

Monday, June 21, 2022
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 7:01 PM with the Pledge immediately following.
- B. Pledge of Allegiance

2. ROLL CALL

- A. Roll Call – Seven Members were Present
 - Alderman Plufka - Absent
 - Alderman Wegge- Present
 - Alderman Gould- Present
 - Alderman Lochmoeller- Present via Zoom
 - Alderman O'Neill- Present
 - Alderman Tice- Present
 - Alderman Shelton- Present

Others in attendance included: Whitney Kelly (Planning & Development) Dan Gummersheimer (Public Works), Eric Gruenenfelder (Parks and Rec.), Ronnie Cottrell (Fire Dept.), Joe Spiess (Police Dept.), Craig Schluter (Navigate Building Solutions), Gina Jarvis (Finance Dept.), Mark Murray (Armstrong Teasdale), Helmut Starr (City Attorney representative), Andrew Zebell (CLA firm), and residents Sallie and Carl Westenbarger. Present via Zoom: Gina Cochran (KEB firm), Sarah Javier (APA), Traci Pupillo (APA), and resident Karen Smith.

3. AGENDA APPROVAL

- A. Approval or Amendment of Agenda – No changes. Agenda approved by Acclamation.

4. CITIZEN COMMENTS

- A. Citizen Comments - None

5. MAYOR AND ALDERMEN REPORTS

- A. Mayor David Dimmitt – the Mayor announced the “Mayor for Meals” initiative, stating that items support the St. Louis Food Bank. Collection will happen today (Monday) through the end of the week on Friday. All items are appreciated and are being collected at the Recreation center. Also mentioned was the electronics recycling day on Saturday from 8:00 to Noon. It is a free event for anyone as a way to support sustainability.
- B. Alderman David Plufka - Ward 1 - Absent
- C. Alderwoman Nancy Parker Tice - Ward 1- No Report
- D. Alderwoman Sunny Sims - Ward 2 – announced the Ways and Means Meeting was rescheduled for July 12th at 5:30PM.
- E. Alderman Brandon Wegge - Ward 2- reiterated the electronics recycling event announced by the mayor.
- F. Alderman Jeff Gould - Ward 3- announced the Ward 3 Meeting scheduled for July 26th at 7:00PM at the Rec. Center.
- G. Alderman Steve Lochmoeller - Ward 3- No Report
- H. Alderwoman Kathy O'Neill - Ward 4- No Report
- I. Alderman Jack Shelton - Ward 4 - No Report

6. CITY ADMINISTRATOR REPORT

- A. Brentwood Bound Update – Craig Schluter with Navigate Building Solutions gave an updated report including items from both the June 1st and the June 21st warrant lists. He shared construction costs, soft costs, and funding reimbursement from Great Rivers Greenway. There were no questions. (Detailed report available in Boarddocs)
- B. Kerb, Eck & Braeckel, LLP 4th Quarter Audit Presentation - Period from January 1, 2022 through March 31, 2022. Gina Cochran, partner with KEB, reported there were no recorded requests for the 2018 COPS (Certificate of Participation). For the 2019 series (COPS) they looked at requests numbered #14 to #18, which totaled 61 invoices. For steps 1 (comparing invoices to signed contracts) & 3 (examining invoices for proper payments allowed), there were no exceptions noted. For step 2, there were 10 invoices with exceptions – all related to the Capital Forms not being signed completely either by the Finance Director or City Administrator. All other controls were in place and were fine. There were no questions.

C. Fiscal 2020 Audit, Internal Control Report and Management Letter Presentation

Andrew Zebell, Principal for CLA, presented the 2020 Audit findings and showed a few slides noting the executive summary, required communication, internal control observations, and then 2021 update and future years to keep the city on track.

He noted that CLA was hired in March of 2022 to do the 2020 audit and concluded the 2020 audit by June 30, 2022. He stated that the city's delays in completing a timely audit were primarily due to turnover in personnel, both third party and administrative. They were able to yield an unmodified opinion.

