

**MINUTES**  
**DES PERES BOARD OF ALDERMEN**  
**July 8, 2019**  
**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 8, 2019.

**ROLL CALL**

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

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

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

**PUBLIC HEARING – None**

**AMENDMENT OF AGENDA - None**

**CITIZEN COMMENTS**

David Kinast, 13006 Winding Trail Ln, addressed the Board requesting that they take immediate action on the deer population west of Highway 270. Mr. Kinast stated recently that a herd of deer injured his pet, and he fears for the safety of his grandchildren and pet while they are outside. Mr. Kinast added that without any predators, the deer population will continue to increase. Mr. Kinast thanked Assistant City Administrator, Scott Schaefer, and Alderman Fitzpatrick with their assistance in the matter.

**REPORTS OF OFFICERS AND COMMITTEES**

Report of Boards and Commissions

The Mayor acknowledged the following written reports submitted to the Board of Aldermen:

- a) Report of the Planning & Zoning Commission Meeting Held on June 19<sup>th</sup>, 2019
- b) Report of the Board of Adjustment Meeting Held on June 26<sup>th</sup>, 2019
- c) Report of the Public Safety Commission Meeting Held on July 1<sup>st</sup>, 2019

### Report of Mayor

The Mayor submitted the following appointments for consideration by the Board of Aldermen, based on the recommendation of Alderman Sansone and Alderman Pound:

- Appointment of Molly Hartman to the Planning & Zoning Commission representing Ward 1, term ending 6/30/2022

Alderman Sansone moved to approve the appointment of Molly Hartman to the Planning & Zoning Commission, second by Alderman Pound. A roll call vote was then taken with the following results: Concagh, AYE; Pound, AYE; Sansone, AYE; Barrett, AYE; Fitzpatrick, AYE. Motion passed 5-0.

### **CONSENT AGENDA**

Mayor Becker advised that the Consent Agenda has been amended and now consisted of five (5) items. Under the Board Rules, all items on the consent agenda can be approved by a single motion and any item on the warrant list may be removed prior to the vote at the request of any individual member of the Board of Aldermen. Items on the consent agenda included:

1. Minutes of the Board of Aldermen Meeting Held on June 10, 2019
2. Warrant List Dated July 3<sup>rd</sup>, 2019
3. R19-3324 Acknowledging Receipt of the Audited Financial Statements for the 2018 Fiscal Year for the Manchester/Ballas Community Improvement District
4. R19-3325 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
5. R19-3326 Authorizing a Modification to the Official Zoning Map of the City to Reflect "B-Residential" Zoning for a 3.275 acre tract of land located at 2919 Old Dougherty Ferry Road Authorized under Ordinance 2582

Alderman Fitzpatrick moved to approve the Consent Agenda as amended, second by Alderman Concagh. A roll call vote was then taken with the following results: Fitzpatrick, AYE; Concagh, AYE; Sansone, AYE; Pound, AYE; Barrett, AYE. Motion passed 5-0.

### **LEGISLATION (UNFINISHED)**

1. [Bill 19-2858](#) An Ordinance Amending Appendix C. Zoning District Regulations to Allow for Medical Marijuana Related Uses in Commercial Districts (Discussion and Consideration for Final Approval)

Resident Katie Harrington, 12371 Creekhaven, stated that while the State of Missouri passed Amendment Two, she believed that most residents may not understand the nomenclature, and has concerns with the zoning and location of these facilities.

Alderman Sansone stated that the proposed bill would limit medical marijuana related uses from being located within three hundred feet of another medical marijuana use, and asked if that buffer could be modified. Mr. Schaefer stated that the Commission looked at different variables, including 1,000 feet, but ultimately determined that 300 feet offered the best compromise to ensure compliance with Amendment 2 while establishing reasonable distances between marijuana facilities and churches, schools, daycare centers, and parks.

Alderman Sansone asked how the buffers will be measured. Mr. Schaefer stated that they will be measured from property line to property line unless the marijuana facility is part of a larger structure, at which point the measurement would factor in the closest entrance to the marijuana operation.

Alderman Sansone requested that staff prepare a map that would demonstrate what the buffers would look like between 300 – 1000 feet.

Alderman Barrett moved to table Bill 19-2858, second by Alderman Concagh. A roll call vote was then taken with the following results: Fitzpatrick, AYE; Concagh, AYE; Sansone, AYE; Pound, AYE; Barrett, AYE. Motion passed 5-0.

## **LEGISLATION (NEW)**

1. Bill 19-2863 An Ordinance Repealing Ordinance 2667 and Granting a Conditional Use Permit For Operation of a Limited Service Restaurant to J.P. Fields West in the Shops at Tallbrooke  
(Introduction – Hold for Public Hearing on August 12, 2019)

Alderman Pound introduced Bill 19-2858, and read it for the first time.

Petitioner, Wayne Prichard, requested that the language in the Conditional Use Permit be amended to reflect the correct hours of operation which are 11am – 12am.

Alderman Pound stated that the Tallbrooke Shopping Center did not appear to have sufficient parking. City Administrator Harms stated that within the past few years two salons have opened in the shopping center requiring 120 parking spaces alone. Mr. Harms added that staff is preparing a report for the Planning & Zoning Commission, where they may amend the zoning code to reduce the number of required parking spaces for salons.

## **REPORTS OF STAFF**

Report of City Administrator

City Administrator Harms reminded the Board that the July 22<sup>nd</sup>, 2019 meeting has been cancelled subject to the call of the Mayor in the event of emergency business that cannot be delayed until the August 12<sup>th</sup> meeting date.

**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 Fitzpatrick at 7:44 PM. A roll call vote was then taken with the following results: Fitzpatrick, AYE; Concagh, AYE; Sansone, AYE; Pound, AYE; Barrett, AYE. Motion passed 5-0.

Minutes prepared by:

\_\_\_\_\_  
Stacey Mann, City Clerk

These minutes have not yet been approved by the Board of Aldermen.

\_\_\_\_\_  
Mark Becker, Mayor

**ATTEST:**

\_\_\_\_\_  
Stacey Mann, City Clerk