

**CITY OF BRENTWOOD
SPECIAL BOARD OF ALDERMEN MEETING
MINUTES**

**City Hall
Council Chambers**

**January 17, 2012
7:00 pm**

Mayor Kelly called the meeting to order and led with the Pledge of Allegiance. Roll call was taken with the following members present: Alderwoman Clements, Alderman Marshall, Alderman Leahy, Alderwoman Krewson, Alderman Kramer, Alderman Robertson, Alderman Wynn and Alderman Harper.

Staff Present: City Clerk/Administrator Akande, Director of Planning and Development/Asst. City Administrator Rottjakob, City Attorney Albrecht, City Treasurer Reynders and Temporary Executive Secretary Gerstacker.

Absent: None.

CONSIDERATION AND APPROVAL OF THE JANUARY 17, 2012 SPECIAL BOA MEETING AGENDA

Motion was made by Alderman Clements, second by Alderman Leahy to approve the Agenda of the Special BOA Meeting of January 17, 2012 as submitted. All in favor none opposed. I would like to let the public know the reason this is a Special Meeting this month is due to the two holidays being the Monday after January 1 and yesterday, January 16 when City Hall was closed. We would not have had a meeting actually in the month of January so we scheduled this meeting at our last meeting in December so that we were able to hold a meeting in January.

CONSIDERATION AND APPROVAL OF THE DECEMBER 19, 2011 BOA MEETING MINUTES

Motion was made by Alderman Leahy, second by Alderwoman Krewson to approve the Minutes of the Regular BOA Meeting of December 19, 2011 as submitted. All in favor none opposed. First of all I would like to thank everyone for coming. I guess we need a state audit to get everybody to come out to the Board of Aldermen meetings. I would like to welcome everybody here tonight. The next item on the agenda is actually a presentation by the state auditor's office and I think they are going to tell the audience what their process will be as we take this big step forward. So, gentlemen please come up to the podium.

PRESENTATION BY STATE AUDITOR'S OFFICE

Good evening, my name is Chris Vetter, I'm audit manager with the state auditor's office and this is Carl Zilch, he's a senior auditor. What I wanted to do tonight is introduce ourselves and kind of explain the general process and procedures of the audit. We were petitioned under Section 29.230.2 of the Missouri Revised Statutes. We received 869 certified voter signatures for an audit. Only 581 signatures were required and that's based on the number of people that voted in the last governor's election. The estimated cost of the audit will be between \$50,000.00 and \$75,000.00 which will be paid by the city and the city will only be billed for the actual costs that are incurred.

Tonight I just wanted to meet with the Board and also meet in private meetings with Petitioners and any citizens who want to talk with us, we'll listen to you. Our survey of field work started today, Carl is here today, and this part should take about three to four months. We're hoping to get one more person to work with Carl to speed it up a little bit. After the survey and field work is complete, we'll put out a report, and will come back to the Board in a private meeting to go over the report and make sure it's accurate and get your responses to the recommendations that we have and your responses to recommendations. We will go right into the final drafter's report. After all the questions have been answered and we get your responses there may or may not be a public delivery. It's too early to say whether we will do that or not. We will have to reserve that for the state auditor's decision. One thing we started doing last year after the report had been delivered, sometimes we'll come back and do a follow-up, ninety days later, to see if any recommendations have been implemented. Again, it's too early to tell if we'll do that, but it's a possibility. The entire process will take roughly three to six months. For the audit, we will be looking at the last calendar year, primarily focusing on 2011, but we are not limited to that. We can go back farther, if there's something we think needs to be looked at. We can also look into the current year. This isn't a financial audit, audit, so we won't get an opinion on your financial statements, but we will do some analytical work on your finances just to make sure that any material fraud will be detected. We will also do some general compliance work, review management practices and investigate concerns that we receive from the public. That's about it. If there are any questions

Alderman Kramer: Yes, your honor. Could you, I guess, outline the difference between a forensic audit and a procedural audit? Would you qualify your audit as being more procedural or more forensic? Chris Vetter said it's not a forensic audit. I wouldn't call it that. Forensic is very, very detailed and we go into details of things but not the way a forensic audit would.

Alderman Marshall: Just for some clarification, did you say you would not make a public announcement as to what you found in your audit? No, I will. The audit will be released to the public. We may or may not have a public press conference to go with it. Sorry about that. Any other questions, thank you.

Mayor Kelly: If anybody in the audience has any questions. If anybody would like to ask direct questions of these representatives if you would please come forward and give us your name and address so that we have it on the record.

Jan Yoder again, I am a resident at 2656 Louis Avenue. Did you say that the public could ask you guys questions direct? Yes, said Chris Vetter. Okay, via e-mail, via telephone. I'm going to leave a stack of business cards probably over here if anybody else wants to contact us.

Jeff Harrison, resident at 2519 Annalee Avenue. My question is you said you'd primarily be looking at 2011; you may or may not go back further. How is that determined? So if you see things that lead you back further than 2011, you'll jump in there. Yes.

