

**MINUTES
BOARD OF ALDERMEN
OCTOBER 9, 2023
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 7:02 P.M. on Monday, October 9, 2023.

WORK SESSION

Prior to the Regular Board of Aldermen, a Work Session Meeting took place commencing at 6:00pm at the Des Peres Government Center, 12325 Manchester Road 63131. Finance Director stated this meeting is the last scheduled Work Session and recapped briefly on capital improvements. Public Safety Director presented on his budget requests for the upcoming year.

ROLL CALL

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

Alderman Kleinschmidt attended remotely via zoom.

Staff members present included the Director of Public Works, Director of Finance, Director of Public Safety, Director of Parks and Recreation, City Clerk, HR Coordinator and City Attorney. City Administrator attended remotely via zoom.

All present rose for the Pledge of Allegiance.

AMENDMENT TO AGENDA – NONE

PUBLIC HEARING

- **PETITION FOR AMENDMENT OF MASTER SITE PLAN FOR LOT #1 OF BARRETT PARK SUBDIVISION AND PETITION FOR AN AMENDMENT OF THE CONDITIONAL USE PERMIT FOR OPERATION OF AUTOMOBILE FUELING STATION AT 13455 MANCHESTER
PETITIONER: WAL-MART PROPERTIES LLC d/b/a Sam's Club**

The City Clerk read aloud the following twelve Public Hearing Exhibits:

1. Notice of Public Hearing of October 9, 2023 advertised in the St. Louis Countian and Webster Kirkwood Times on September 18, 2023;
2. Notice of Public Hearing posted at the following locations: (1) Des Peres City Hall, (2) Des Peres Website on September 18, 2023
3. Public Hearing Notice Sent to Residents/ Business Owners within 185 feet
4. Petition for Sit Plan Approval for Sam's Club 13455 Manchester Rd
5. Project Narrative – Sam's Club Fueling Station Expansion and Traffic Flow Improvements
6. Site Plans for Sam's Club Fueling Station Expansion at 13455 Manchester Road
7. Drawing of Sam's Club Elevations

8. Request for Master Development Plan to allow for the expansion of the existing fueling station.
9. Minutes from the Planning and Zoning commission of Wednesday, September 13th
10. Ordinance 2040 Issuing a Conditional Use Permit for Operation of a Gasoline Service Station on Lot #1b of the Barrett Park Subdivision
11. Bill 23-3015 Amending Ordinance 2040 Granting a Conditional Use Permit for Operation of a Gasoline Service Station at 13455 Manchester Road Providing for Expansion of Gasoline Service Station
12. Municipal Code of the City of Des Peres

The twelve Public Hearing Exhibits were received and made a part of the record.

Kate Crimmins gave a presentation on the Sam's Club Fueling Station Expansion. Sam's Club Petitioner Lauren Bishop stated the process will take twelve weeks to complete and the gas pumps will be closed during such time.

Mayor Becker asked if there were any questions or concerns from the board or audience. Hearing none, the Public Hearing for the Sam's Club Fueling Station Expansion closed at 7:10pm

- **PETITION FOR A CONDITIONAL USE PERMIT FOR OPERATION OF A RESTAURANT AT 12055 MANCHESTER ROAD (DES PERES SHOPPING CENTER)
PETITIONER: NEOM LLC d/b/a Tiger Tea**

The City Clerk read aloud the following ten Public Hearing Exhibits:

1. Notice of Public Hearing of October 9, 2023 advertised in the St. Louis Countian and Webster Kirkwood Times on September 18, 2023;
2. Notice of Public Hearing posted at the following locations: (1) Des Peres City Hall, (2) Des Peres Website on September 18, 2023
3. Public Hearing Notice Sent to Residents/ Business Owners within 185 feet
4. Petition for Conditional Use Permit from Neom LLC DBA Tiger Tea located at 12055 Manchester Road
5. Manchester Aerial View and Petitioner Request
6. Petitioner Floor Plan for Neom LLC DBA Tiger Tea Located at 12055 Manchester Road
7. Staff Report requesting Conditional Use Permit for Tiger Tea
8. Planning and Zoning Minutes from Wednesday September 13, 2023
9. Bill Number – 23-3012 an Ordinance Granting a Conditional Use Permit for Operation of a Restaurant located at 12055 Manchester Rd to NEOM LLC dba Tiger Tea
10. Municipal Code of the City of Des Peres

The ten Public Hearing Exhibits were received and made a part of the record.

Kate Crimmins gave a presentation on the CUP for Tiger Tea.

