

**MINUTES**  
**DES PERES BOARD OF ALDERMEN**  
**October 24, 2016**  
**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, October 24, 2016.

**ROLL CALL**

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

Staff members present included: Assistant City Administrator, City Clerk, City Attorney, Director of Public Works, Director of Public Safety, Director of Parks and Recreation and Director of Finance. The City Administrator was absent with excuse. At this time the Board of Aldermen, staff and citizens rose for the Pledge of Allegiance.

**PUBLIC HEARINGS**

No public hearings were scheduled.

**AMENDMENT OF AGENDA**

Mayor Lahr asked if there were any additions or changes to the agenda. None were requested.

**CITIZEN COMMENTS AND PETITIONS**

Tim Hampton, 11939 Hargrove Drive, referenced Bill 16-2793 and stated he did not want the construction hours to change from an 8:00 AM start time to 7:00 AM.

Mayor Lahr stated he received a phone call from McKelvey Homes regarding construction start times and subsequently asked the Director of Public Works to survey surrounding communities. The Mayor stated most surrounding communities allow a start time of 7:00 AM.

Don Foshage, 11928 Hargrove Drive, stated he is concerned about the safety of the children in the neighborhood if construction was allowed at 7:00 AM. He stated the construction traffic would conflict with children trying to get to school at St. Clement's and Westchester Elementary.

Colleen Vulin, 1540 Breezeridge, stated she was representing herself and twenty other mothers in Harwood Hills who prefer to keep the construction start time at 8:00 AM for the safety of their children.

Jim Hudson, 1544 Windridge and Harwood Hills Trustee, stated he is concerned about safety in the neighborhood and the number of in fill houses in Harwood Hills.

Mark Pedroli, 1559 Fawnvalley, stated the construction companies already arrive early to their job sites and would arrive earlier if work could begin at 7:00 AM. He stated traffic would be a concern in the morning with increased construction traffic and increased traffic from the Starbucks development.

Lolly Schanbusch, 1452 Fawnvalley Court, stated there are no sidewalks in Harwood Hills and it is dangerous for children to walk in the street when construction trucks are driving through the neighborhood.

Leora Fuhler, 11735 Fawnridge, stated it is a challenge to move through the neighborhood and asked the Mayor and Board to consider that Harwood Hills is a neighborhood with a great deal of in fill construction versus a new construction neighborhood with no one living there.

Ben Sansone, 11709 Claychester, asked if anyone was in favor of moving the construction start time to 7:00 AM.

Mark Pedroli asked if the City of Frontenac was included in the survey and if the start time was 8:00 AM in Frontenac.

John Borbonus, 1410 Fairbrook, asked if the City was accommodating residents or the home builders. He stated he has called Public Safety numerous times to report code violations and would like to see more code enforcement.

Mayor Lahr asked the City Attorney if special status could be given to certain areas of the city in which the construction start time would remain 8:00.

The City Attorney responded he would need to investigate the matter further.

Jim Brennan, President of McKelvey Homes, stated he spoke to Mayor Lahr regarding The Arbors subdivision. Mr. Brennan stated earlier start times would allow homes to be built faster but he is interested in a compromise with the residents.

Jim Hudson stated residents in Harwood Hills have construction fatigue after 16 years of in fill housing construction. Mr. Hudson asked if the City could limit the number of in fill homes that go under construction at the same time.

Mayor Lahr stated he understood the frustration of the residents in Harwood Hills. Mayor Lahr addressed the topic of sidewalks and stated the City tried to install sidewalks in the neighborhood but the residents were not interested at that time.

## **REPORTS OF OFFICERS AND COMMITTEES**

The Mayor indicated that there was a written reports submitted from the Planning and Zoning Commission Meeting held October 12, 2016.

## **CONSENT AGENDA**

Mayor Lahr advised that the Consent Agenda consists 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 October 10, 2016 Meeting of the Board of Aldermen
2. Warrant List Dated October 20, 2016

3. R16-3039 Adopting a Revised Fund Balance Policy in Accordance with Section 2-286 of the Municipal Code
4. R16-3040 Authorizing Purchase of Forty (40) Sets of Webgear from Ed Roehr Safety Products Utilizing Contracts Under the Missouri Cooperative Procurement Program
5. R16-3041 Adopting a Supplemental Appropriation for the Capital Improvement Fund in the Amount of \$14,500 For Certain Building Repairs and Emergency Equipment Replacement

The Mayor asked if there are any items the board wished removed from the consent agenda. None were requested.