My name is Rick Bower. I live at 2850 Lawndell Drive. You're right Mayor, it is a shame that all these people tonight have to be here because the state's doing an audit, but I'd like to know the forensic. How do we get a forensic? There's a lot of crap that's been going on for 20 plus years.

How do we get a forensic and how do we get... The City would have to hire someone else to do that. Okay, then how do we get something more that's perceived to be a cursory procedure on your part? It's not cursory, so I don't know. Okay, thank you.

Joan Kelly Horn, resident at 9001 North Swan Circle. I've followed up a little bit on the previous gentlemen. I think we all know why we're here. We all know what's been happening in the City, we've all be embarrassed by headlines on the front page and what's been going on and it has been going on for more than one year from everything we've heard so can you tell us how you are going to deal with those specific issues that have come up? Chris Vetter, said, you mean things in the past? Yes, said, Ms. Horn. Absolutely, we aren't going to ignore, we are going to evaluate and if some things have already been covered either by prior auditor, the courts, we won't go into that very much because it's already been settled, but if a lot of people want us to look at a certain area, we will. We will leave our business cards with contact information if you would like to contact us. Absolutely, said Ms. Horn. I think you can be guaranteed you'll get a lot of us calling you. Thank you very much.

Jan Yoder, resident at 2656 Louis Avenue. How often does this happen in other cities and towns and whatever? I mean is Brentwood like, is this unusual? To have a petition, said Chris Vetter? To have a petition for an audit like this, said Ms. Yoder. We get this quite a bit. We've done probably close to ten in St. Louis County in the last two or three years. So it's fairly common. Okay.

Catherine Genetti, resident at 8819 Lawn Avenue. I'm wondering if there is way to get an operational audit. These things have obviously been going on for quite some years and nobody seemed to notice. Something in the system is not operating besides the financial piece being a problem. Chris Vetter said that, I think our procedures will uncover things like that in the system. Okay, so that is a part of it. Yes. Thank you.

BIDS

We don't have any bids on our agenda this evening.

PUBLIC ANNOUNCEMENT

Thank you, your Honor, Kevin McCarthy, 411 Lindenwood, St. Charles, Missouri. As most of you know, and I think everyone else does, I operate a cable television channel. As a procedural process, which is nothing new at election time, and now that election filings have been closed, I want to remind the Board members specifically and we will try to get a letter out to you as we have in years past, when I used to work here, by no means will the election prohibit you from doing your business in discussing anything that is pertinent to City business in the realm of your normal processes. Because our channel falls under what is called a "PEG" statute from the FCC, which is Public Educational and Government, and because there are educational stations within the metropolitan area and our various cable providers provided public segment, ours is operated as a governmental channel. It follows the same rules and, by design, as public television. So I would ask you that in the process of the meetings up to and through the election that you would refrain from "campaigning" and to explain that and now to include the general public in which there are other people running for office we by no means want to prohibit you from addressing this Board nor the residents of our City and/or County through this operation. However, it does fall under the same as

I say, guidelines, as public broadcasting. So in the same respect that you might see a Ford commercial on channels two, four or five that says, "This weekend only \$5995 for this specific model, etc.", that is what's called a call to action. If you watch channel nine for example you will see that same Ford dealership or whatever. They are doing what for all intents and purposes is an advertisement without "a call to action." They are allowed to be informative of the public broadcast channels meaning they can give their name, address, phone number, web site. They can show pictures. They can say, "South County's oldest Ford dealership" if in fact that is the case. It must be factual, can only be informative, and may not include any solicitation or call to action for a specific event or time. So to all candidates for office be it in the City of Brentwood or anywhere else within our region or state I would ask that if you chose to identify yourself, give your qualifications for the office, give out your contact information, be it a phone number or web site, to your constituents or to others in the area, feel free to do so. This would be within the boundaries of the public consultation which you are about to open. However, we cannot and will not accept a solicitation to grasp your vote so no accusations, no instances of comparison that is simply a statement of the fact that you are running, that you feel are certain qualifications and a method of contact. If you solicit a vote by saying, "I would really appreciate your vote" that will be the one and only time that we will and can edit this program. This eliminates the bookkeeping and so on for equal time and again the fact that it falls within the PEG jurisdiction and nomenclature of the FCC. So you're welcome to state your name, address, what position you're running for, what you feel are your qualifications and a method of contact. That's it. Thank you.

HEARING OF ANY MATTER OF PUBLIC INTEREST UPON REQUEST OF ANY PERSON PRESENT

Before we open it up to public comment, Mayor Kelly stated that there are a couple of items that he would like to address. First of all, I would really like to thank the auditors for being here tonight and starting to kick off our audit today in the City of Brentwood. I am really glad to see everybody here tonight. I think we have a great community. I think we've got a lot of very very positive things going for us. I think obviously over this year we've discovered a number of deficiencies that we need to correct. But once we do that, we're going to be a better place, we're going to be a better community and we're going to be a tighter community. I think this is the first big step in moving in that direction and I'm glad that the audit is taking place, I was behind the audit, this Board is behind this audit and most of our community is behind this audit. We want to fix the problems here in the City of Brentwood so that we can continue to be one of the best communities in St. Louis County to live, to work, and to raise our families. I also want to address a couple of items that have been in the news the last couple of weeks with respect to the City's participation in non-profit organizations and I also want to correct the record with some of the comments that were made.