For required communication, there were no problems working with management during audit, no fraud or illegal acts, or non-compliance reported. Some of the misstatements identified were due to errors that occurred in 2019, but the uncorrected errors fell below the threshold and the corrected errors were reclassification errors and corrected during the audit process.

Internal controls were reviewed, and he noted some accounting standards that are going to change in the future that will require a lot of work due to implementing new leasing standards and subscription-based software, which we have with our main system. We had some material weaknesses with account reconciliations which were identified to current finance team and were agreed to be addressed during the 2021 audit and moving forward. (Note- most personnel were not in place in 2021)

Update on timing for the 2021 audit – bank reconciliation has begun, account reconciliation analysis will be wrapped up in mid-July, with audit procedures and financial preparation to begin in the middle of July. There will be a quality inspection process after that, to ensure the quality of work.

There were no questions.

D. Request for Overnight Hours to Repair Damaged Fire Hydrants at Brentwood Square

Ronnie Cottrell, Fire Chief, received request from Boyer Fire Protection to replace two hydrants in Brentwood square, starting July 19th. Request is to start loud excavation (heavy equipment) at 6:00 PM and shut off water at 8:00 PM until 6:00 AM when water will be back on.

Alderman Shelton reported that Brentwood Forest Board is aware and approve of this, and he asked for the contact information to share in case it is needed.

Motion was made by Alderwoman O'Neill and seconded by Alderwoman Tice for approval of the work pursuant to the June 13th, 2022 proposal, for the July 19th work date.

Motion carried by unanimous voice vote.

7. CONSENT AGENDA

A. Standing Committees Reports

B. May 16, 2022 Revised Warrant Lists - Operating Funds and 2022 Expenditures from the 2019 Series Certificates of Participation Proceeds (COP)

C. Warrant Lists - Operating Funds and 2022 Expenditures from the 2019 Series Certificates of Participation Proceeds (COP)

D. Approval of Meeting Minutes

E. Resolution No. 1368 - A Resolution With PGAV Planners LLC; For Technical Services Regarding the Request for Proposal for the Manchester Road Corridor Chapter 353 Redevelopment Area

F. Resolution No. 1369 - A Resolution Accepting Donation For The Evans Howard Monument

G. Resolution No. 1370 - A Resolution Entering Into A Maintenance Agreement With St. Louis County For Traffic Signal Upgrades At Hanley Road & Manchester Road

H. Resolution No. 1371- A Resolution Approving An Agreement With Reinhold Electric To Relocate Electric Conflicts At 2818 Breckenridge Industrial Court

I. Resolution No. 1373 - A Resolution Approving A Change Order With Ideal Landscape For Brentwood Bound GRG Connector Project Part A

J. Resolution No. 1374 - A Resolution approving a change order with TWM, Inc. to provide additional design services related to the Deer Creek Connector- Russell Avenue- Brentwood Boulevard to Bremerton Road pedestrian improvements (TIP#7154-22).

K. Resolution No. 1375 - A Resolution Approving a Contract with Girdner Contracting to Complete the Brentwood Sports Complex Storm Sewer and Creek Bank Repair Project

L. Resolution No. 1376 - A Resolution Of The City Of Brentwood, Missouri, Approving An Agreement With St. Louis County For Placement Of License Plate Recognition Cameras.

M. Resolution No. 1377 - A Resolution Approving A Sustainability Initiative Policy To Offer Participating Restaurants In The City Of Brentwood A One Hundred Dollar (\$100) Rebate Toward The Green Dining Alliance Membership Fee For Those Who Want To Participate

N. Resolution No. 1378 - A Resolution Approving a Memorandum of Understanding with the Open Space Council for the St. Louis Region to Assist with the Purchase of the Bi-State Development Agency Property

O. Annual Liquor License Renewal

Alderwoman Sims asked about the Liquor License renewals, noting some were not recorded. City Administrator shared that several applications were in process of being completed and additional approval will be prepared for next meeting.

