

**MINUTES
BOARD OF ALDERMEN
MARCH 28, 2022
DES PERES GOVERNMENT CENTER**

The regular meeting of the Board of Aldermen of the City of Des Peres, Missouri was at the Des Peres Government Center, 12325 Manchester Road 63131, commencing at 7:00 P.M. on Monday, March 28, 2022.

ROLL CALL

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

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

At this time, those present rose for the Pledge of Allegiance.

AMENDMENT OF AGENDA – NONE

PUBLIC HEARING – Temporary Outside Sale/Display/Storage Permit

Petitioner: Carrollton Bank, 11692 Manchester
Date of Event: June 10, 2022

The City Clerk provided the following exhibits:

1. Letter from Carrollton Bank requesting a permit to hold a Customer Appreciation Event; June 10th from 11am to 1pm. At this event, they will be serving hot dogs, hamburgers, chips, soda and ice-cream. On the premises a 20 x 30 white tent will be set up along with 10 tables and 100 chairs.
2. Outside Sales/Display/Storage Permit dated March 11, 2022
3. Resolution 22-3564 Authorizing a Temporary Outside Sale, Display and Storage Permit for a “Customer Appreciation Event” at Carrollton Bank, 11710 Manchester Road on Friday, June 10, 2022
4. Municipal Code of the City of Des Peres

Not hearing any comments or concerns, Mayor Becker closed the Public Hearing at 7:30pm.

CITIZEN COMMENTS –

Bob Ashcraft, bobashcraft@charter.net, sent an email stating “FINANCIAL RESPONSIBILITIES: Bonds: I am under the opinion that Des Peres should not incur any debt by the issuance of any bonds for any project. In respect, no one know the future – possibly a recession. Annexation: Prior annexations along Barrett Station has proven to be very costly for the City of Des Peres. State law enables fire districts, to always retain their tax base even if their tax base has been annexed by another jurisdiction. Des Peres tax liability to West County EMS

& Fire Protection District for 2022 is over a third of a million dollars. The logic is beyond me, why Des Peres would want to perpetuate a liability to West County EMS & Fire by annexing any area in which Des Peres has nothing to gain.”

CONSENT AGENDA

The Mayor announced that there were ten (10) items currently on the consent agenda. At the request of the Mayor, Alderman Barrett read the items on the consent agenda including:

1. Minutes of the Board of Aldermen Meeting of March 14, 2022
2. Warrant List Dated March 24, 2022
3. R22-3563 Authorizing Purchase of a 2022 Dodge Ram 1500 Pick Up Truck for use by the Department of Parks & Recreation from National America Fleet Group Using a Cooperative Procurement Contract with Sourcwell; Declaring a 2005 Chevrolet Silverado as Surplus; and Repealing R22-3560
4. R22-3564 Approving a Temporary Exterior Storage, Sales and Display Permit to Carrollton Bank, 11710 Manchester Road, for an Exterior Customer Appreciation Event on June 10, 2022
5. R22-3565 Approving a Liquor by the Drink with Sunday Sales License to Sunny Street Café, 11692 Manchester Road
6. R22-3566 Granting a Permanent Utility Easement to Union Electric Company dba/ Ameren Missouri for Installation of Underground Utilities in Conjunction with the Des Peres Road Roundabout Project
7. R22-3567 Granting a Permanent Drainage Easement to the Metropolitan St Louis Sewer District (MSD) for Maintenance of Storm Water Facilities Constructed in Conjunction with the Des Peres Road Roundabout Project
8. R22-3568 Authorizing the City Administrator to Accept Donations of Permanent Easements and Temporary Construction Easements and to Execute Such Easements on Behalf of the City of Des Peres for the Highland Road Construction Project
9. R22-3569 Expressing the Intention of the Board of Aldermen of the City of Des Peres to Reimburse Itself for Certain Capital Expenditures
10. R22-3570 Authorizing Write Off of Uncollectible Ambulance Bills

Alderman Barrett made a motion, seconded by Alderman Concagh to approve the ten items on the Consent Agenda, as presented. A roll call vote was taken with the following results: Alderman Barrett, “AYE”, Alderman Fitzpatrick, “AYE”, Alderman Concagh, “AYE”, Alderman Kleinschmidt, “AYE” Alderman Osherow, “AYE”, Alderman Pound, and “AYE”. Motion passed 6-0.