First of all, I want to say that our city tagline, where it says City of Warmth, means something to me. With respect to the Sport's Writers dinner, it's been my understanding and other people that have participated in that event, for the past fifteen or so years that those tickets were donated to the City of Brentwood. I can tell you that the first time I attended a Sport's Writers dinner was as an alderman back in the late 90s, 1998 or 1997. I attended because I thought that the tickets were donated to the City of Brentwood. I can't tell you everybody that attended every one of those dinners over the years because I have not attended every one of those dinners over the years. I can tell you that I have had tickets and I have invited people to go when they were given to me. The City Administrator has attended, the assistant City Administrator has attended over the years, the

police chief, the assistant fire chief, policemen, firemen, planning and zoning members, Board of Adjustment members and other volunteers within the City of Brentwood. We all went with the understanding that those tickets had been donated to the City of Brentwood. I will also tell you that there were years when we had tickets and I couldn't find someone to go I took my son one year when he was in high school and a couple of times I've taken a brother-in-law when we had tickets and I couldn't find somebody to go.

With respect to the children's home society I will tell you this is an organization that the City has participated in and has known that we participated in it. Over the ten years that I have been Mayor we have purchased, I have initiated, and requested the purchase of a table six times. I did so as a representative of this community at their charitable event. I asked to attend those dinners with me the police chief, the fire chief, the City Administrator, the Assistant City Administrator, staff members, department heads and their spouses to represent the City of Brentwood. We've never hidden this from anybody, it was announced at the dinner that the City of Brentwood was participating, it's been in their news letter, we went there on the behalf of the City of Brentwood and we went there proudly representing the City of Brentwood.

I'd also like to comment on the golf tournament. I can tell you that to a certain extent I think it's old news. We brought this out back in October when we could make that public after the police investigation was over and the federal prosecutor released his report. But I do want to comment. I am frustrated and embarrassed about the golf tournament and not for me or for the City, but I am for the charities that unknowingly were the recipients of those funds. I'm upset on a number of levels, as your Mayor, as a resident, as a participant and as a taxpayer. Since 2007, in the numbers that were used in the newspaper, I participated in the golf tournament through my foursomes in the golf tournament, my donations to the golf tournament, I've contributed \$6,000.00 in that period of time to our golf tournament; because I thought it was going to the charities that were being supported by it; because they were worthy of it. I'm not happy with it either but we didn't know because of the way it was being reported to us here that the golf tournament was making a profit. I can assure you if we knew that the golf tournament was not making money, we would have not made those donations to those charities. But like I said, I'm embarrassed for them because they were unwilling participants in what's been put out in the public and for that I'm sorry.

On the bright side, I think Brentwood has a lot of great things going for it. We are learning from our mistakes, we are listening to the public and we are taking action to correct them. We have hired an outstanding City Administrator. She brings a lot of experience and she brings a lot of dedication to our City of Brentwood and I guarantee you that the things that have happened in the past won't happen in the future. The first of January, we hired a new finance director who comes to us with impeccable recommendations and experience. Not only in her last job where she was in charge of the finance office of a municipality of \$225 million dollars but she also worked part of her career in the Missouri state auditor's office so I think she knows what to look for and she knows what to put in place to insure that we don't have the same mistakes that we've had over these last couple of years. I think these are all real positives. I think as a community, and I am, I'm glad to see everybody here tonight because I think as a community working together we can move forward and become the City of warmth that we'd all like to consider us to be but we need to work together in a positive manner. We need to work together and make sure that we're doing things productively

instead of working against each other and I think when we do that we are going to be a stronger community. So again I want to thank everybody for being here tonight. I think this is a first step in really putting Brentwood back on the right track. You know we've got so many positives in our community. We really are one of the most financially stable communities in St. Louis County. There is no doubt in that and our future is only brighter. We had the Promenade that was paid off last year and now we're starting to see the revenues from that. Brentwood Square and Brentwood Pointe, those TIFs will be paid off by the end of 2013 or 2014 and the City of Brentwood will start to see the benefits of those projects as well as we move forward. We have positioned ourselves to be one of the strongest communities in St. Louis County through the hard work of the members of this Board and our community. We didn't always agree with each other, but decisions were made and we've moved forward and I think now we're all benefiting from the progress we've made as a community and I really think that this is an opportunity for us to move forward to be a stronger community and work together.

So with that, I will open it up to public comment. I would like to say again this is procedural so people understand if you please come up, give us your name and address and you have three minutes to speak. At 2 ½ minutes, I will tell you that you have 30 seconds left and I would ask that you wrap up your comments to the Board in order to let the next person speak. So again, thanks everybody for coming and if anybody would like to address the Board, please come forward.

Jeff Harrison, resident at 2519 Analee. I think you're right; Brentwood has a lot going for it. We have a very positive bright future. I think it's very clear with this amount of people here; I've been to most of these for the past few months, that there is a complete lack of confidence and trust in our City government and I truly hope that there is some new blood coming in here to challenge your seats. We need confidence in our government. With all due respect, I think it's been broken.