Motion to approve consent Agenda was made by Alderwoman O'Neill and seconded by Alderwoman Sims.

Roll was called:

Alderman Plufka- Absent

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 7 (Yea) to 0 (Nay).

8. OLD BUSINESS

A. Bill No. 6385 - An Ordinance Amending Chapter 135 of the Brentwood City Code Relating to Purchasing

Second Reading was done by City Attorney Helmut Starr. There were no questions.

Motion was made by Alderwoman Tice and seconded by Alderman Gould to perfect Bill into Ordinance form.

Roll was called:

Alderman Plufka- Absent

Alderwoman Tice - Yes

Alderwoman Sims - Yes

Alderman Wegge - Yes

Alderman Gould - Yes

Alderman Lochmoeller - Yes

Alderwoman O'Neill - Yes

Alderman Shelton - Yes

By vote of 7 (Yea) 0 (Nay), Bill # 6385 will become Ordinance No. 5021*

(*Ordinance number was read incorrectly as #2021.)

B. Bill No. 6388 An Ordinance Granting Site Development Plan Approval An Office Building At 241 Hanley Industrial Court

Second Reading was done by City Attorney Helmut Starr. There were no questions.

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

Roll was called:

Alderman Plufka- Absent

Alderwoman Tice - Yes

Alderwoman Sims - Yes

Alderman Wegge - Yes

Alderman Gould - Yes

Alderman Lochmoeller - Yes

Alderwoman O'Neill - Yes

Alderman Shelton - Yes

By vote of 7 (Yea) 0 (Nay), Bill # 6388 will become Ordinance No. 5022*

(*Ordinance number was read incorrectly as #2022.)

C. Bill No. 6391 An Ordinance Granting A Conditional Use Permit And Site Development Plan Approval For The Animal Protective Association Of Missouri (APA) At 1705 S. Hanley Road

Second Reading was done by City Attorney Helmut Starr. (Sara Javier and Traci Pupillo were available via Zoom)

Motion was made by Alderwoman Tice and seconded by Alderwoman Sims to perfect Bill into Ordinance form.

Roll was called:

Alderman Plufka- Absent

Alderwoman Tice - Yes

Alderwoman Sims - Yes

Alderman Wegge - Yes

Alderman Gould - Yes

Alderman Lochmoeller - Yes

Alderwoman O'Neill - Yes

Alderman Shelton - Yes

By vote of 7 (Yea) 0 (Nay), Bill # 6391 will become Ordinance No. 5023 *

(*Ordinance number was read incorrectly as #2023.)

D. Bill No. 6392 An Ordinance Authorizing The Rezoning Of 200 Hanley Industrial Court From PD-Planned Development Overlay District To UD-Urban Development District And Granting Site Plan And Conditional Use Permit Approval For A 256 Unit Apartment Complex And Fitness Facility - Second Reading

Second Reading was done by City Attorney Helmut Starr.

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

Alderman Wegge talked about the 59 EV ready spots, stating that this number seemed high. Whitney Kelly, Director of Planning and Development addressed this stating that the number was based on total number of parking spots, but is really only required for the housing complex, not the business. The developer would prefer to lower number to 39 EV ready spots and 1 Charging station, which would meet the code. There would be no changes needed to do this.

Roll was called:

Alderman Plufka- Absent	Alderwoman Tice - Yes
Alderwoman Sims - Yes	Alderman Wegge - Yes
Alderman Gould - Yes	Alderman Lochmoeller - Yes
Alderwoman O'Neill - Yes	Alderman Shelton - Yes

By vote of 7 (Yea) 0 (Nay), Bill # 6392 will become Ordinance No. 5024 *

(*Ordinance number was read incorrectly as #2024.)

