

**MINUTES
BOARD OF ALDERMEN
OCTOBER 25, 2021
DES PERES GOVERNMENT CENTER**

The regular meeting of the Board of Aldermen of the City of Des Peres, Missouri met at the Des Peres Government Center, 12325 Manchester Road 63131, commencing at 7:00 P.M. on Monday, October 25, 2021.

ROLL CALL

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

Alderman Concagh was absent with excuse.

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

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

AMENDMENT OF AGENDA – NONE

PUBLIC HEARING – NONE

CITIZEN COMMENTS –

- Tony Richards, 12149 Bentbrook Rd, stated Mayor Becker and Public Works Director have been avoiding his calls and emails. He expressed his frustration with Pentrex and the damage they have done to his property; specifically, to the irrigation system and invisible fence for his dog. According to Mr. Richards, the damages have lowered the value of his home. City Attorney, Chris Graville indicated he instructed the Mayor and Director of Public Works not have direct contact with Mr. Richards since he has become hostile and aggressive. Mr. Graville stated this issue is beyond the scope of what city staff can do and it's a civil matter.
- Judy Mundle and Judy Brooks, Dougherty Ridge Subdivision, expressed their safety concerns pertaining to the managed deer hunt in Phantom Forest & Bittersweet Woods. They provided the Board of Aldermen with documentation supporting their safety concerns. Discussion ensued between the Aldermen and two speakers. Mayor Becker stated the city will look into potential ways to mitigate safety issues.
- Bob Ashcraft (bobashcraft@charter.net) sent an email to the City Clerk before the meeting expressing opposition of R21-3508 (Authorizing an Agreement with Navigate Building Solutions for Consulting Services as Owners representative Relating to Demolition and Environmental Remediation of the Second and Third Floors of the Government Center).

CONSENT AGENDA

The Mayor announced that there were six (6) items currently on the consent agenda. At the request of the Mayor, Alderman Kleinschmidt read the items on the consent agenda including:

1. Minutes of the Board of Aldermen Meeting of October 11, 2021
2. Warrant List Dated October 21, 2021
3. R21-3507 Authorizing a Contract with Hawkins Inc for Purchase of Pool Chemicals for the 2022 Fiscal Year
4. R21-3508 Authorizing an Agreement with Navigate Building Solutions for Consulting Services as Owners Representative Relating to Demolition and Environmental Remediation of the Second and Third Floors of the Government Center
5. R21-3509 Writing Off Uncollectible Debts for Ambulance Services in the Amount of \$26,340.33
6. R21-3510 Authorizing an Hourly Rate Contract with Hart Engineering for Evaluation And Design of Storm Water Improvements as a Part of a Total Replacement of the Concrete Paving on Georgian Trail

Alderman Kleinschmidt made a motion, seconded by Alderman Fitzpatrick to approve the Consent Agenda, as presented. A roll call vote was taken with the following results: Alderman Barrett, "AYE", Alderman Fitzpatrick, "AYE", Alderman Kleinschmidt, "AYE" Alderman Osherow, "AYE", Alderman Pound, "AYE". Motion passed 5-0.

REPORT OF THE MAYOR

- Appointment of Kurt Leinhauer to the Planning & Zoning Commission (Ward 3) for an Unexpired Term Ending June 30, 2024
- Appointment of Derek Don to the Planning & Zoning Commission (Ward 2) for an Unexpired Term Ending June 30, 2023
- Appointment of Timothy Callahan to the Parks & Recreation Commission (Ward 2) Unexpired Term Ending June 30, 2022
- Appointment of Brent Dolezalek to the Audit & Finance Committee (Ward 2) Unexpired Term Ending June 30, 2022

Kurt Leinhauer and Brent Dolezalek were in the audience. Mr. Leinhauer and Mr. Dolezalek introduced themselves to the Board and spoke briefly about themselves. Mayor Becker welcomed each to their appointed committee. a

Alderman Kleinschmidt made a motion, seconded by Alderman Barrett to approve all four appointments. A roll call vote was taken with the following results: Alderman Barrett, "AYE", Alderman Fitzpatrick, "AYE", Alderman Kleinschmidt, "AYE" Alderman Osherow, "AYE", Alderman Pound, "AYE". Motion passed 5-0.

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.

- Report of the Planning & Zoning meeting held October 13, 2021
- Report of the Public Safety meeting held October 18, 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. **B21-2928 An Ordinance Authorizing Amendment #7 to the Performance Agreement for Comfort with Trane (PACT) Relating to Certain Air Quality Improvements to Public Buildings Including the Government Center, The Lodge and Public Safety Building and Adopting a Supplemental Appropriation to the 2021 Capital Improvement Fund Budget in the Amount of \$235,000 (Hold until November 8, 2021)**

City Administrator stated the Board could vote on this matter tonight or hold until the November 8th Board of Aldermen Meeting.

Alderman Fitzpatrick made a motion, seconded by Alderman Kleinschmidt to take a vote on B21-2928 for approval. A roll call vote was taken with the following results: Alderman Barrett, "NAY", Alderman Fitzpatrick, "NAY", Alderman Kleinschmidt, "NAY" Alderman Osherow, "NAY", Alderman Pound, "NAY". Motion failed 0-5.

New Business – NONE

MISCELLANEOUS BUSINESS

1. **Report of the City Clerk**
2. **Report of the City Administrator**
Redistricting (2020 Census)

City Administrator reported that federal government conducts a Census every decade which becomes the source of the population data upon which ward boundaries are set to meet constitutionally mandated standards. More than fifty (50) years ago, the U.S. Supreme Court made it clear that the Equal Protection Clause of the 14th Amendment to the Constitution required that legislative districts be comprised of "substantially the same population". While the overriding principle in district boundaries is equality of population, case law also provides that districts should be "compact" and "contiguous" and do not abridge the right to vote based on race or color.

The results of the 2020 Census have grown from 8,373 in 2010 to 9,193 in 2020. Staff has compiled and analyzed population data based on our existing ward boundaries which have an average population of 3,064.3 people

Mr. Harms stated the decision rests with the Mayor and Board of Aldermen if any further efforts are desired to further balance ward population and, if so, who is assigned that task. Any decision on changing ward boundaries will need to be made by Ordinance before December 1st in order to file the new ward boundaries with the Election Commission prior to filing. Mayor Becker instructed staff to prepare the numbers and come back with an ordinance.

REQUEST FOR EXECUTIVE SESSION

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

ADJOURNMENT

Alderman Kleinschmidt made a motion, seconded by Aldermen Fitzpatrick to adjourn the regular meeting 8:32 P.M.

A roll call vote was then taken with the following results: Alderman Barrett, AYE; Alderman Osherow, AYE; Alderman Pound, AYE; Alderman Kleinschmidt, AYE; Alderman Fitzpatrick, AYE. Motion passed 5-0.

Minutes Prepared by:

Amanda Hurley
City Clerk

Minutes approved by the Board of Aldermen on the 8th day of November, 2021.

Mayor, Mark Becker

ATTEST:

Amanda Hurley, City Clerk