My name is Rick Bower, I live at 2850 Lawndell. I appreciate the positive spin that you are putting on this. Candidly, I'd like to know if those monies were inappropriately spent, what you are doing to get those funds back. Also, with the fire department, as I understand it, and I'm certainly not an attorney, should have gone to law school frankly, but if monies were spent for salaries where they did not perform they were paid for hours that they did not do work as I understand it. Put in very simple terms, that means that they accepted funds that they didn't actually earn. Over one year or maybe even twenty years. I suspect and I probably think that this has been going on all the way back to when you were an alderman. You're a bright man, this just didn't happen overnight. This is a procedure that's being going on for many, many years and you just kept up the policy. I want to know what you are going to do to get those funds back into our coffer and also what about the defined benefit plans that were paid to the firemen on the monies that they should not have received? What are you going to do to get those funds back? Those funds were illegally paid and gotten and I truly believe somebody needs to be held responsible.

Karen Smith, 8930 Harrison. I do want to thank the auditors for coming tonight and for the work that they are going to do. I'd like to thank them in advance for listening to our concerns. I do think we need a separate set of eyes from the outside. The only time any of these issues are brought up is when it comes out in the newspaper. If some of this stuff that's been known or people have been concerned about it and think that it's not right, then my question is why didn't we fix it before it

had to come out in the paper? Why didn't we fix it years ago instead of waiting for it to come out in the papers? The only time that we really want to fix things that I can see in this City is when it becomes open to the public. We don't fix things because they're wrong. We fix them because somebody finds out about it.

In regards to the City participation in the Sport's Writers dinner, so who donated those tickets? It is our understanding it was Gene Del printing said the Mayor. So if I contact them, they'll confirm that that they. No, they say they didn't donate them. That was the problem. How do you think that it was Gene Del printing, if he's saying that they didn't? So it is odd, when I've bought things, I have friends that are in council positions in other cities, and I often ask them questions over the last ten or fifteen years have seen things that don't seem to make sense to me and I don't get the answers that I want and they will on a dime turn on it like the Sport's Writers dinner is without question on their part so how do they know about these things in other cities and we don't? I know the municipal league supposedly offers courses on how to provide correct oversight and what to look out for when you are in public office, I don't know if you all take those courses, but how come other people are able to put a level of ethical standards out there that we seem to have problems with in this City and I don't know if the auditors are going to be able to help us with this I mean that's something that I don't know how you have that bit there just seems to be a prevalence in what I see here that the people think that the money that comes in, these public dollars that come in here that you all just have a right to it and to spend it as you want and that you're not held accountable for it and these dollars are supposed to be allocated for specific things that we can just easily move them over into other buckets and spend them differently.

I sat on the Board of Adjustments, I was never offered an opportunity, this was years ago, I was never asked to be back when my term was up, I was not surprised that I was not asked back, but I was never on the Board of Adjustments that I sat on nobody never offered me any tickets around that, how did you decide who you would ask? I think that's the problem when you have these things and they're secretive and there are only certain people who get to go to it because it's like you have this little club and certain people are in and certain people are out. I know I was out when I was on the Board of Adjustments; I've been outside for a long time in this City in regards to how I look at how things should be done.

The Children's Society, I think it's wonderful that you all want to contribute to that. That is a wonderful organization and I hope that you will all keep giving. Admirable to give to an organization like that but when you start spending public dollars on that, that's a slippery slope, because how do you decide which charities you are going to give to. I mean I have charities. My public dollars went to a charity that somebody at City Hall picked. Who picked that charity? There are a lot of other charities. Who picked the Children's Home Society out of all the other charities that are in Brentwood? Do we know? So how you decide about the charities that you are going to participate in? And the last thing about the golf tournament again I'm not sitting in your seats so I don't have access to nearly the information that you all have but I asked Chris at one point to see a profit and loss statement on the golf tournament years ago because it seemed odd to me that we had a golf tournament and the way in which it was run. Again, I asked friends of mine that were in other municipalities and none of them thought that that was an acceptable thing to be doing. But given how popular it was, I was not going to raise it because I was already known as a vocal minority at

that point in time so I wasn't raising it but I did ask Chris in an e-mail. I didn't push hard enough to get the expense side of that statement. I got the revenues, but he was very vague in getting it back to me so I knew about stuff going back then. Again, I don't know why this Board didn't provide some oversight there. I mean where are you, where is your integrity and your ethical standards when you look to how you do your business here in this City? If you are listening to the public and trying to make changes, I question that given the last couple of months the difficulty there has been in getting information out of the City.

The e-mails I write and have to write, the executive session you had a couple of weeks ago where you all were discussing the Michelle Frankowski, Parks Director and what was going to happen with that position. We didn't ask for the discussion or I at least I shouldn't say we, it was just me, I didn't ask to the specifics of the discussion but in the Board according to the Sunshine Law, you are supposed to document what discussions take place and the outcome of the vote and I was told it was a personnel matter and I had to push back three or four e-mails before I actually finally got an e-mail that says, "We've revised the minutes." But every step of the way it's very, very difficult and when you say you want to be productive and not working against each other it starts at City Hall with the transparency that you all provide us and that had not been there, it still is not there.