E. Bill No. 6393 An Ordinance Granting Site Development Plan Approval For Modifications To The Exterior Of The Building And Site For The Veterinarian Emergency Group, A 24 Hour Emergency Veterinarian Or Animal Hospital, At 2101 S. Brentwood Boulevard - Second Reading

Second Reading was done by City Attorney Helmut Starr. There were no questions.

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

Roll was called:

Alderman Plufka- Absent	Alderwoman Tice - Yes
Alderwoman Sims - Yes	Alderman Wegge - Yes
Alderman Gould - Yes	Alderman Lochmoeller - Yes
Alderwoman O'Neill - Yes	Alderman Shelton - Yes

By vote of 7 (Yea) 0 (Nay), Bill # 6393 will become Ordinance No. 5025 *

(*Ordinance number was read incorrectly as #2025.)

F. Bill No. 6394 An Ordinance Granting A Conditional Use Permit For 2,229 Square Foot Tavern And Cocktail Lounge, Scissors And Scotch, A Men's Hair Grooming Salon And Bar - Second Reading

Second Reading was done by City Attorney Helmut Starr. (Owner/developers Sean Finley, Kyle Raney, Brian Schlenk, and Bryan Buford were available via Zoom for any questions.)

Motion was made by Alderwoman Tice and seconded by Alderwoman Sims to perfect Bill into Ordinance form.

There was no further discussion. Roll was called:

Alderman Plufka- Absent	Alderwoman Tice - Yes
Alderwoman Sims - Yes	Alderman Wegge - Yes
Alderman Gould - Yes	Alderman Lochmoeller - Yes
Alderwoman O'Neill - Yes	Alderman Shelton - Yes

By vote of 7 (Yea) 0 (Nay), Bill # 6394 will become Ordinance No. 5026*

(*Ordinance number was read incorrectly as #2026.)

G. Bill No. 6398 - An Ordinance Of The City Of Brentwood, Missouri, Approving A Certain First Amendment To Real Estate Sale Contract With Bi-State Development Agency Of The Missouri-Illinois Metropolitan District For The Purchase Of A Portion Of Real Property At 3000 S. Brentwood Blvd. And Real Property At 3120 S. Brentwood Blvd.; Authorizing Certain Other Actions In Connection Therewith; Providing For The Effective Date Of This Ordinance; And Containing A Severability Clause. - First and Second Reading

First Reading was done by City Attorney Helmut Starr.

Attorney Mark Murray, with Armstrong Teasdale, spoke to extend the due diligence of the dates and the closing dates due to the monthly board meeting schedule and a need for MO Department of Conservation to see closing statement ahead of closing date.

Alderman Gould asked about the finance portion- in that the Open Space Council approved \$20,000 toward this but the consent agenda earlier showed \$50,000? Eric Gruenenfelder, Director of Parks and Rec. stated that this is correct, their donation was increased to \$50,000 and stated that the consent agenda is correct. Eric confirmed that this does not preclude us from entering into other partnerships for funding.

Motion was made by Alderwoman O'Neill and seconded by Alderwoman Sims for a second Reading of the Bill.

Motion carried by unanimous voice vote.

Second Reading was done by City Attorney Helmut Starr. There were no further questions.

Motion was made by Alderman Gould and seconded by Alderwoman Tice to perfect Bill into Ordinance form.

Roll was called:

Alderman Plufka- Absent

Alderwoman Tice - Yes

Alderwoman Sims - Yes

Alderman Wegge - Yes

Alderman Gould - Yes

Alderman Lochmoeller - Yes

Alderwoman O'Neill - Yes

Alderman Shelton - Yes

By vote of 7 (Yea) 0 (Nay), Bill # 6398 will become Ordinance No. 5027*

(*Ordinance number was read incorrectly as #2027.)

