone attended the meeting remotely by video at 7:00pm.

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

At this time the Board of Aldermen, staff and citizens rose for the Pledge of Allegiance.

Mayor Becker made the following statement:

“The record will note that this meeting is being livestreamed and that some members of the Board of Aldermen are in attendance virtually and not in person tonight.

While it is our hope and intention that we will always have at a minimum a quorum of the board present in person at all meetings, the State Attorney General has issued guidelines that allows all meetings to be held virtually during this health care crisis.

Since this meeting is available on zoom for remote viewing, I would ask that everyone present wait to be called on by name so that the record is clear for our viewers as to who is speaking. Please use the microphones so that your voices are clear to our remote guests.

I want to welcome all of you to our July 13th meeting of the Board of Aldermen. Since the County Department of Public Health Services Stay-at-Home Orders and limits of nine on the number of people allowed to gather in an enclosed space issued on March 18th, 2020, meetings of the Board of Aldermen have been closed to public transportation due to the COVID 19 pandemic.

The City, in the interest of transparency and providing public access to Board meetings, have been livestreaming these meetings and posting copies of the videos on our website.

With lifting of the Department of Public Health order, we are happy to welcome citizens back for in-person attendance at our meetings starting tonight subject to certain conditions imposed by the health department. At the same time, out of respect for those who are not yet comfortable with attendance at public gatherings during this pandemic, we are continuing with a virtual format with livestreaming of meetings for the immediate future. Residents who wish to submit comments or questions during public hearings or citizen comments are encouraged to e-mail them to our city clerk at smann@desperesmo.org, either prior to or during the meeting for inclusion in the record.

Please indulge me as we review the guidelines established by County Health for attendance at meetings.

First, and you experienced it as you came into City Hall this evening, all visitors must first have their temperature taken as they enter the building. Anyone with a temp above 101.4 will be denied access to the meeting.

Second, all of those entering the building should register as a visitor including name, address and either phone number or e-mail address. The visitors log was on the table as you entered. This is requested to allow for contact tracing in the event a participant at a meeting is later diagnosed as COVID positive.

Third, masks are required in the foyer and hallways of the building OR anytime you cannot maintain a minimum of six (6) foot social distance from others in a room or meeting space.

Fourth, we would ask that those in attendance sit at least six (6) feet apart unless the person(s) next to you are living with you in your immediate household.

As I've said many times both in meetings like this and in written communications to Des Peres residents, we thank everyone for their patience and cooperation during these challenging times. While some may question or disagree with some or all of the County Health orders, we can all agree on the goal of limiting community spread of the coronavirus so that the business community remains open, our children and grandchildren can go back to school in the fall, and we maximize the health of all of those who live in our community.

TOGETHER, our community will get through the COVID pandemic."

PUBLIC HEARING/SPECIAL PRESENTATION

City Administrator Harms provided a brief presentation on Proposition F, in order to allow the public an opportunity to learn more about the proposition and to pose any questions or comments they may have to prepare themselves for the August ballot issue.

Mr. Harms stated that under the Hancock Amendment any increase in a tax, requires approval by a majority of residents voting on the Proposition, and if adopted would be effective January 1st, 2021. Mr. Harms stated that the increase would generate an estimated \$1.2-\$1.3 million per year.

Mr. Harms reviewed the fire sales tax rates of other local municipal fire departments, but reminded the Board that Des Peres is unique in our area due to the fact that our Department of Public Safety includes traditional police, fire and EMS.

Mr. Harms stated of the comparable cities in our county, Des Peres compares favorably in terms of total personnel and total budget for police and fires services.

Mr. Harms reviewed with the Board other options available in the event the Proposition F was not passed by the voters, which include reduction of operating budgets by 18%, impost property tax of \$0.22, impose trash collection fee of \$258 per home, or utilize accumulated reserves of two million dollars.

Alderman Fitzpatrick asked if the real estate tax was implemented at .22 cents if we had an estimate on what revenue that would generate. City Administrator Harms stated that it would generate approximately \$989,000.00 (35% commercial; 65% residential).

Aldermen Concagh asked if the real estate tax was implemented if it would be difficult to amend or reduce in the future. City Administrator Harms stated that it would be a fairly simple process only requiring a vote by the Board.

AMENDMENT OF AGENDA - None

City Clerk amended the agenda earlier in the day to add the appointment of Jonathan Young.

