

**MINUTES
BOARD OF ALDERMEN
May 10, 2021
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, May 10, 2021.

ROLL CALL

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

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

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

PUBLIC HEARING

- PETITION: Allow Temporary Use of Outside Spaces for Client Training
ADDRESS: 12878 Manchester Road
PETITIONER Power Play

The City Clerk provided the following exhibits:

1. Notice of Public Hearing of May 10, 2021 advertised in the St. Louis Countian on April 29, 2021
2. Notice of Public Hearing posted at the following locations: (1) Des Peres City Hall, (2) Des Peres Website on April 29, 2021
3. Notice of Public Hearing sent via mail to Businesses/Residents with in a 200ft radius of Power Play
4. Notice of Public Hearing hand delivered to property owners by Public Works Director
5. Power Play's Application for Outside Sale/Display/Storage Permit
6. GIS Web map of Power Play's Location at 12878 Manchester Road
7. Resolution 21-3474 – A Resolution Authorizing a temporary outside sale, display and storage permit allowing outdoor business activity until October 31, 2021 for Power Play, located at 12878 Manchester Road.
8. Municipal Code of the City of Des Peres
9. Letter from Power Play's Landlord, Barth Holohan, allowing the outside space to be used.
10. Letter of opposition from State Representative, Dean Plocher.
11. Email of opposition from Gerrie Gilbert

Mayor Becker asked if there were any comments or concerns.

Jacob Greminger and Marc Godeker, the two managers from Power Play, spoke about how they operate certain workouts outside, due to the spacing inside their building. The two gentlemen stated that the parking spaces behind and to the side of their building are used for workouts such as: tire flipping, lunges, sprints, hitting tire with sledge hammer, etc.

They also stated that a lot of children workout at Power Play. When children are working out they like to have half of the children outside, while the other half are inside then they rotate.

The managers stated they never received any complaints themselves from residents about the noise.

Discussion ensued with the Board of Aldermen and the two managers from Power Play.

Mayor Becker asked if there was anyone else that would like to comment or express their concerns.

Resident, David Brusasco spoke in opposition of Power Play's request.

Mayor Becker closed the Public Hearing at 7:54 pm.

CITIZEN COMMENTS – NONE

CONSENT AGENDA

The Mayor announced that there were three items currently on the consent agenda. At the request of the Mayor, Alderman Concagh read the items on the consent agenda including:

1. Minutes of the Board of Aldermen Meeting of April 26, 2021
2. Warrant List Dated May 6, 2021
3. R21-3473 Authorizing an Hourly Rate Agreement with G&W Engineering for Engineering For Evaluation and Design of Improvements to Highland Avenue Write Off of Uncollectible EMS

Alderman Concagh moved, seconded by Aldermen Kleinschmidt, that the Consent Agenda for May 10, 2021 be approved, as presented. A roll call vote was taken with the following results: Alderman Barrett, "AYE", Alderman Concagh, "AYE", Alderman Fitzpatrick, "AYE", Alderman Kleinschmidt, "AYE", Alderman Pound, "AYE", Alderman Osherow, "AYE. Motion passed 6-0.

REPORT OF THE MAYOR - NONE

a. Proclamation – Local Government, May 2-7, 2021

Mayor Becker presented a Proclamation for Local Government Week (May 22-7, 2021) which is a statewide event to recognize the impact that local government has on the day-to-day life of their residents and the contributions made by our employees. The Proclamations recognizes some long term employees with the City of Des Peres.

b. Proclamation – Public Works Week May 16-21, 2021

Mayor Becker presented a Proclamation for Public Works Week (May 16-21, 2021) to recognize the contributions of public works on city infrastructure and service to the community.

REPORTS OF OFFICERS AND COMMITTEES

The Mayor acknowledged that written reports or minutes of the following Boards and Commission who have met since our last meeting have been submitted to the Board of Aldermen.

- Audit & Finance Commission meeting of April 27, 2021

The Mayor asked if there were any questions or discussion relating to the report. Hearing none, he ordered them filed and received.

