

MINUTES
DES PERES BOARD OF ALDERMEN
November 14, 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, November 14, 2016.

ROLL CALL

The Assistant City Administrator took roll with the following board members present: Alderman Gmelich, Alderman Pound, Alderman Raczkiwicz, Alderman Kleinschmidt, Alderman Concagh and Alderman Becker. Mayor Lahr was also present.

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

PUBLIC HEARINGS

Mayor Lahr announced the first item of business was a public hearing on 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

The Assistant City Administrator read the following exhibits:

- Notice of Public Hearing posted on the City Website and at locations in the City of Des Peres
- Notice of Public Hearing advertised in the St. Louis Countian on October 28, 2016
- 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
- Email communications from eight residents in Harwood Hills against the proposed time change
- Working Hours Survey PowerPoint submitted by the Director of Public Works
- Municipal Code of the City of Des Peres
- All City files pertaining to the application

Mayor Lahr reiterated that Bill 16-2793 has been amended to recognize two classifications of residential construction activity: infill and new subdivision. New subdivision is defined as a residential resubdivision of property with no less than four (4) separate contiguous lots. The amended bill provides an exception for new subdivisions and allows construction activity to start at 7:00am. All other construction activity will be classified as infill, and therefore subject to 8:00am starting times. Construction activity in all residential areas may commence at 8:00am between Memorial Day and Labor Day.

Mayor Lahr asked if any citizens wished to comment.

Colleen Vulin, 1540 Breezeridge Drive, challenged the City to monitor and enforce the existing law, which prohibits residential construction activity before 8:00am. She later submitted a petition with approximately 90 signatures in opposition of the measure.

Troy Igne, 11901 Kendon Drive, raised concerns about the longevity of the amended bill, emphasizing that all “new subdivisions” will eventually become infill housing.

Tim Teepe, 11939 Kendon Drive, petitioned the Board to keep the starting time at 8:00am year-round.

Mark Rasch, 201 Greenbriar Estates, advocated a 7:00am starting time for all residential construction, stressing the importance of starting work early while the weather is cooler.

Hearing no further comments, Mayor Lahr closed the public hearing.

Mayor Lahr announced the second item of business was a public hearing on an Ordinance Amending Appendix C, Zoning Regulations, of the Des Peres City Code to add a new section pertaining to regulations for drive-through facilities

The Assistant City Administrator read the following exhibits:

- Notice of Public Hearing posted on the City Website and at locations in the City of Des Peres
- Notice of Public Hearing advertised in the St. Louis Countian on October 24, 2016
- Bill 16-2794 An Ordinance Amending Appendix C, Zoning Regulations, of the Des Peres City Code to add a new section pertaining to regulations for drive-through facilities
- Municipal Code of the City of Des Peres
- All City files pertaining to the application

Mayor Lahr asked if any citizens wished to comment.

Hearing no further comments, Mayor Lahr closed the public hearing.

AMENDMENT OF AGENDA

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

CITIZEN COMMENTS AND PETITIONS

There were no citizen comments or suggestions.

REPORTS OF OFFICERS AND COMMITTEES

The Mayor indicated that there was a written reports submitted from the Audit and Finance Committee Meeting held October 24, 2016; the Parks and Recreation Commission Meeting held November 3, 2016; and the Public Safety Commission Meeting held November 7, 2016.

APPOINTMENTS

The Mayor stated the terms of Andy Goldacker and Ted Martin as Directors for the Manchester/Ballas CID expired December 2015.

Mayor Lahr made a recommendation to reappoint Andy Goldacker and appoint Jill Mester as Directors to the Manchester/Ballas CID for 4 year terms, second by Alderman Kleinschmidt. 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, AYE; and Alderman Raczekiewicz, AYE; Motion passed 6-0.

CONSENT AGENDA

Mayor Lahr advised that the Consent Agenda consists of three (3) 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 24, 2016 Meeting of the Board of Aldermen
2. Warrant List Dated November 10, 2016
3. R16-3042 Authorizing a Contract with Gulf States Distributors for the Purchase of Ammunition for the Department of Public Safety

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

Alderman Raczekiewicz moved to approve the Consent Agenda, second by Alderman Kleinschmidt. 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, AYE; and Alderman Raczekiewicz, AYE; Motion passed 6-0. Alderman Gmelich abstained from the line item regarding Curtis Heinz on the Warrant List.

LEGISLATION – Unfinished

1. **Bill 16-2791** An Ordinance Approving the Record Plat for a Lot Split of a Tract of Land Located at 12503 Springdale Road for Springdale Manor Subdivision

Alderman Becker read Bill 16-2791 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, AYE; and Alderman Raczekiewicz, AYE; Motion passed 6-0.

2. **Bill 16-2793.1** 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 Concagh made a motion to amend Bill 16-2793 to adopt the language set forth in Bill 16-2793.1, 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, AYE; and Alderman Raczekiewicz, AYE; Motion passed 6-0.

Alderman Concagh introduced Bill 16-2793.1.

3. **Bill 16-2794.1** An Ordinance Amending Appendix C, Zoning Regulations, of the Des Peres City

Code to Add a New Section Pertaining to Regulations for Drive-Through Facilities.

Alderman Gmelich made a motion to amend Bill 16-2794 to adopt the language set forth in Bill 16-2794.1, second by Alderman Pound. 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, AYE; and Alderman Raczkiewicz, AYE; Motion passed 6-0.

Alderman Kleinschmidt read Bill 16-2794.1 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, AYE; and Alderman Raczkiewicz, AYE; Motion passed 6-0.

LEGISLATION – New Business

1. **Bill 16-2795** An Ordinance Establishing Employee Compensation for the Fiscal Year Beginning January 1, 2017 and Repealing All Ordinances in Conflict Therewith

Alderman Gmelich introduced Bill 16-2795.

2. **Bill 16-2796** An Ordinance Authorizing an Agreement with the Missouri Highway and Transportation Commission for the Traffic Engineering Assistance Program (TEAP)

Alderman Kleinschmidt introduced Bill 16-2796.

3. **R16-3043** Adopting the 2017 Budget for the Fiscal Year Beginning January 1, 2017

Alderman Concagh introduced R16-3043.

REPORTS OF STAFF

There being no additional business to come before the regular session of the Board of Aldermen, Alderman Raczkiewicz moved to adjourn, second by Alderman Gmelich at 7:41 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, AYE; and Alderman Raczkiewicz, AYE; Motion passed 6-0.

Minutes prepared by:

Scott Schaefer, Assistant City Administrator
Deputy City Clerk

These minutes have been approved by the Board of Aldermen.

Richard Lahr, Mayor

ATTEST:

Scott Schaefer, Assistant City Administrator
Deputy City Clerk