My final two things, Meridian Redevelopment Agreement, I thought I had heard that we have to do another redevelopment agreement with that TTD is that correct? If so, I thought we were going to bring that forward tonight, I was just wondering the status on that. The other thing is the Drury development that's coming forward. There have been several of us that have indicated interest in wanting to know when the meetings are. I was e-mailing Chris up to the very end there about when they were going to be meeting and here I said it's not coming forward, it's not coming forward. In fairness to John Geppert, I have not asked her about it until just recently because I didn't know that it was meeting with all the other stuff that's going on that kind of fell off my radar.

But I'm signed up on the web site to get public notices of when they are meeting and I understand there was a meeting on January 5. I never got a public notice. I haven't got a public notice apparently there is another one on Thursday and again I think that needs to be out in the open because I have seen a copy of the body of the report that was written and I think that's a rather interesting report given that Drury spent a million dollars to purchase that property. I think we need to have some open communications about what that really means for us and thirdly are you going to allow for public comment at the end after you provide information will you also open it up for public comment at the end? Thank you.

My name is Marian Bradford, I'm at 8734 Florence Avenue. I just have a question or a comment about whether the contact information for the auditors can be put on the website so that if people who weren't here tonight to get a card or at least we can refer them to that so that people have better access. Great idea! Absolutely, said Mayor Kelly.

Good evening, Ed Wright, Jr., 20 Stratford Lane. It's good to see good friends here. Our family's been involved in the City for so long. As you know, my dad was Mayor for 13 years. I was an alderman for 4 years, worked with many of you and when my dad died a few years ago you were all so kind and did a proclamation we named a ball field after him and everything and he loved this City

as I love this City and Lee Wynn remember when we were on the Board together and a cable company came and said we're going to fly all of you Aldermen to New York City for the weekend because we want to show you our operations before you make a decision. We said "How long will that tour of your headquarters take?" and he said "Oh, about two hours, but we'll take you to New York for the weekend." I said "Are you kidding me?" It was so blatant. There was another time we voted on a restaurant that wanted to have a Conditional Use Permit. Before the meeting down in the room over here, they gave us drinks and food and liquor and we went back up there and we were supposed to vote and say "Yes" or "No" and I voted "No." I said "You can't do that!" Local government has as much potential for corruption or for misdealings as does any level of government. I am not saying you all are corrupt, I'm just saying we've got to find the strength. You have to find the strength to serve these good people, to serve our City, to do what the right thing is. The right thing is to have this audit, to make sure that they look at everything. The right thing is to tell the people what's really going on. This is a great City. Find that strength. This is a great source of strength from the audience. Thank you.

My name is Maureen Saunders, 2326 Parkridge Avenue and I just have to thank everybody for showing up tonight and for supporting this state audit. This is what our government is about. In this day, when there is so much apathy to know that your voice, your one signature, your vote, counts and you can make a difference. You guys are responsible for this City and you can have it back but we need to move forward and we need to do so in a positive way. Part of that though is being held accountable for what's happened in the past so we make sure that we know precisely what happened, precisely what dollars we lost, why it happened, we can recoup what we are capable of recouping. We've already made the steps in the right direction with Bola and hiring a new finance director. I have a point though – why didn't we do it sooner? We are a \$15 million dollar revenue City. We have more TIFs and TTDs I believe per square foot probably than anywhere else in Missouri. If we are sophisticated enough to enter into these transactions, if we're sophisticated enough to hire the top legal minds in St. Louis from Armstrong Teasdale to Gilmore and Bell to McMahon and Berger for labor we get the top notch people, why is it we couldn't have simple basic accounting procedures and controls in our own City Hall in our own finance department.

There had been suggestions to improve the controls and the transparencies for years and I was questioned about where you have been these last few years. I was so involved back in the time the Promenade happened and was on the comprehensive push for that. I know you finally got it through but I had John Geppert come before this Board and Planning and Zoning and telling you that it's out of date and you continue to do all these projects. I was here. I was on the Economic Development Council and then everyone was advised to resign because they really had conflicts. I have been around and then I put my trust in you and I told you I was going to and as soon as this hit as I said before I pulled the auditor's report and it said the management letter as in prior years and you didn't do your job. You need to step up and take accountability and if you didn't do your job, I don't care what your name is it doesn't matter to me, if you're not adhering to the oath of office or fulfilling the requirements of your position, it's time to step down. You've done a great job, everyone in the past, if you feel you reached that mark then do the responsible thing and let's get some people that are ready to take office and maybe have more free time. But let's be responsible for what's happened; let's move forward in a positive vein.

One thing I have to question about, it seemed odd to me that if Gene Dodel gave the tickets in six years I would hope that we thanked him and if we thanked him I would hope that we would have found out that he didn't donate them. The other question is as far as the Children's Home Society, Brentwood bought a table, was it in Brentwood's newsletter? I don't care if it was in Children's Home Society, was it in Brentwood's newsletter, did Brentwood encourage us the residents to vote for it, buy a table and did you ask us if that's the charity we want to support? I give all my charitable clothing and donations to Children's Home Society. They are coming to my house on January 28 and I am well prepared for that.

