

**MINUTES
BOARD OF ALDERMEN
AUGUST 14, 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 7:03 P.M. on Monday, August 14, 2023.

WORKSESSION

Prior to the Regular Board of Aldermen, a Work Session Meeting took place commencing at 6:00pm at the Des Peres Government Center, 12325 Manchester Road 63131, to discuss financing for the Public Safety Building.

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, Director of Public Works, Director of Finance, Director of Public Safety, Director of Parks and Recreation, City Clerk, HR Coordinator and City Attorney.

All present rose for the Pledge of Allegiance.

INTRODUCTORY REMARKS

Mayor Becker recognized Des Peres Resident, David Sheer – Boy Scout, in attendance to receive his good citizen badge.

AMENDMENT TO AGENDA – NONE.

PUBLIC HEARING

- **Conditional Use Permit- Restaurant**
 - **Location: 11754 Manchester Road**
 - **Petitioner: Boba Tea Shop**
4 U Tea LLC d/b/a Tea Talk

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

1. Notice of Public Hearing of August 14, 2023 advertised in the St. Louis Countian and Webster Kirkwood Times on July 21, 2023;
2. Notice of Public Hearing posted at the following locations: (1) Des Peres City Hall, (2) Des Peres Website on July 21, 2023
3. Public Hearing Notice Sent to Residents/ Business Owners within 185 feet of 11754 Manchester Rd
4. Petition for Conditional Use Permit at 11754 Manchester Road
5. Floor Plan for business renovation at 11754 Manchester Road
6. Staff Report requesting a Conditional Use Permit for a Restaurant serving Boba Tea for takeout and dining in.

7. Exterior Photo of 11754 Manchester Road, Des Peres Meadows Shopping Center
8. Draft Minutes for Planning and Zoning Commission dated July 12, 2023
9. Bill 23-3000 An Ordinance Granting a CUP for operation of a limited-service DBA Tea Talk
10. Municipal Code of the City of Des Peres

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

Public Works Director, Steve Meyer gave a quick synopsis on Tea Talk. Ngan Do, the owner of Tea Talk, stated her store will be open Monday through Sunday, 11:30am – 8:30pm, and will seat about ten people. Alderman Barrett asked if Tea Talk sold any food. Ms. Do indicated its strictly tea, you can take it go or to enjoy it in the store.

Mayor Becker asked if anyone wished to comment. Hearing none, the Public Hearing for the CUP for Tea Talk closed at 7:08 pm

- **Amended Master Site Plan**
 - **Location: 13384 Manchester Road**
 - **Petitioner: Wholesale Plumbing Supply**

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

1. Notice of Public Hearing of August 14, 2023 advertised in the St. Louis Countian and Webster Kirkwood Times on July 21, 2023;
2. Notice of Public Hearing posted at the following locations: (1) Des Peres City Hall, (2) Des Peres Website on July 21, 2023
3. Public Hearing Notice Sent to Residents/ Business Owners within 185 feet of 13384 Manchester Rd
4. Petition Site Plan Approval from Applicant, Brian Ivy. Along with project narrative letter for proposed minor building, site and signage alterations for Wholesale Plumbing Supply Co. located at 13384 Manchester Road.
5. Wholesale Plumbing Supply Tenant Improvements Site Plan for 13384 Manchester Road
6. Final – Proposal Documents for Building Elevations
7. Staff Report requesting amended Master Site Plan to allow for new loading dock in rear and accent color change.
8. Photos of formerly known as Edwards Plaza, showing the space to be occupied by Wholesale Plumbing Inc Red paint colors proposed to be changed to blue and proposed location of new loading dock, to the left of existing man door.
9. Planning and Zoning Transmittal from Wednesday July 12, 2023
10. Bill 23-3001 An Ordinance Approving a Revised Master Site Plan for 13384 Manchester Road
11. Municipal Code of the City of Des Peres

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

Brian Ivy and Jeff Kindling, representatives from Wholesale Plumbing Supply, stated the color change, renaming of center and additional door are the improvements which they need to accomplish before opening. Mayor Becker asked how long will this process take. Mr. Ivy stated it will be ready in a couple of months after approval. Alderman Pound questioned if the trash load would be higher than the previous business. Public Works Director stated the trash won't be an issue. Alderman Pound also questioned if adding another door will create more traffic. Mr.

Ivy explained the current door is too narrow and Wholesale Plumbing Supply needs extra width. The door has nothing to do with traffic.

The Public Hearing for the amended Master Site Plan for Whole Sale Plumbing Supply closed at 7:14pm

CITIZEN COMMENTS

No citizens physically present requested to address the board.

Robert Barringer – 1322 Bansbach Road – dropped off letters prior to the Board of Aldermen Meeting addressed to Mayor Becker and Planning and Zoning Chair, Anna Ahrens relating to the rebuttal to defamatory letter of August 9, 2023 from Daniel J. Welsh of Hein Schneider and Bond.