Mayor Becker asked if there were any questions or concerns from the board or audience. Hearing none, the Public Hearing for the CUP for Tiger Tea closed at 7:13pm

CITIZEN COMMENTS – NONE

CONSENT AGENDA

Mayor Becker announced that there were six (6) action items currently under the Consent Agenda. At the request of Mayor Becker, Alderman Osherow read aloud those six (6) items individually:

1. Minutes of the Board of Aldermen Meeting of September 25, 2023
2. Warrant List Dated October 5, 2023
3. ~~R23-3717 Authorizing Purchase of Ballistic Plates, Shields, and Helmets for Use by the Department of Public Safety From Sole Source Provider Leon _____ Uniform~~
3. R23-3718 Authorizing Purchase of Battery-Operated Rescue Tools for Use by the Department of Public Safety from Sole Source Provider Banner Fire Equipment
4. R23-3719 Authorizing A Contract with Vehicle Service Group for Purchase and Installation of a Rotary Truck Lift in the Vehicle Maintenance Facility using a Cooperative Procurement Contract Through the Houston-Galveston Council
5. R23-3720 Authorizing a Contract with Neumayer Equipment Company for Purchase and Installation of a Veeder-Root Automatic Underground Storage Tank Monitoring System using a Cooperative Procurement Contract through Sourcewell

Alderman Fitzpatrick made a motion, seconded by Alderman Concagh to remove R23-3717 as discussed in the work session meeting prior to the regular board meeting. 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", and Alderman Pound, "AYE". Motion passed 6-0.

Alderman Pound made a motion, seconded by Aldermen Osherow to approve the five (5) items on the Consent Agenda 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 Osherow, "AYE", and Alderman Pound, "AYE". Motion passed 6-0.

REPORTS OF OFFICERS AND COMMITTEES

- **Report of the Mayor**
Mayor Becker reminded the board of commission appointments
- **Reports of Boards and Commissions**
 - Report of the Audit & Finance Committee Meeting held September 27, 2023
 - Report of the Board of Adjustment Meeting held September 27, 2023
 - Report of the Parks & Recreation Commission Meeting held October 5, 2023

LEGISLATION

UNFINISHED BUSINESS –

- a. **B23-3003.1** An Ordinance Re-Adopting the Master Development Plan for Lot #1 of Barrett Park Subdivision (13455 Manchester Road - Sam's Wholesale) (Second Reading)

Alderman Barrett read B23-3003.1 for the second time.

Alderman Barrett made a motion, seconded by Alderman Concagh to approve B23-3003.1. 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", and Alderman Pound, "AYE". Motion passed 6-0.

- a. **B23-3012** An Ordinance Granting a Conditional Use Permit for Operation of a Restaurant at 12055 Manchester Road to NEOM LLC d/b/a Tiger Tea (Introduction, hold for Public Hearing on 10-09-23)

Alderman Osherow read B23-3012 for the second time

Alderman Osherow made a motion, seconded by Alderman Pound to approve B23-3012. 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", and Alderman Pound, "AYE". Motion passed 6-0.

- b. **B23-3013** An Ordinance Authorizing a Supplemental Urban Agreement with the Missouri Highways and Transportation Commission (CMAQ-5555(615)) Relating to 2024 Construction of a Roundabout and Related Improvements at the Intersection of Des Peres Road and Old Des Peres Road (Introduction)

Alderman Kleinschmidt read B23-3013 for the second time.

Alderman Kleinschmidt made a motion, seconded by Alderman Fitzpatrick to approve B23-3013. 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", and Alderman Pound, "AYE". Motion passed 6-0.

- c. **B23-3014** An Ordinance Authorizing an Urban Agreement with the Missouri Highways and Transportation Commission (STBG-5555(617)) Relating to 2027 Construction of Certain Improvements to Des Peres Road from Dougherty Ferry Road to Old Des Peres Road (Introduction)

Alderman Fitzpatrick read B23-3014 for the second time

Alderman Fitzpatrick made a motion, seconded by Alderman Concagh to approve B23-3014. 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", and Alderman Pound, "AYE". Motion passed 6-0.

- d. **B23-3015** An Ordinance Amending Ordinance 2040 Granting a Conditional Use Permit for Operation of a Gasoline Service Station with Car Wash at 13455 Manchester Road Providing for Expansion of the Gasoline (Introduction)

Alderman Concagh read B23-3015 for the second time.

Mayor Becker asked if there were any questions or comments from the board or audience. Mary Ann Wagner, Des Peres resident, expressed her concern for the ground water that runs down the hill on the side of Sam's Club property. Public Works Director stated the ground water is coming from the Oates property. Alderman Kleinschmidt stated the water has nothing to do with Sam's.

Alderman Concagh made a motion, seconded by Alderman Osherow to approve B23-3015. 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", and Alderman Pound, "AYE". Motion passed 6-0.

NEW BUSINESS – NONE

MISCELLANEOUS BUSINESS –

Report of the City Administrator

City Administrator reminded the board of the upcoming budget work session meetings.

ADJOURNMENT –

Alderman Barrett made a motion, seconded by Aldermen Fitzpatrick, to adjourn the Regular Meeting at 7:39 P.M.

Amanda Hurley
City Clerk

Minutes approved by the Board of Aldermen on the 23rd day of October, 2023.

Mark Becker, Mayor

ATTEST:

Amanda Hurley
City Clerk