9. NEW BUSINESS

A. Request for Tax Abatement for 241 Hanley Industrial Court

Ryan Ferrar and Joseph Lucido, the property owners, presented on behalf of LFS Holdings, LLC. Ryan noted that earlier this year they made a request for 25-year tax abatement, which was denied. They have reduced the ask (to 10 years), noting additional public benefits (Extra Parking, Sidewalk easements and Two (2) Level 2 charging stations) and the context for why they need assistance (drastic increase of building and labor costs since 2020, changes from MSD now requiring addition of bio-retention system, and requirement raising entire project from 6 inches to 12 inches). It was stated that in combination, project costs have now doubled. He noted the project satisfies all the goals set by the city in the comprehensive plan. (Power Point presentation sharing detailed information is available in Boarddocs).

Mayor Dimmitt confirmed the following: 1) The reasons for added costs are -construction costs, MSD bio retention requirement and raising site from 6 to 12 inches; 2) The estimated increase due to inflation has gone from \$1.5M to \$4.0M 3) one of the benefits equals 13 available spaces not used by tenant parking.

Alderman Gould asked if 353 Board would review – and the Mayor stated this is a Chapter 100 request, so will not involve the 353 Board or their review.

Alderman Wegge said that while we are talking about abatement here, another option could be reduction of sales tax and asked if LFS Holdings were considering that as well –Mr. Ferrar stated that they looked into that and are only asking for abatement. Alderman Wegge asked if this project is only financially viable to have financial abatement for 10 years? Mr. Ferrar said, “Not necessarily” and agreed that they are comfortable paying the cost to have PGAV evaluate the situation.

Alderman Lochmoeller asked when the schools get a chance to chime in, since the 353 is not involved? City Administrator Akande shared that when the report from PGAV is given, the School Board will be asked to attend or will have an option to have information presented to them.

Motion was made by Alderman Shelton and seconded by Alderwoman Sims to authorize staff to hire PGAV to put together the financial costs to the city (pro forma) at a cost of approximately \$6,000 paid by the applicant.

The Mayor restated that authorization at this time is only agreeing to hire PGAV to do due diligence, and it is not for anything else. There was no discussion. Roll was called:

Alderman Plufka- Absent

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 7 (Yea) to 0 (Nay).

B. Request for Tax Abatement for 200 Hanley Industrial Court

Dan Manning (attorney) and Don Stafford (developer) with Cornerstone Development presented the information. They are asking for a 20-year tax abatement. For the first 15 years at 95% of assessed value of improvements and incremental land value and 5 years at 90% of that. During the entire abatement period, the developer would make pilots to the affecting taxing districts, given the amount of the current taxes, preliminarily to increase annually about 2% each reassessment year. Separate, but for full disclosure – they are also potentially looking at community improvement district to affect this property with a 1% sales tax and special assessment charged to the developer. Public benefit to city is the parking development that can offer up to 40 spaces for public use.

Action tonight is under chapter 353 – requesting to move project forward with Redevelopment Corp. and authorize the city to engage PGAV to perform financial analysis to determine the financial impact of the taxing district.

Don Stafford shared this is a \$100M project. Parking structure is approximately \$20M with no real income from that, but the economic impact brings jobs, products, fitness members and 256 families to the city.

Alderman Wegge asked if there was a way to estimate the number of kids coming to the schools with the addition of 256 units (1-4 people per unit)? Mr. Stafford noted they have not yet talked to the school board but estimate about 80 students (K -12).

Motion was made by Alderwoman Sims and seconded by Alderman Shelton to move item forward to the 353 Board for review and hire PGAV to prepare financial analysis in which developer will cover cost. Roll was called.

Alderman Plufka- Absent	Alderwoman Tice - Yes
Alderwoman Sims - Yes	Alderman Wegge - Yes
Alderman Gould - Yes	Alderman Lochmoeller - Yes
Alderwoman O'Neill - No	Alderman Shelton - Yes

Motion carried by a vote of 6 (Yea) to 1 (Nay).

C. Bill No. 6396 - An Ordinance Approving Maintenance Agreement With Metropolitan St. Louis Sewer District (MSD) For The Brentwood Bound Improvements Project

First Reading was done by City Attorney Helmut Starr.

