

**MINUTES**  
**DES PERES BOARD OF ALDERMEN**  
**September 14<sup>th</sup>, 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 September 14<sup>th</sup>, 2020.

**ROLL CALL**

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

For the record, the City Attorney, Aldermen Kleinschmidt, and Alderman Sansone, attended the meeting remotely by video.

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.

**PUBLIC HEARING**

*Establishing the Annual Rate of Tax Levy*

The City Clerk provided the following exhibits:

1. Notice of Public Hearing advertised in the St Louis Countian, a newspaper of general circulation on September 1<sup>st</sup>, 2020
2. Notice of Public Hearing posted on the City Website and at locations within the City of Des Peres
3. Statement of Preliminary Assessed Value for all Real and Personal Property for 2020 provided by the Assessor of St Louis County
4. Copy of 2020 Budget Projection \$0.00 revenues from property taxes for general or debt service purposes.
5. Tax Calculation Worksheets Provided by State Auditor's Office
6. Proposed Bill 20-2893, establishing the annual rate of tax levy

The Director of Finance summarized the tax levy process for a reassessment year, reiterating the city's obligation to roll back its authorized rate so that the rate will generate the same income as the prior year's assessment. Ms. Hansen added that this would be the City's 25<sup>th</sup> consecutive year setting the real estate tax rate at \$0.00, an average savings of \$400 per

household. Ms. Hansen added that the post Board of Equalization numbers had not yet been finalized, and her report shows only preliminary numbers that will change slightly.

Fred Shaftstall, 12868 Willow Pond Ct, asked that if a tax levy were to be implemented if it would also increase personal property rates. Mr. Harms stated that those numbers are set by the State of Missouri, and have not changed since 1976.

Mr. Harms requested that the Board enter into the record two citizen comments, received by email, regarding the tax levy:

1. Email dated 8/28/2020 from Mr. Bob Dickson, in support of a tax levy given the COVID-19 pandemic, and projected loss of sales tax revenue.
2. Email dated 8/28/2020 from Mr. Paul Fingerhut, in opposition of a tax levy.

Mayor Becker added the two emails into the record as Exhibit #9 and #10.

Not hearing any comments or concerns Mayor Becker closed the Public Hearing at 7:10PM.

#### **AMENDMENT OF AGENDA**

City Administrator Harms requested that proposed Bill 20-2894, an ordinance requesting that St. Louis county distribute \$47 million of CARES Act funds on a per capita basis to the municipalities within the county to be used for eligible expenses, authorizing the Mayor of the City of Des Peres, Missouri, to accept CARES Act funding and execute a municipality relief program funding agreement, and confirming agreement to indemnify and hold harmless St. Louis County from such distribution, be added under New Business.

#### **CITIZEN COMMENTS - None**

#### **REPORT OF THE MAYOR**

Mayor Becker announced that he has issued Executive Order #6 relating to the continuing COVID-19 pandemic, which extends all prior relevant Executive Orders until December 31, 2020, or unless otherwise overturned by the Board of Aldermen. Mayor Becker added that the orders include a) suspension of limitations on delivery times at grocery stores, pharmacies and similar merchants b) imposing a hiring freeze on full-time positions without prior authorization of the Mayor and Board of Aldermen and imposing a hiring freeze on hiring of part-time employees by Department Heads without consent of the City Administrator c) suspension on issuance of licenses for door-to-door solicitors d) suspension of certain business regulations to facilitate continuing operation and re-opening of businesses including allowing exterior display and sales and business operations in area parks by administrative permit for Des Peres businesses.

#### **REPORTS OF OFFICERS AND COMMITTEES**

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

- a. Audit & Finance Commission Meeting of August 24, 2020

- b. Board of Adjustment Meeting of August 26, 2020
- c. Public Safety Commission Meeting of September 8, 2020

Mayor Becker added that the Public Safety Commission Meeting has been moved to the third Monday of each month at 6PM, and will be held at the Des Peres Government Center.

### **CONSENT AGENDA**

Mayor Becker stated that the Consent Agenda consisted of four (4) items. Alderman Barrett read a summary of the items on the consent agenda.

- 1. Minutes of the Board of Aldermen Meeting of August 24, 2020
- 2. Warrant List Dated September 10, 2020
- 3. R20-3421 Accepting a Donation from the *Friends of Ray Barrett* of a Monument/Plaque Recognizing his Role in the Purchasing and Development of Des Peres Park
- 4. R20-3422 Amending the 2020 General Fund Budget Based on Mid-Year Performance

Alderman Barrett moved to approve the Consent Agenda as presented, second by Alderman Concagh. 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. B20-2886 An Ordinance Amending Chapter 6. Building and Building Code Regulations to Adopt the 2018 International Building Code; the 2018 International Swimming Pool and Spa Code; the 2018 International Existing Building Code; the 2018 International Fire Code; and the 2018 International Property Maintenance Code Together with Certain Amendments Thereto as the Building Code for the City of Des Peres (2<sup>nd</sup> Reading)

Alderman Sansone read Bill 20-2886 for a second time.

