

**Tuesday, January 17, 2023**  
**BOARD OF ALDERMEN REGULAR MEETING**

**MINUTES**

**1. CALL TO ORDER & PLEDGE OF ALLEGIANCE**

- A. Call to Order – Mayor Dimmitt called the meeting to order at 7:00 PM. The pledge immediately followed.
- B. Pledge of Allegiance

**2. ROLL CALL**

- A. Roll Call – all members were present.
  - Alderman Plufka – Present
  - Alderman Wegge – Present
  - Alderman Gould – Present
  - Alderman Lochmoeller – Present
  - Alderman O’Neill - Present
  - Alderman Shelton – Present
  - Alderman Tice – Present

Additional people present at the meeting included: Eric Gruenenfelder (Director of Parks and Recreation), Whitney Kelly (Director of Planning and Development), Larry Cawvey (IT Director), Jim Mc Intyre (Police Major), Ronnie Cottrell (Fire Chief), Bola Akande (City Administrator), Kevin O’Keefe (City Attorney), and Kelle Silvey (Deputy City Clerk)

**3. AGENDA APPROVAL**

- A. Approval or Amendment of Agenda - Agenda was approved by Acclamation.

**4. PUBLIC HEARING**

- A. Public Hearing for a New Conditional Use Permit for Arts In Motion Children’s Dance And Music School within the tenant space addressed as 2949 S. Brentwood Boulevard.

Mayor gavel opened the Public Hearing.

Whitney Kelly presented the application stating that tenant is leasing the space and has been in this location since 2016, but license lapsed and requires Conditional Use Permit since the original documents cannot be found. This is a technicality for cleaning up licenses. They are making no changes to the space or exterior of the building. The tenant, Alicia Jonas, was present and requested a first and second reading since this matter is a technicality.

Mayor gavel closed the hearing.

**5. CITIZEN COMMENTS**

- A. Citizen Comments

Natalie Smith stated she runs a business, Bauserhaus, in Brentwood, Business permit from Webster Groves and is zoned in Webster Groves, located in Breckenridge Industrial Ct., and has been there over a decade. She stated that the City of Brentwood bought the building and since the flood she can’t get any response regarding her property. She wants acknowledgement from Brentwood.

**6. MAYOR AND ALDERMEN REPORTS**

- A. Mayor David Dimmitt – Welcomed everyone to the new year. He offered thanks to all who contributed to the annual “Pillow Fight”, noting the donations go toward a great cause. They received 425 Pillows (302 Police, 123 Fire).
- B. Alderman David Plufka - Ward 1 - No Report
- C. Alderwoman Nancy Parker Tice - Ward 1- No Report
- D. Alderwoman Sunny Sims - Ward 2 - No Report

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E. Alderman Brandon Wegge - Ward 2 – Offered awareness that at the Public Works meeting, direction was given to staff to keep carnival rides for Brentwood Days, even though the new park is not conducive to having rides and the event may need to continue at the sports complex.

F. Alderman Steve Lochmoeller - Ward 3 - No Report

G. Alderman Jeff Gould - Ward 3 – Shared the Ward 3 meeting date- January 31<sup>st</sup> at Parks and Rec. Center at 6:30 PM

H. Alderwoman Kathy O'Neill - Ward 4 - No Report

I. Alderman Jack Shelton - Ward 4 - No Report

**7. CITY ADMINISTRATOR REPORT**

A. Brentwood Bound Update – Craig Schluter with Navigate Building Solution presented the update report (Information available in BoardDocs). He noted construction costs, soft costs, and category of funding information update included the West Community Credit Union donation of \$400,000.

B. Brentwood Bound - Kerb, Eck & Braeckel, LLP 3rd Quarter Audit Presentation – The City Administrator presented the information stating that KEB was hired in 2018 for the oversight of 2018/2019 Certificates of Participation (COPs) and how funds are being expensed. It was noted that there were no exceptions in the 3rd quarter report.