CITIZEN COMMENTS -

Barbara Sheinbein, 1033 Kinstern, submitted an email on July 8th, 2020 stating the following:

"I have been a Des Peres resident and homeowner for 28 years. I understand the fiscal issues now due to the reduced sales tax revenues. I realize some sort of tax increase is going to be needed. I will not be able to attend the council meeting next week, so I am sharing my view here. I have watched both my real estate tax and sales tax go up over the years. I believe sales taxes are regressive and, in Des Peres, we nearly have a 10% sales tax. That is just dreadful. I am 1000% opposed to any increases to the sales tax. If this means a Des Peres real estate tax, I can

accept this. I do not know why it is a “no-no” to have a local real estate tax. As has been pointed out, we are only one or two communities who does not pay a local real estate tax. I hope you will reconsider this unfair sales tax. I will tell you now that if a sales tax increase is on the ballot I will vote NO.”

Natalie Denando, Government Affairs with Meridian Waste, asked that they be able to provide a bid for trash collection. Ms. Denando stated that Meridian would offer quality, consistent service, provide direct and immediate responses, and that she would serve as personal liaison to the City. City Administrator Harms stated trash service has not been sent out to bid since 2005.

Dan Huffington, 2919 Old Dougherty Ferry Road, stated that he is representing the proposed subdivision on Old Dougherty Ferry Road and available for any questions the Board or audience may have.

REPORTS OF OFFICERS AND COMMITTEES –

Mayor Becker stated the following reports have been submitted:

1. Report of the Audit & Finance Committee Meeting of June 22, 2020
2. Report of the Board of Adjustment Meeting of June 24, 2020
3. Report of the Public Safety Commission Meeting of July 6, 2020
4. Report of the Planning & Zoning Commission Meeting of July 8, 2020

REPORT OF THE MAYOR –

Appointments to Boards and Committees

Alderman Barrett moved to approve the appointment of Jonathan Young to the Planning & Zoning Commission with a term expiring on June 30th, 2021, second by Alderman Kleinschmidt. A roll call vote was then taken with the following results: Pound, AYE; Fitzpatrick, AYE; Kleinschmidt, AYE; Sansone, AYE; Concagh, AYE; Barrett, AYE. Motion passed 6-0.

Alderman Barrett moved to approve the reappointment of Larry Beermann to the Public Safety Commission as the Mayor’s representative, with a term expiring on June 30th, 2022, second by Alderman Kleinschmidt. A roll call vote was then taken with the following results: Pound, AYE; Fitzpatrick, AYE; Kleinschmidt, AYE; Sansone, AYE; Concagh, AYE; Barrett, AYE. Motion passed 6-0.

CONSENT AGENDA

Mayor Becker stated that the Consent Agenda consisted of seven (7) items. Alderman Concagh read a summary of the items on the consent agenda.

1. Minutes of the Board of Aldermen Meeting of June 22, 2020
2. Warrant List Dated July 9, 2020
3. R20-3412 Re-adoption and Restatement of Ordinances Regulating Requirements

and Policies to Disclose Conflicts of Interest and Authorizing the City Clerk to File Such Resolution with the Missouri State Ethics Commission

4. R20-3413 Agreeing to Participate in the St Louis Metro APWA Salt Cooperative and Authorizing a Contract for Purchase of De-Icing Salt from Compass Materials and for Local Delivery with Beelman Logistics
5. R20-3414 Authorizing Professional Services Contract with StandPoint for Critical Incident Response Training and Crisis Communication Services
6. R20-3415 Authorizing a Contract with Tech Electronics to Upgrade the Audio-Visual Equipment in the Board of Aldermen Meeting Chambers to better Support Livestreaming and Remote Participation in Board of Aldermen Meetings
7. R20-3416 Writing off Uncollectible Debts for Ambulance Services in the Amount of \$18,175.80

Alderman Kleinschmidt moved to remove item R20-3414 from the consent agenda and add to New Business for discussion.

Alderman Fitzpatrick moved to approve the Consent Agenda as amended, second by Alderman Kleinschmidt. A roll call vote was then taken with the following results: Pound, AYE; Fitzpatrick, AYE; Kleinschmidt, AYE; Sansone, AYE; Concagh, AYE; Barrett, AYE. Motion passed 6-0.

Mr. Harms stated that following the submittal of the Warrant List dated July 9th, 2020 the Department of Finance received a bill for a deposit for the new workers compensation insurance which is due before the Board meets again on August 10th.