Alderman Raczkiewicz moved to approve the Consent Agenda, second by Alderman Becker. A roll call vote was then taken with the following results: Alderman Gmelich, AYE; Alderman Becker, AYE; Alderman Pound, AYE; Alderman Concagh, AYE; Alderman Kleinschmidt, ABSENT; and Alderman Raczkiewicz, AYE; Motion passed 5-0. Alderman Gmelich abstained from the line item regarding Curtis Heinz on the Warrant List.

#### **LEGISLATION – Unfinished**

1. **Bill 16-2790** An Ordinance Amending Ordinance 2726 Granting a Conditional Use Permit Granted to Rosalita’s Cantina for Operation of a Restaurant at 12796 Manchester Road to Extend the Time Period for Completion by One Year to October 1, 2017

Alderman Becker read Bill 16-2790 for a second reading and made a motion to approve, second by Alderman Concagh. A roll call vote was then taken with the following results: Alderman Gmelich, AYE; Alderman Becker, AYE; Alderman Pound, AYE; Alderman Concagh, AYE; Alderman Kleinschmidt, ABSENT; and Alderman Raczkiewicz, AYE; Motion passed 5-0.

#### **LEGISLATION – New Business**

1. **Bill 16-2791** An Ordinance Approving the Record Plat for a Lot Split of a Tract of Land Located at 12805 Springdale Road for Springdale Manor Subdivision

Alderman Becker introduced Bill 16-2791.

A representative from THD Design Group was present and requested a second reading of the Bill.

Mayor Lahr stated the Bill would be subject to a second reading at the November 14, 2016 Board of Aldermen meeting as the matter relates to land use.

2. **Bill 16-2792** An Ordinance Authorizing an Agreement with the City of Kirkwood for Emergency Fire and EMS Dispatch Services

Mayor Lahr stated the City currently contracts with Central County for Fire and EMS dispatching services but, due to cost increases, the City explored an alternative option to enter in to a contract with the City of Kirkwood for these services.

Alderman Concagh introduced Bill 16-2792.

Alderman Concagh made a motion to waive the rules for a second reading, second by Alderman Raczkiwicz. A roll call vote was then taken with the following results: Alderman Gmelich, AYE; Alderman Becker, AYE; Alderman Pound, AYE; Alderman Concagh, AYE; Alderman Kleinschmidt, ABSENT; and Alderman Raczkiwicz, AYE; Motion passed 5-0.

Alderman Concagh read Bill 16-2792 for a second reading and made a motion to approve, second by Alderman Becker. A roll call vote was then taken with the following results: Alderman Gmelich, AYE; Alderman Becker, AYE; Alderman Pound, AYE; Alderman Concagh, AYE; Alderman Kleinschmidt, ABSENT; and Alderman Raczkiwicz, AYE; Motion passed 5-0.

- 3. Bill 16-2793** An Ordinance Repealing Section 16-79 of the Municipal Code and Adopting New Regulations In Lieu Thereof Relating to Creation of Noise in Residential Zoning Districts by Use of Power Tools, Machinery or Other Construction Activity

Alderman Raczkiwicz introduced Bill 16-2793.

- 4. Bill 16-2794** An Ordinance Amending Appendix C: Zoning of the Municipal Code of the City of Des Peres By Adopting a New Section Restricting Business Which Serve Food or Beverages with Drive-Thru Facilities To Only Those Locations with Direct or Indirect Access to a Signalized Intersection

Alderman Gmelich introduced Bill 16-2794.

#### **REPORTS OF STAFF**

There being no additional business to come before the regular session of the Board of Aldermen, Alderman Gmelich moved to adjourn, second by Alderman Raczkiwicz at 7:38 PM. A roll call vote was then taken with the following results: Alderman Gmelich, AYE; Alderman Becker, AYE; Alderman Pound, AYE; Alderman Concagh, AYE; Alderman Kleinschmidt, ABSENT; and Alderman Raczkiwicz, AYE; Motion passed 5-0.

Minutes prepared by:

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Amanda Foster  
City Clerk

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Richard Lahr, Mayor

#### **ATTEST:**

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Amanda Foster  
City Clerk