CONSENT AGENDA

Mayor Becker announced that there were five (5) action items currently under the Consent Agenda. At the request of Mayor Becker, Alderman Barrett read aloud those five (5) items individually:

1. Minutes of the Board of Aldermen
 - a. Regular Meeting of July 10, 2023
 - b. Special Meeting of July 17, 2023
2. Approval of Warrant List
 - a. Dated July 24, 2023 (Approved by Mayor per S2-333(4) of City Code)
 - b. Dated August 10, 2023
3. R23-3708 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. R23-3709 Amending the 2023 Budget by Adoption of Supplemental Appropriations for the General, Park and Capital Funds
5. R23-3710 Authorizing Membership in PEPPM Cooperative Procurement Program; Awarding a Contract to Essential Network Technologies for Lease of Security Cameras and Software at The Lodge; Approving a Supplemental Appropriation and Amending the 2023 Budget to Transfer \$92,500 from the Park Fund to the Capital Fund Relating to this Project

Mayor Becker asked if there were any questions or comments pertaining to the consent agenda. Hearing none, Alderman Barrett made a motion, seconded by Alderman Osherow to approve the five (5) 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

- **Report of the Mayor**
 - Staff requested Mayor Becker to Provide Recommendations on Rezoning Certain Developments from C-1 Commercial to Planned Development-Commercial; (PD-C) including Barrett Park Subdivision (Sam's Wholesale) and Des Peres Pointe and Des Peres Corners Shopping Centers to the Planning and Zoning Commission. Alderman Fitzpatrick questioned why this wasn't done before. Public Works Director stated there is a long to-do list

pertaining to rezoning and since the City of Des Peres finally has a fulltime planner, the city now has the time to accomplish the task.

- **Discussion of Future Meeting Schedule**
The Board of Aldermen decided to cancel its September 11, 2023 meeting and reschedule for September 18, 2023 since the Mayor, City Administrator and City Clerk will be in Kansas City for the annual Missouri Municipal League Conference. The September 18th Board of Aldermen Meeting is scheduled to have three Public Hearings. Those Public Hearings include: petition for Site Plan approval at 2141 Sam's Drive, re-zone Barrett Park development to PD-C and adopt consolidated Master Development Plans for each developed lot, and a petition for a conditional Use Permit for a Comprehensive Marijuana Dispensary Facility at 12095 Manchester Rd.

- **Reports of Boards and Commissions**

- Report of the Audit & Finance Committee Meeting held July 26, 2023
- Report of the Parks & Recreation Commission Meeting held August 3, 2023
- Report of the Planning & Zoning Commission Meeting held August 9, 2023

LEGISLATION

UNFINISHED BUSINESS – NONE

NEW BUSINESS –

1. **B23-3000 An Ordinance Granting a Conditional Use Permit for Operation of a Limited-Service Restaurant at 11754 Manchester Road to Boba Tea Service d/b/a Tea Talk (Introduction, Request to Waive Rules and Consider for Final Passage and Approval)**

Alderman Osherow read B23-3000 for the first time.

Alderman Kleinschmidt made a motion, seconded by Alderman Osherow 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", Alderman Pound "AYE". Motion passed unanimously 5-0.

Alderman Osherow read B23-3000 for the second time.

Alderman Osherow made a motion, seconded by Alderman Kleinschmidt to approve B23-3000 as proposed. A roll call vote was taken with the following results: Alderman Barrett, "AYE", Alderman Fitzpatrick. "AYE", Alderman Kleinschmidt "AYE", Alderman Osherow, "AYE", Alderman Pound "AYE". Motion passed unanimously 5-0. B23-3000 becomes Ordinance 2986.

2. **B23-3001 An Ordinance Approving a Revised Master site Plan for 13384 Manchester Road (Wholesale Plumbing Supply Company) (Introduction, Request to Waive Rules and Consider for Final Passage and Approval)**

Alderman Barrett read B23-3001 for the first time.

Alderman Barrett 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", Alderman Pound "AYE". Motion passed unanimously 5-0.

Alderman Barrett read B23-3001 for the second time.

Alderman Barrett made a motion, seconded by Alderman Kleinschmidt to approve B23-3001 as proposed. A roll call vote was taken with the following results: Alderman Barrett, "AYE", Alderman Fitzpatrick. "AYE", Alderman Kleinschmidt" AYE", Alderman Osherow, "AYE", Alderman Pound "AYE". Motion passed unanimously 5-0. B23-3001 becomes Ordinance 2987.

MISCELLANEOUS BUSINESS –

1. Staff Reports

a. Report of the Director of Public Works -

- i. The Director of Public Works provided an update on the status of street improvement projects for the remainder of 2023.
- ii. The Director of Public Works presented the preliminary design by Civil Design for the 30-car parking lot proposed in front of city hall. The Parks and Recreation Commission approved this project 8-1.

Alderman Kleinschmidt made a motion, seconded by Alderman Osherow to proceed with parking lot proposal which includes 30 extra parking spots. A roll call vote was taken with the following results: Alderman Barrett, "AYE", Alderman Fitzpatrick. "AYE", Alderman Kleinschmidt" AYE", Alderman Osherow, "AYE", Alderman Pound "AYE". Motion passed unanimously 5-0.

b. Report of the Director of Public Safety- Mid Year Crime Statistics

Director of Public Safety presented Mid-Year Crime Stats. Chief Hall also gave stats on how well the city's K-9, Obe has done in Des Peres. Obe has minimized crime at the mall and helped other entities when needed. Alderman Kleinschmidt stated he was skeptical whenever Obe first joined the City of Des Peres, however Obe has won him over and Alderman Kleinschmidt apologized for doubting him.

ADJOURNMENT – INTO EXECUTIVE SESSION

Alderman Osherow made a motion, seconded by Aldermen Barrett, to go into Executive Session and adjourn the Regular Board of Aldermen Meeting at 7:51 P.M.

Amanda Hurley
City Clerk

Minutes approved by the Board of Aldermen on the 28th day of August, 2023.

Mark Becker, Mayor

ATTEST:

Amanda Hurley
City Clerk

DRAFT