Alderman Concagh moved to allow staff to pay the insurance deposit, second by Alderman Fitzpatrick. A roll call vote was then taken with the following results: Pound, AYE; Fitzpatrick, AYE; Kleinschmidt, AYE; Sansone, AYE; Concagh, AYE; Barrett, AYE. Motion passed 6-0.

LEGISLATION (UNFINISHED)

1. B20-2887 An Ordinance Amending Chapter 14 Motor Vehicles and Traffic, Schedule III. Stop Signs and Schedule IV. Parking Prohibited to Provide for Additional Traffic Regulations on Public Drives in Des Peres Park.

Alderman Sansone read Bill 20-2887 for the second time.

Alderman Concagh moved to approve Bill 20-2887 as presented, second by Alderman Sansone. A roll call vote was then taken with the following results: Pound, AYE; Fitzpatrick, AYE; Kleinschmidt, AYE; Sansone, AYE; Concagh, AYE; Barrett, AYE. Motion passed 6-0.

LEGISLATION (NEW)

1. B20-2888 An Ordinance Approving the Preliminary Plat and Record Plat for A

Subdivision of Land Located at 2919 Old Dougherty Ferry Road
(Introduction)

Alderman Fitzpatrick introduced Bill 20-2888 and read it for the first time.

Alderman Fitzpatrick moved to waive the rules and read Bill 20-2888, second by Alderman Barrett. A roll call vote was then taken with the following results: Pound, NAY; Fitzpatrick, AYE; Kleinschmidt, NAY; Sansone, AYE; Concagh, AYE; Barrett, AYE. Motion passed 4-2.

2. R20-3414 Authorizing Professional Services Contract with StandPoint for Critical Incident Response Training and Crisis Communication Services

Alderman Kleinschmidt stated that he moved to remove this item as he thinks that our staff and city attorney did a sensational job in handling a recent event in Des Peres, and upon review of the company wasn't impressed with their services or track record.

Alderman Sansone stated that he was in agreeance with Alderman Kleinschmidt, and that in the midst of budget cuts he didn't believe that spending this money was prudent.

Alderman Kleinschmidt moved to table R20-2414, second by Alderman Fitzpatrick. A roll call vote was then taken with the following results: Pound, AYE; Fitzpatrick, AYE; Kleinschmidt, AYE; Sansone, AYE; Concagh, AYE; Barrett, AYE. Motion passed 6-0.

REPORTS OF STAFF -

Report of the City Administrator

Cancellation of July 27th, 2020 Meeting

City Administrator Harms stated that the July 27th, 2020 meeting has been cancelled for summer recess, subject to the call of the Mayor. Mr. Harms added that the next meeting is scheduled for August 10th, 2020.

Discussion on Process for Imposition of Property Tax

City Administrator Harms stated that the Director of Finance has submitted to the Board a memo regarding levying a real estate tax for 2021. Mr. Harms added that as indicated in the memo, due to state statutes relating to re-assessment, the City is precluded from reinstating a voluntary rollback during a re-assessment year which will occur in 2021. Therefore if not passed this year, any decision to impose a real estate tax would have to be delayed until 2022.

Mr. Harms stated that staff is recommending that the Board of Aldermen set a public hearing for August 10th to initiate this process and keep the option available for 2020 and 2021 if needed.

Alderman Kleinschmidt stated that in the event that the economy will not rebound that we should start looking into other options.

Alderman Kleinschmidt moved to set a Public Hearing requesting that the State Auditor re-evaluate, second by Alderman Fitzpatrick. A roll call vote was then taken with the following results: Pound, AYE; Fitzpatrick, AYE; Kleinschmidt, AYE; Sansone, AYE; Concagh, AYE; Barrett, NAY. Motion passed 5-1.

ADJOURNMENT

There being no additional business to come before the regular session of the Board of Aldermen, Alderman Concagh moved to adjourn, second by Alderman Barrett at 8:11PM roll call vote was then taken with the following results: A roll call vote was then taken with the following results: Fitzpatrick, AYE; Kleinschmidt, AYE; Sansone, AYE; Pound, AYE; Concagh, AYE; Barrett, AYE. Motion passed 6-0.

Minutes prepared by:

Stacey Mann, City Clerk

Mark Becker, Mayor

ATTEST:

Stacey Mann, City Clerk