Alderman Sansone moved to approve Bill 20-2886 as presented, second by Alderman Pound. 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.

- 2. B20-2890 An Ordinance Accepting the Streets and Sidewalks in Chandler Ridge Subdivision for Public Use and Maintenance (2<sup>nd</sup> Reading)

Alderman Barrett read Bill 20-2890 for a second time.

Alderman Concagh moved to approve Bill 20-2890 as presented, second by Alderman Barrett. 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.

3. B20-2891 An Ordinance Accepting the Streets and Sidewalks in Wyhurst Subdivision for Public Use and Maintenance (2<sup>nd</sup> Reading)

Alderman Concagh read Bill 20-2891 for a second time.

Alderman Concagh moved to approve Bill 20-2891 as presented, second by Alderman Barrett. 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. B20-2892 An Ordinance Repealing Section 14-455 of the Municipal Code of the City of Des Peres Relating to Mandatory Equipment for Motorcycle Riders and Enacting a New Section in Lieu Thereof (Introduction)

Alderman Pound introduced Bill 20-2892, and read it for the first time.

Alderman Pound moved to waive the rules and read Bill 20-2892 a second time, second by Alderman Barrett. 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 Pound read Bill 20-2892 for a second time.

Alderman Pound moved to approve Bill 20-2892 as presented, second by Alderman Barrett. 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.

2. B20-2893 An Ordinance Establishing the Annual Rate of Tax Levy For All Funds at \$ 0.220 (Residential), \$0.213 (Commercial) and (\$1.00 (Agricultural) Per \$100 of Assessed Value on All Real Estate and Personal Property Located Within the City of Des Peres for the Year 2020 (Introduction)

City Administrator Harms indicated that the Board has been provided with three alternate versions of Bill 20-2893 that include different tax levy rates, one which includes rolling back the tax rate to \$0.0000. Mr. Harms added that the Board will need to discuss what tax rate they intend to levy prior to introducing the Bill.

Alderman Barrett moved to add Bill 20-2893.3 to the September 28<sup>th</sup>, 2020 agenda, second by Alderman Fitzpatrick. A roll call vote was then taken with the following results: Pound, AYE;

Fitzpatrick, AYE; Kleinschmidt, NAY; Sansone, AYE; Concagh, AYE; Barrett, AYE. Motion passed 5-1.

Alderman Barrett introduced and read for the first time, Bill 20-2983.3, an ordinance establishing the annual rate of tax levy for all funds on all real and personal property located within the City of Des Peres for the year 2020 and voluntarily rolling back all tax rates to \$0.0000.

3. B20-2894 An Ordinance Requesting that St. Louis County Distribute \$47 Million of CARES Act Funds On a Per Capita Basis to the Municipalities Within the County to be Used For Eligible Expenses, Authorizing the Mayor of the City of Des Peres, Missouri, to Accept CARES Act Funding and Execute a Municipality Relief Program Funding Agreement, and Confirming Agreement to Indemnify and Hold Harmless St. Louis County from Such Distribution.

Alderman Fitzpatrick introduced Bill 20-2894, and read it for the first time.

Alderman Concagh moved to waive the rules and read Bill 20-2894 a second time, 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.

Alderman Fitzpatrick read Bill 20-2894 for a second time.

Alderman Concagh moved to approve Bill 20-2894 as presented, 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**

### *City Administrator*

#### Report on Bids Received for Solid Waste Management Contract

Mr. Harms stated that earlier that afternoon, sanitation bids were received and opened, with two bids received from Waste Connections and Republic, and two letters of declination from Meridian Waste and Waste Management. Mr. Harms stated that staff is still evaluating some factors, but that both companies have good reputations and meet the City's requirements regarding yard waste pick-up. Mr. Harms stated that a decision will need to be made by mid-October, and will have a more detailed report to the Board by the end of the week.

#### Overview of 2021 Proposed Capital Improvement Fund Budget + Request for Capital Budget Work Session, September 21<sup>st</sup> at 6:30

City Administrator Harms provided a brief presentation on the proposed Capital Improvement Fund Budget and requested to hold a work session on Monday September 21st at 6PM to review in detail.

Alderman Concagh announced that he would not be available to meet on the 21<sup>st</sup>.

**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 8:01PM 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:

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Stacey Mann, City Clerk

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Mark Becker, Mayor

**ATTEST:**

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Stacey Mann, City Clerk