LEGISLATION

Unfinished Business

1. **Bill 21-2911 An Ordinance Amending the Personnel Rules and Regulations of the City of Des Peres Relating to Military Leave (Second Reading)**

Alderman Kleinschmidt read Bill 21-2911 for the second time.

Alderman Kleinschmidt moved, seconded by Aldermen Concagh, to approve Bill 21-2911. A roll call vote was taken with the following results: Alderman Barrett, "AYE", Alderman Concagh, "AYE", Alderman Fitzpatrick, "AYE", Alderman Kleinschmidt, "AYE", Alderman Pound, "AYE", Alderman Osherow, "AYE". Motion passed 6-0.

New Business

1. **R21- 3474 Authorizing a Temporary Exterior Sales Permit for Power Play located at 12878 Manchester Road To Allow Exterior Business Activities**

Alderman Barrett moved, seconded by Aldermen Concagh, to amend the original motion to approve R21-3474, that training exercises involving "tire flipping" or "tire hammering" can only occur between the hours of 9:00 AM and 3:00 PM on weekdays from Memorial Day through Labor Day. From and after Labor Day and until the end of this permit, such restricted activities may occur only between the hours of 11:00 AM and 5:00PM. A roll call vote was taken with the following results: Alderman Barrett, "AYE", Alderman Concagh, "AYE", Alderman Fitzpatrick, "AYE", Alderman Kleinschmidt, "AYE", Alderman Pound, "AYE", Alderman Osherow, and "AYE". Motion passed 6-0.

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

MISCELLENOUS BUSINESS

1. Report of the City Clerk

A. Report on Renewal of Liquor Licenses July 1, 2021

The City Clerk reported that the renewal for liquor licenses expire June 30, 2021. Renewal requires board approval and a resolution will be prepared for next Board of Alderman Meeting for formal approval.

2. Report of the City Administrator

A. Acceptance of Donation of a 0.21 Acre Tract of Land located at 12833 Manchester Road in Settlement of all Liens and Claims Against the Property

Acceptance of Donation of a 0.21 Acre Tract of Land located at 12833 Manchester Road is an old issue discussed in 2018 and rejected by the Board of Aldermen and again in 2019 but taken under advisement with no decision. The owners of this 0.21 acre tract have offered to donate the land to the city as settlement in full against an outstanding lien we have on the property for \$17,500 that is worth \$30,000 with accumulated interest.

Alderman Barrett made a motion, seconded by Alderman Pound, to direct the City Attorney to proceed with the acceptance of donation at 12833 Manchester Road. A roll call vote was taken with the following results: Alderman Barrett, "AYE", Alderman Concagh, "AYE", Alderman Fitzpatrick, "AYE", Alderman Kleinschmidt, "AYE", Alderman Pound, "AYE", Alderman Osherow, "AYE". Motion passed 6-0.

B. Report of the Interim Director of Parks & Recreation on Revised St Louis County Health Orders Dated May 3, 2021

Interim Director of Parks & Recreation, Scott Schaefer, presented the Board of Aldermen on the revised St. Louis County Health Orders as of May 3, 2021.

The 2021 Summer Concert Series will go on as planned.

C. Report of the Director of Public Works on Traffic & Speed Studies Completed by City Staff

Director of Public Works presented the Board of Aldermen with a presentation on Traffic and Speed Studies. The presentation suggested that a large part of the city's speeding violations are largely a by-product of our restrictive 20 MPH policy.

REQUEST FOR EXECUTIVE SESSION

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

ADJOURNMENT

Alderman Fitzpatrick made a motion, seconded by Aldermen Kleinschmidt to adjourn the regular meeting at 8:29 P.M.

Minutes Prepared by:

Amanda Hurley
City Clerk

Minutes approved by the Board of Aldermen on the 24th day of May, 2021

Mark Becker, Mayor

ATTEST:

Amanda Hurley
City Clerk

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