Alderman Plufka noted there was an exception on page 3- subsection 2, regarding Armstrong Teasdale. It was noted that there was an error that had since been corrected. The reason for the error will be shared upon review.

The City Attorney amended the City Administrator's report, should the record of this meeting be unclear or inaccurate – stating that the City of Brentwood has communicated with the owner/tenant of the Bauserhaus operation month after month through the city's official legal counsel, engaged by the city to deal with the property and has explained the city's position over and over again. This matter is in litigation, and he respectfully suggested that any further communications be directed solely to the city's counsel to be addressed by the city in that matter in the future. Statements made with respect to the lack of responsiveness and lack of concern are totally and completely inaccurate.

**8. CONSENT AGENDA**

A. Standing Committees Reports

B. Warrant Lists - Operating Funds and Expenditures from the 2019 Series Certificates of Participation Proceeds (COP)

C. Meeting Minutes

D. Resolution No. 1420 - A Resolution Approving Fee Waiver For An Event For The Brentwood School District At The Brentwood Recreation Complex.

**Motion was made by Alderman Wegge and seconded by Alderwoman O'Neill to approve the Consent Agenda.** Roll call:

Alderman Plufka – Yes

Alderwoman Tice – Yes

Alderwoman Sims – Yes

Alderman Wegge – Yes

Alderman Gould – Yes

Alderman Lochmoeller – Yes

Alderwoman O'Neill - Yes

Alderman Shelton – Yes

**Motion carried by a vote of 8 (yes) to 0 (No).**

**9. OLD BUSINESS**

A. Bill No. 6439 - Proposition M - An Ordinance Levying An Additional Sales Tax On Sales Of Adult Use Marijuana And Calling An Election For Voter Approval Of Such Tax. **Second Reading**

City Attorney did the Second reading of the Bill.

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**Motion was made by Alderman Plufka and seconded by Alderwoman Sims to perfect Bill into Ordinance form.**

The City Attorney clarified that the 3% was not statutory but a constitutional amendment by Missouri voters that set the maximum of 3% point of sale tax within the corporate limits of any city. We [Brentwood] could levy less if wanted, but not more than 3%.

**Roll Call:**

Alderman Plufka – Yes	Alderwoman Tice – Yes
Alderwoman Sims – Yes	Alderman Wegge – Yes
Alderman Gould – Yes	Alderman Lochmoeller – Yes
Alderwoman O’Neill - Yes	Alderman Shelton – Yes

**By a vote of 8 (yes) to 0 (No) Bill #6439 will become Ordinance # 5072.**

B. The Bill No. 6442- Intergovernmental Agreement for the City of Clayton to Provide the City of Brentwood Technology Services - An Ordinance First and Second Reading

City Attorney did the first reading of the Bill.

Information was presented by Larry Cawvey, IT Director, who stated that the current agreement is ending and for the continuation of services they want to co-term the agreements for the cities to the same end-date as Richmond Heights, meaning the new initial term will be for 18 months, and then the future terms will be 36 months after that. In the current term, Brentwood paid 35% and this will be going down to 31% as this is a good partnership for Clayton, Brentwood, and Richmond Heights.

**Motion was made by Alderman Plufka, seconded by Alderman Gould for Second reading of the Bill.  
Motion carried by unanimous voice vote.**

City Attorney did a second reading of the Bill and noted that he helped prepare the legislation as he also works for the City of Clayton.

**Motion was made by Alderwoman Tice and seconded by Alderman Shelton to perfect Bill into Ordinance form. Roll call:**

Alderman Plufka – Yes	Alderwoman Tice – Yes
Alderwoman Sims – Yes	Alderman Wegge – Yes
Alderman Gould – Yes	Alderman Lochmoeller – Yes
Alderwoman O’Neill - Yes	Alderman Shelton – Yes

**By a vote of 8 (Yes) to 0 (No), Bill #6442 will become Ordinance # 5073.**

**10. NEW BUSINESS**

A. Bill No. 6443 - Mission and Purpose of the Communications Committee First and Second Reading

City Attorney did the first reading of the Bill.

