

**MINUTES
BOARD OF ALDERMEN
AUGUST 22, 2022
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 7:01 P.M. on Monday, August 22, 2022.

ROLL CALL

The City Clerk took roll with the following elected officials physically present: Alderman Barrett, Alderman Concagh, Alderman Kleinschmidt, Alderman Osherow and Alderman Pound. Mayor Becker was also present.

Alderman Fitzpatrick was absent with excuse due to being out of the country.

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

AMENDMENT TO AGENDA – NONE

PUBLIC HEARING – NONE

CITIZEN COMMENTS –

Eileen Bader, 12100 Georgian Trail, expressed her many concerns for medical marijuana. Ms. Bader wanted to express her biggest concern, which is keeping the citizens of Des Peres informed on this topic. Ms. Bader suggested putting an article in the Des Peres Citizen News Letter for educational purposes on medicinal marijuana.

CONSENT AGENDA

Mayor Becker announced that there were four (4) currently under the Consent Agenda. At the request of Mayor Becker, Alderman Concagh read aloud those items individually:

1. Minutes of the Board of Aldermen Meeting of August 8, 2022
2. Warrant List Dated August 18, 2022
3. R22-3609 Writing Off Uncollectible Debts for Emergency Ambulance Transportation Services in the Amount of \$41,378.02
4. R22-3610 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 Ethics Commission

Alderman Kleinschmidt made a motion, seconded by Alderman Osherow to approve the Consent Agenda as proposed. A roll call vote was taken with the following results: Alderman Barrett, "AYE", Alderman Kleinschmidt, "AYE", Alderman Concagh, "AYE", Alderman Osherow, "AYE", Alderman Pound, and "AYE". Motion passed 5-0.

REPORTS OF OFFICERS AND COMMITTEES

Mayor Becker acknowledged the following advisory reports submitted by the various Boards and Commissions:

- Report of the Planning & Zoning Commission Meeting of August 10, 2022
- Report of the Public Safety Commission Meeting held August 15, 2022

LEGISLATION

Unfinished Business

a. B22- 2961 Granting a Conditional Use Permit for Operation of a Medical Marijuana Dispensary at 12095 Manchester Road to GF Wellness Fenton LLC (2nd Reading)

Mayor Becker asked if anyone had any discussion pertaining to B22-2961.

Alderman Pound asked if B22-2961 is being introduced. City Attorney, Chris Graville stated no, B22-2961 is up for second reading for passage and approval, or to adopt one of the two proposed substitute bills. (B22-2961.1 or B22-2961.2). City Attorney stated this bill is ready to be voted on. Alderman Pound stated he doesn't agree. Alderman Pound once again brought up his concerns of safety and stated two dozen break-ins have occurred around the St. Louis area at medicinal dispensaries. Alderman Pound stated he is not prepared to vote and believes B22-2961 should be tabled until the November 21st Board of Aldermen Meeting. That way the Board will have a better understanding of what the citizens of Des Peres want pertaining to recreational marijuana after the November 8, 2022 General Election.

Alderman Pound made a motion to table B22-2961 until the November 21, 2022 Board of Aldermen Meeting. City Attorney, Chris Graville once again went into great detail explaining that the Board cannot say no to medicinal marijuana due to law of the Missouri Constitution. Discussion ensued. Motion failed due to lack of second.

Alderman Barrett requested more information pertaining to medicinal marijuana be placed into the Des Peres Newsletter or send out using a special educational piece to residents for informational purposes. City Administrator, Doug Harms advised that the Des Peres Newsletter which is being printed this week includes an educational piece under the mayor's letter about medicinal marijuana.

Mayor Becker stated B22-2961 needs to have at least four votes to pass tonight. Mayor Becker respectfully asked Dan Welsh with Root66 if he wanted to wait until the board had all six board members present. Mr. Welsh expressed his desire to move forward with a vote tonight.

City Administrator provided the Board with a memo regarding anticipated sales tax revenues for marijuana sales which was requested by Alderman Pound the previous weekend. Those projections range from \$56,000-\$73,000 per year in total sales tax revenues payable to the City based on preliminary sales estimates provided by the petitioner. The analysis goes on to project estimated sales tax revenues for an adult-use recreational dispensary at \$185,000-\$240,000 per year which assumes an

additional 3% sales tax permitted under the proposed constitutional amendment subject to a public vote.

Alderman Osherow made a motion, seconded by Alderman Kleinschmidt to substitute B22-2961 with B22-2961.2. A roll call vote was taken with the following results: Alderman Barrett, "AYE", Alderman Kleinschmidt, "AYE", Alderman Concagh, "AYE", Alderman Osherow, "AYE", Alderman Pound, "AYE". Motion passed 5-0.

Alderman Barrett made a motion, seconded by Alderman Osherow to approve B22-29.61.2. A roll call vote was taken with the following results: Alderman Barrett, "AYE", Alderman Kleinschmidt, "since the law says we have to "AYE", Alderman Concagh, "since the law says we have to "AYE", Alderman Osherow, "AYE", Alderman Pound, "NAY". Motion passed 4-1.

New Business - None

- a. **B22-2962** **An Ordinance Establishing the Annual Rate of Tax Levy for All Funds On All Real and Personal Property within the City of Des Peres for the Year 2022 (Introduction; Hold for Public Hearing on September 12, 2022)**

Alderman Barrett read B22-2962 for the first time.

Mayor Becker stated B22-2962 will be held over until the next meeting for Public Hearing and second reading for passage and approval at that time.

MISCELLANEOUS BUSINESS

1. Report of the City Administrator

a. Budget Calendar

City Administrator, Doug Harms informed the Board of the upcoming Budget Meetings. The proposed Budget Meeting dates are 9/12/22, 9/19/22, 9/26/22, 10/3/22 all commencing at 6pm at Des Peres City Hall.

REQUEST FOR EXECUTIVE SESSION

Staff has not been notified by the Mayor or City Attorney of a request for Executive Session.

ADJOURNMENT

Alderman Kleinschmidt made a motion, seconded by Aldermen Osherow to adjourn the Regular Meeting at 8:21 P.M.

Minutes Prepared by:

Amanda Hurley
City Clerk

Minutes approved by the Board of Aldermen on the 12nd day of September, 2022.

Mark Becker, Mayor

ATTEST:

Amanda Hurley
City Clerk

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