Now in the vein of moving forward, there's another Bill on the agenda and it's where they are changing it so that the permits the way the Bill read now is "Prior to issuing a license or permit, the building, zoning and fire departments shall inspect any premises proposed for a business and shall certify that said premises are in conformance..." and so forth. We are now changing that so that the Planning and Development Department is just responsible for approving. Now I notice that the synopsis says that the Planning and Development Department does administer and enforce zoning, fire and building codes. Let me tell you, if you're considering putting in a hotel and you're housing people overnight that have been drinking and smoking, fire is going to be huge. But I have personal friends of my parents who died in the Hyatt Regency tragedy of that collapse in Kansas City and let me tell you, fast doesn't always mean good and it doesn't always mean sound. If there's an extra set of eyes that goes in and inspects those premises, it's one more person to say "Okay" before you put lots of lives at risk. Make sure this is exactly what you want to do. Thank you.

Denise Soebbing, 2612 Porter and first of all I'd like to thank Maureen and Julie and a lot of the other residents who have done a lot of extra leg work to make sure that the rest of us residents knew about this meeting. I've asked if we could put something on the website to let all the residents know this and I was told that people could find it themselves by pulling off the agenda. I think it would have been nice to have been able to clip this notice so all the residents would have been able to come to this meeting so I would ask if we could possibly have the auditors be available at a public meeting if they'd be available to do that for any residents who maybe didn't have the opportunity to know about this meeting. Thank you.

Rick Bower, resident 2850 Lawndell Drive. Taking the three allotted minutes for Richard Klotner, who also lives at 2850 Lawndell Drive. Speaking of misappropriated monies, remember a few years back when you crucified Katy Jepson for bringing to your attention that you had people from the parks public works. I believe over at several churches doing work free gratis for them and this is customary and I would like to know when are we going to see those monies back. Just a thought.

My name is Bonnie Rasmusen. I live at 8828 Pendleton. I just appreciate everything you folks have done over the years. I know it's not a simple job. I formerly chaired the Planning Commission a long, long time ago and back when you could only serve two, three year terms. In my fifth year I had to resign over procedure when Fraser School was being developed into a day care center. It did not fit our code and so I had no choice but to resign or just sit there and ignore the rules and I chose to resign and I'm mostly here at this moment to encourage all of you, many of you I have known for years, you've been sitting on this Board for years, you've been there for years, you've done a good job and that's fine but I encourage you not to run for reelection. It's not meant to be a career,

you're supposed to be a citizen, participant and as I've said I appreciate that from all of you. I don't want your job but there are a lot of people here in the community who need to be encouraged to participate in our local government. I know Lee Wynn last time around won by four votes a nice intelligent man was running against him or not so much against him, but wanted the job and I'm sure that we could find someone in each of our wards to do that and that's all I have to say. Thank you.

Hi, I'm Jim Malloy, I live at 16 Middlesex. I have a question about the audit. I don't know if I had heard this correctly but the auditor said that the audit would involve the year 2011 and that it was it unless they decided to go back further. I think most of the problems that have been of such concern occurred probably in 2010 or 2009 probably very little occurred in 2011 and I think before we get too excited about this I think it's very important that the auditors look at least 2010 and 2009 to see what actually happened.

The other thing is the article that was in the post I think last week about Ms. Frankowski and the termination. I understand no one on the Board is going to talk about her firing although I did find it out that someone who's worked here that long obviously got in an argument with her boss and was just terminated. There was something that was brought up in that article that said that Richmond Heights had Brentwood pay \$8,000.00 more than it should have and subsidized the rec. center. I'd like to know if that \$8,000.00 is going to be paid back by Richmond Heights to Brentwood? Secondly, it is my understanding Ms. Frankowski handled the golf tournament which made a \$10,000.00 profit this year, again if the golf tournament all those years was potentially making money but she said it wasn't making a profit where did that money go to? I mean you guys know this stuff and I think what frustrates people here is sort of like this kind of a meeting that's a question not an answer meeting and we get some answers but it really is like pulling teeth and so what happens is everybody in the community starts talking about it and wondering what about this, what about that because answers simply are not given. There's no sense of openness. There's no sense of communication and I think that those kind of things have got to be made clear here and that's the biggest problem that I see with this Board and your Honor, with yourself. I just think there's a real lack of trust and I think that you guys have brought this on yourselves.

Virginia Schnarr, 3 Barnstable Court. Several of the items in the press coverage recently there's been comment sought from Aldermen and the Aldermen usually respond by saying they didn't know anything about it. I don't know if you record it correctly but that doesn't seem right to me. If you want to be transparent, you have to be transparent with the residents but before you get to that at least be transparent with your own Board. Secondly, I would like to ask whether the dismissal of Ms. Frankowski could be revisited. That's all.