Information was presented by Alderman Gould as Chairman of the Communications Committee. The Alderman stated this was the committee’s first order of business, to update the previous description of the committee so it does not restrict the purpose, and so it aligns it more closely with other committees in the code.

**Motion was made by Alderman Plufka and seconded by Alderman Lochmoeller for a Second reading of the Bill.**

**Motion carried by unanimous voice vote.**

The City Attorney did a second reading of the Bill.

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**Motion was made by Alderwoman Tice and seconded by Alderman Wegge to perfect Bill into Ordinance Form. Roll call:**

Alderman Plufka – Yes	Alderwoman Tice – Yes
Alderwoman Sims – Yes	Alderman Wegge – Yes
Alderman Gould – Yes	Alderman Lochmoeller – Yes
Alderwoman O’Neill - Yes	Alderman Shelton – Yes

**By a vote of 8 (Yes) to 0 (No), Bill #6443 will become Ordinance # 5074.**

B. Bill No. 6444 - An Ordinance Approving a Subdivision Plat To Subdivide Property Located at 8828 W. Pendleton Avenue Into Three (3) Single-Family Residential Lots. First and Second Reading

The City Attorney did the first reading of the Bill.

Information was presented by Whitney Kelly who shared that the acreage is to be separated into 3 lots, which received a 7 (yes) to 0 (No) vote by Planning and Zoning Commission. This is just to subdivide lots and it not for homes. Applicant requested a second reading.

**Motion was made by Alderman Plufka, seconded by Alderman Shelton for a Second reading of the Bill. Motion carried by unanimous voice vote.**

City Attorney did a second reading of the Bill.

**Motion was made by Alderman Plufka and seconded by Alderman Gould to Perfect Bill into Ordinance form.**

Alderman Gould confirmed there are curb cuts already there for two, and J.R. Mayer (President of C.H. Custom Homes) wants to make it 3 curb cuts, all on Collier.

**Roll call:**

Alderman Plufka – Yes	Alderwoman Tice – Yes
Alderwoman Sims – Yes	Alderman Wegge – Yes
Alderman Gould – Yes	Alderman Lochmoeller – Yes
Alderwoman O’Neill - Yes	Alderman Shelton – Yes

**By a vote of 8 (Yes) to 0 (No), Bill #6444 will become Ordinance # 5075**

C. Bill No. 6445 - Conditional Use Permit for Arts in Motion Children's Dance Studio and Music School at 2949 S. Brentwood Boulevard within the Brentwood Commons Shopping Center - An Ordinance Authorizing. First and Second Reading

The City Attorney did the first reading of the Bill.

Information was presented by Whitney Kelly who stated this was the same information presented at the Public Hearing this evening. There were no questions for the applicant.

**Motion was made by Alderman Wegge and seconded by Alderman Lochmoeller for a Second reading of the Bill.**

**Motion carried by unanimous voice vote.**

City Attorney did a second reading of the Bill.

**Motion was made by Alderman Gould and seconded by Alderman Shelton to perfect the Bill into Ordinance form.**

**Roll call:**

Alderman Plufka – Yes	Alderwoman Tice – Yes
Alderwoman Sims – Yes	Alderman Wegge – Yes
Alderman Gould – Yes	Alderman Lochmoeller – Yes
Alderwoman O’Neill - Yes	Alderman Shelton – Yes

**By a vote of 8 (Yes) to 0 (No), Bill #6445 will become Ordinance # 5076.**

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**11. CITIZEN COMMENTS**

A. Citizen Comments

Natalie Smith made additional comment stating the situation is not in litigation and that this was resolved earlier this month. She is not in any legal trouble and is waiting for property to be updated.

**12. ADJOURN**

A. Adjournment

**Motion was made by Alderman Gould and seconded by Alderwoman Sims to adjourn the meeting. Motion carried by unanimous voice vote. Meeting was adjourned at 7:28 PM.**

This meeting was livestreamed on YouTube and recorded. The recording will be made available on the City's YouTube channel. Please be aware that your presence may be recorded.