Dan Gummersheimer presented information stating this is similar to other agreements we have done. This is part of the MSD maintenance agreement as part of the GRG connector on the north side.

Alderwoman Tice asked about the cost of ongoing upkeep and maintenance? Per Craig Schluter, the estimated cost is approximately \$10,000/year. It is a cost we are required to do as part of the agreement. Alderman Gould asked if we have the equipment to do this work? Dan responded that depending upon the project, most of the work would have to be contracted out.

Motion was made by Alderman Wegge and seconded by Alderwoman Sims for a second Reading of the Bill. Motion carried by unanimous voice vote.

Second Reading was done by City Attorney Helmut Starr.

Motion was made by Alder and seconded by Alder to perfect Bill into Ordinance form. There was no discussion. Roll was called:

Alderman Plufka- Absent	Alderwoman Tice - Yes
Alderwoman Sims - Yes	Alderman Wegge - Yes
Alderman Gould - Yes	Alderman Lochmoeller - Yes
Alderwoman O'Neill - Yes	Alderman Shelton - Yes

By vote of 7 (Yea) 0 (Nay), Bill # 6396 will become Ordinance No. 5028*.

(*Ordinance number was read incorrectly as #2028.)

D. Bill No. 6397- An Ordinance Approving Easement Agreements For Russell Avenue STP 5577 (638) Shared Use Path-First And Second Reading

First Reading was done by City Attorney Helmut Starr.

Dan Gummersheimer presented the information. One property owner requested to have driveway widened in lieu of the compensation for easement. We are only able to widen one side of driveway due to drainage issues, but owner would agree to the property improvement. City attorney noted it is acceptable to use public funds for this since it is a necessary component of the public project.

Motion was made by Alderwoman Sims and seconded by Alderwoman Tice for a second Reading of the Bill. Motion carried by unanimous voice vote.

Second Reading was done by City Attorney Helmut Starr.

Motion was made by Alderwoman Tice and seconded by Alderman Shelton to perfect Bill into Ordinance form. There was no discussion. Roll was called:

Alderman Plufka- Absent	Alderwoman Tice - Yes
Alderwoman Sims - Yes	Alderman Wegge - Yes
Alderman Gould - Yes	Alderman Lochmoeller - Yes
Alderwoman O'Neill - Yes	Alderman Shelton - Yes

By vote of 7 (Yea) 0 (Nay), Bill # 6397 will become Ordinance No. 5029*.

(*Ordinance number was read incorrectly as #2029.)

E. Resolution No. 1372- Resolution Approving A Contract With Byrne & Jones For FY 2022 Streets Request For Proposal (RFP)

Alderman Tice explained that they approved this at the Public Works committee but has been thinking about it since then and because there was only one bid on the project, she would like to make a motion to reject the bid and authorized staff to re-bid the project on an extended schedule.

Motion was made to reject the bid since there was only one bidder and to authorize staff to repost the RFP.

Alderman Gould asked if the delay would impact the project. Dan stated that since the majority of the work was concrete, that rebidding in July and bringing to Board in August and starting the project in September should provide sufficient time. There was no further discussion.

Motion carried by unanimous voice vote.

10. CITIZEN COMMENTS

A. Citizen Comments - None

11. CLOSED MEETING

A. Legal - RSMo 610.021 (1)

B. Real Estate - RSMo 610.021 (2)

Mayor entertained a motion to move to Closed Session pursuant to RSMo 610.021 Sections 1 and 2. Motion was so moved by Alderman Sims and seconded by Alderman Tice. There was no discussion. Roll was called:

Alderman Plufka- Absent

Alderman Tice - Yes

Alderman Sims - Yes

Alderman Wegge - Yes

Alderman Gould - Yes

Alderman Lochmoeller - Yes

Alderman O'Neill - Yes

Alderman Shelton - Yes

Moton carried by vote of 7 (Yea) 0 (Nay).

12. ADJOURN

A. Adjournment - Regular meeting ended at 8:07PM

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.