My name's Norm Cromley. I live at 59 Middlesex and Jim and I have discussed this many times. I know most of you. I've lived here in Brentwood almost all my life and you all have a really tough job and it's just one of those things that many of us won't get involved in and you have a tough job. The only thing is I've defended my City to many of my friends and acquaintances on what a great place it is to live in and people are doing the best they can. I want to say one more thing about the golf tournament. If in fact, which I'm having a hard time to believe, you made \$10,000.00 on this year's golf tournament, rent a page in the Post and print a statement, how much you got, what you

spent it on, what was left over and where the \$10,000.00 goes and you get it over with. Have it signed by whoever the chairman was, whoever the aldermen that was in charge and the Mayor. Get it over with. I've been defending this for so long. Put out a statement. Thank you.

Jeanne Suntrup, 8710 Bridgeport. I think what's so frustrating is you hear about all these governments and the money that nobody has and here \$10,000.00 gone here and \$80,000.00 gone here and you act like it's no big deal and for somebody to earn a raise of \$10,000.00 in five months that's unbelievable. I haven't had a raise in five years. I wish I would make \$10,000.00 in five years, up my pay. It's unbelievable how this money is being wasted and you think it's just a pity.

Barry Williams, 9001 Pine Avenue. This has been my home for 52 years now, just about. I arrived with my family in the summer of 1960 and I love Brentwood and you know I used to work for the St. Louis County Municipal League and I know that we have 90 incorporated municipalities in this community and I never thought the day would come when Brentwood would be generating all these embarrassing tawdry headlines month after month. It's just awful. I remember John Geppert addressing you folks last summer saying that he used to be proud to tell people where he came from and now he's embarrassed and ashamed and I feel the same way. Again, I'm delighted that you support the state audit, it's good to hear. Did you sign the Petition? I wasn't asked, said Mayor Kelly. No one came to your house? I was going to say that I was initially disappointed in you because you initially did favor the state audit. I never said that Barry. I was here last July and last August and I was present with a lot of other folks here and the Aldermen were witnesses too. What I remember you saying was that your preference was to get a local auditing company, a CPA company, to do it because this was after some residents asked for an independent, neutral, objective outside party like the state auditor, and you said you would rather have a local firm do it. I think I'm right about that. I'll check. Okay. In any case, that's in the past. I'm very grateful that you're on board now and as I've started to say I was disappointed initially that you didn't seize that idea but you did come along, you issued a press release after we the Petitioners had 900 signatures and it ended up being a very gratifying experience for us. I was working Ward 3 south of Manchester and it was those withering hot August days in the 100s but you know it was very interesting. I've done petition drives before for various causes and I don't think I've ever had one quite as difficult as this one but it's not what you think. It's not that it was difficult because I was running into a lot of angry people you know who were threatening me, get off my property, it was just the opposite. I couldn't get away from these people. The people in this City are really angry. I was typically spending 20 minutes per household and normally when I do petition drives it's like a minute or two. People really wanted to vent. They were saying "We can't believe this is happening to our City." I know many of your personally, Lee and Lorraine I've known you for 40 years. Mike, I grew up with your Uncle Tommy in Audubon Park. I thank you all for your service. I've worked in City government before. I've never had the courage to run for elected office so you guys have it on me but I've worked as an Assistant to a Mayor and to a City Council Pro Tem and public service can be thankless work. It's hard and it's sometime thankless and difficult work and I thank you for all your service, I really do. You don't see me up there. You're up there and I'm not. I've never had the courage to do it so, I do thank you for your love of our City and for the time you put into it but it's a difficult time in our City, it's an embarrassing time and you know we're seven years away from our centennial. It's 100th anniversary in seven years and I hope with Bola Akande whom I'm very

impressed with and the state auditing team that we can right this ship and clean up this mess so that we can restore our good name and reputation in time for our centennial. Thanks, Barry.

Mayor Kelly closed public comment. I'll try to address as many of these items as I can that I've written. I'm trying to work my way backwards. Bola, could you maybe touch a little bit on the process when we were reevaluating the charges to Richmond Heights and how that process took place.

City Administrator Bola Akande said there's no doubt that Michelle brought that to our attention, there's no doubt about that, but as soon as we confirmed that I went to the City of Richmond Heights because no one else wanted to do it. I sat down with their staff for four hours going through street by street, trying to make sure that we weren't just focusing on zip codes which is what Richmond Heights did. They looked at zip codes that fell into Brentwood and on that basis determined that these individuals live in Brentwood so what we went back and did was there are certain areas of Rock Hill that had the same zip code, they are Brentwood. So I spent four hours going through this because no one else on our staff wanted to do that. I didn't feel I was too important to do it. I dropped everything else, went over and did that and then what I did I came back and found a staff member from our Parks and Rec. Department to go back and spend all day to do the rest. So we never paid Richmond Heights for what wasn't due them. They may have billed us erroneously to begin with but what we ended up paying Richmond Heights was what was due them. So that mistake was never made to begin with, we worked collaboratively to resolve that and that matter was put to rest so there's nothing further there. We've developed a process going forward to make sure that that doesn't happen again.

