

**MINUTES
BOARD OF ALDERMEN
MARCH 13, 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 7:00 P.M. on Monday, March 13, 2023.

ROLL CALL

The Assistant City Administrator took roll call with the following elected officials physically present: Alderman Concagh, Alderman Fitzpatrick, Alderman Kleinschmidt, Alderman Osherow and Alderman Pound. Mayor Becker was also present. Alderman Barrett was absent from the meeting with excuse.

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

All present rose for the Pledge of Allegiance.

WORK SESSION RECAP

Mayor Becker announced that a Work Session of the Board of Aldermen was held prior to the Regular Meeting for purposes of discussing the following items:

- Update on Building Project Design & Budget by Navigate Building Systems
 - Street Garage Expansion & Repairs
 - City Hall Renovations
 - Public Safety Expansion and Renovation

AMENDMENT TO AGENDA – NONE

PUBLIC HEARING

**1. An Ordinance Amending Section 408.005 Related to Conditional Use Permits
Petitioner: Planning & Zoning Commission**

The Assistant City Administrator read aloud the following exhibits relative to the Public Hearing on the Ordinance Amending Section 408.005 Related to Conditional Use Permits.

1. Notice of Public Hearing of March 13, 2023 advertised in the St. Louis Countian and Webster Kirkwood Times on February 21, 2023;
2. Notice of Public Hearing posted at the following locations: (1) Des Peres City Hall, (2) Des Peres Website on February 21, 2023
3. Ord2957 An Ordinance of the City of Des Peres, Missouri Implementing a 90 Day Moratorium on the Issuance of Conditional Use Permits
4. Letter of Transmittal to the Planning and Zoning Commission dated January 23, 2023

5. B23-2981 An Ordinance of the City of Des Peres, Missouri Amending Section 408.005 of Appendix C. Zoning Regulations of the Des Peres Municipal Code Related to the Issuance of Conditional Use Permits
6. Municipal Code of the City of Des Peres

The City Attorney offered a brief synopsis of B23-2981 which affords greater discretion to the Board of Aldermen when granting or rejecting conditional use permits on the basis of newly established case law involving the City of Creve Coeur.

**1. An Ordinance Amending Section 406.015, Section 406.020 and Section 13.29 of the Code of Ordinances and Zoning Code Pertaining to Home Occupations
Petitioner: Planning & Zoning Commission**

The Assistant City Administrator read aloud the following exhibits relative to the Public Hearing on the Ordinance Amending Section 406.015, Section 406.020 and Section 13.29 of the Code of Ordinances and Zoning Code Pertaining to Home Occupations

1. Notice of Public Hearing of March 13, 2023 advertised in the St. Louis Countian and Webster Kirkwood Times on February 21, 2023;
2. Notice of Public Hearing posted at the following locations: (1) Des Peres City Hall, (2) Des Peres Website on February 21, 2023
3. B23-2982 An Ordinance Amending Section 406.015, Section 406.020 and Section 13.29 of the Code of Ordinances and Zoning Code Pertaining to Home Occupations
4. Slideshow presentation dated March 13, 2023 prepared and delivered by the City Administrator
5. Municipal Code of the City of Des Peres

City Administrator Harms provided a general summary of B23-2982 which attempts to bring the City into conformity with a new State law that effectively preempts Missouri cities from regulating and taxing home-based occupations. Mr. Harms recommended tabling this legislation as the General Assembly is actively considering revisions to the original law.

Hearing no further comments or questions, Mayor Becker closed the Public Hearing at 7:13PM.

CITIZEN COMMENTS –

Sandy Smith (no address provided) spoke in opposition of permitting adult-use marijuana operations in Des Peres, citing a variety of health-related concerns such as addiction, suicide, violence, and antisocial behavior amongst children.

Jeanne Fluri, 1820 Gray Drive, raised general concerns about the impact of marijuana on children with a specific focus on the students currently enrolled at Mathnasium.

Yvonne Allen, 1160 Bopp Road, cited a number of concerns about the implications of allowing marijuana facilities in Des Peres including the potential for drug trafficking along the Manchester Road corridor. Ms. Allen recommended imposing a series of educational and safety permits that would apply specifically to the marijuana industry.