REPORT OF THE MAYOR –

- Proclamation – Arbor Day 2022
Mayor Becker read a Proclamation related to Arbor Day which is being held April 1, 2022. Mayor Becker added at this proclamation is a mandatory feature for achieving Tree City USA, an award which the city has received for the 38th consecutive year.
- Liquidated Damages - Waste Connections
City Administrator Douglas Harms sent a letter to Waste Connections, Waste Manager and Legal Department advising that the City of Des Peres is imposing Liquidated

damages under Section 4.2 of the Franchise agreement for the Collection, Hauling and Disposal of Municipal Solid Waste, Recycling, Yard Waste and Bulky Items in the City of Des Peres, Missouri in the amount of \$16,125.00 for failure of Waste Connections to perform all services.

Tony Lamantia, Municipal Representative for Waste Connections, apologized for the inconvenience Waste Connections has caused to the residents of Des Peres and expressed they are doing the best they can. COVID 19 has affected their company immensely. New management from Corporate has taken over and they will be moving forward with various changes to stabilize our services.

Alderman Fitzpatrick made a motion, seconded by Alderman Kleinschmidt to give staff the ability to come back next meeting with a resolution amending the contract with Waste Connections to pick up yard waste the same day as trash being spread out throughout the whole week. A roll call vote was taken with the following results: Alderman Barrett, "AYE", Alderman Fitzpatrick, "AYE", Alderman Concagh, "AYE", Alderman Kleinschmidt, "AYE" Alderman Osherow, "AYE", Alderman Pound, and "AYE". Motion passed 6-0.

Alderman Kleinschmidt made a motion, seconded by Alderman Concagh to refrain from Liquidating Waste Connections. A roll call vote was taken with the following results: Alderman Barrett, "AYE", Alderman Fitzpatrick, "AYE", Alderman Concagh, "AYE", Alderman Kleinschmidt, "AYE" Alderman Osherow, "AYE", Alderman Pound, and "AYE". Motion passed 6-0.

- Manchester Annexation
City Administrator gave a brief synopsis of the 2018 Annexation which was adopted by the board in June 2018. Recently the City of Manchester has publicly announced their intention to annex roughly 7,000 people west of Des Peres bringing their city limits to Barrett Station Road adjoining Des Peres Western Boundary. The City of Manchester has been working on this plan for about a year and they are just now going public with an outreach program to residents in the area. Their plan will require Boundary Commission approval and then voter approval by concurrent majorities in the City and in the proposed annexation area.

REPORTS OF OFFICERS AND COMMITTEES –

- Report of the Public Safety Commission Meeting held March 21, 2022
- Report of the Audit & Finance Committee Meeting held March 23, 2022
- Report of the Board of Adjustment Meeting held March 23, 2022

LEGISLATION

Unfinished Business - None

New Business

1. B22-2952 Authorizing Extension of the Master Agreement with Navigate

Building Solutions to Provide Owners Representative and Other Consulting Services for a Two-Year Period Ending December 31, 2024 (Introduction)

Alderman Concagh read B22-2952 for the first time.

Mayor Becker asked if anyone would like to entertain a motion to waive the rules and read for a second time. Not hearing a motion, B22-2952 will be held until the April 11th Board of Aldermen Meeting.

2. R22-3571 Authorizing Task Oder #10 with Navigate Building Solutions to Serve as Owners Representative and Provide Consulting Services for Conceptual Planning and Cost Estimating Relating to Potential Renovations to Public Buildings including the Government Center, Public Safety Building and Street Garage

Alderman Fitzpatrick read R22-3571.

Alderman Barrett made a motion, seconded by Alderman Fitzpatrick to approve R22-3571. A roll call vote was taken with the following results: Alderman Barrett, "AYE", Alderman Concagh, "AYE", Alderman Fitzpatrick, "AYE", Alderman Kleinschmidt, "AYE" Alderman Osherow, "AYE", Alderman Pound, "AYE". Motion passed 6-0.

MISCELLENOUS BUSINESS

REQUEST FOR EXECUTIVE SESSION – ADJOURNMENT OF BOA MEETING

There being no additional business to come before the regular session of the Board of Aldermen, Alderman Kleinschmidt made a motion to adjourn into Executive Session for the purposes of legal actions, causes of action, litigation or privileged communications between the City's representatives and its attorney, seconded by Alderman Fitzpatrick at 7:32 pm.

Minutes Prepared by:

Amanda Hurley
City Clerk

Minutes approved by the Board of Aldermen on the 11th day of April, 2022.

Mark Becker, Mayor

ATTEST:

Amanda Hurley
City Clerk

DRAFT