Mayor Kelly said with respect to the golf tournament that was actually managed by the police chief this year a week after all of this started with the departure of our City Administrator, I held a staff meeting and the golf tournament was already on the way and I said that's got to be one of our top priorities. The police chief volunteered to run the golf tournament. He managed the golf tournament this year and as hard as it is I can only tell you the information I have. Over the years, our golf tournament was always a sell-out. We always had way more teams with more participants than we should have to be quite frank. A couple of years ago, when it was said that a firemen in Maplewood had been killed, we had over 42 teams, a regular golf tournament is like 32 and it never crossed our minds over the years that the golf tournament would be losing money. It was always a big success, always plenty of participants, but that was not was reported to us here at this Board. This year, we formed a group, the police chief ran the golf tournament, he oversaw it, we had staff members working together so it wasn't just one person in charge and controlling it and the golf tournament made \$10,000.00 this year just like it should have all the other years or at least shown a profit. That's what happened. That's all I can tell you. That's what was presented here to the Board. We can do that and can put the information on the website.

I think that the idea of putting this information on the website, we'll go ahead and do that. With respect to the notification on the website for certain people that have put down for alerts, we did have a little bit of a lapse there at the beginning of the year because Bola's assistant retired or went back to college full time so she quit here so we just hired a new part time assistant to help with those kinds of things, with the record keeping and so there were a couple of things that didn't get

posted or at least as visible and again that was just because we were in this transition period and trying to get everything done. That goes back to the notifications on the Drury project and some of the other things.

With respect to Drury, those notifications we haven't had any real meetings public meetings for the 353 or the City with respect to Drury until December of this year, actually it was January said Bole, we hadn't had one for a year because during the period of a year and a half to two years they've been negotiating with MODOT for the purchase of that property. It wasn't, I can say this publically because it's been out, it wasn't a million dollars that they paid for the MODOT property, it was actually four (4) and a half (½) million dollars that they had to pay for the MODOT property, which is probably close to two (2) million dollars over the appraised value but that's the price that MODOT requested and they would leave it sit there and we've had the same beautiful piece of property we have today in ten years. I'm trying to think if there is anything else any Board members want to say. Keith, there were some folks who said that we fired Michele Frankowski but she actually retired. Mayor Kelly said yeah, and again I'm not going to comment on any personnel matters, that's one of the things that's very difficult about this job, we can't comment on any personnel matters publically. We have a responsibility not only to respect the rights of our employees but also to protect in the liability in the City of Brentwood as elective officials and I have not and we won't comment on personnel matters here which can be very frustrating I can assure you.

With respect to the donations of the tickets, I maybe should have made that a little clearer when I was talking about it. It was our understanding that those tickets were donated. It wasn't until earlier this year that we found that again we had put a trust in a long time employee and that trust was broken. It turns out that another one of the instances of this employee's tenure was that he was purchasing those tickets unbeknownst to the City. He had authorization to have some level of checks cut and he was purchasing those tickets and telling that they were donated by Gene Del and I will tell you that I had over a couple of times in attending thanked Keith and he said thanks and we moved on. You know he probably didn't know/understand what I was talking about I guess.

I also forgot to mention that when these things were brought to our attention last summer specifically with respect to the Children's Home Society that it may be questionable that those weren't appropriate use of public funds and with everything else that was going on in the City we opted not to purchase a table last August at the Children's Home Society auction until we had some clarity from the state auditor's which we knew was going to take place whether that was an appropriate use or not. We asked the state auditors and they said that it is not illegal for the City of local governments to participate in charitable organizations of either one of those, the Sport's Writers or the Children's Home Society, but that they don't encourage it and that they don't promote it. So at that point, we won't do it in the future. But I just want everybody to understand it wasn't anything I would ever do to jeopardize the City of Brentwood, to give us a bad name. I did it representing the community of Brentwood. We do contribute to a lot of different charity organizations within our community in a lot of different ways.

The issue was brought up about a former alderperson who had an incident it wasn't the fact that the problem with that incident was that we had an Aldermen who was going out and telling City employees what to do instead of taking their concerns to the Board of Aldermen or the City

Administrator. What was actually taking place was the incident was the City was dumping some of our excess mulch or chipped wood from our chipper that we would have to pay to be hauled away we had agreed and Mount Calgary had asked if they could have some of that for the use on their playground. So the City was taking that out there again saving the cost of having it shipped away to the landfill and we were dumping it out there so that they could use it in the playground. It was not appropriate for an alderman to go up there and start telling employees to leave the site and that they shouldn't be doing that. That was the incident.

We have supported, you know again, I feel sorry for these charities with the golf tournament. We have always tried to support charities within our community or associated with our community in some way. People with organizations, who would send a letter to me asking if they could be a beneficiary of the tournament. Over the years, we tried to spread that, but the Mayor picked it. I picked the charity every year but it's usually because I got one or two letters every year and we tried to spread it around. It's been everything from St. Mary Magdalen Athletic Association to Brentwood Swim Team to the Children's Home Society, the Boy Scouts. We did it for one of our firemen who died off duty so we did it to raise funds for his kid's college tuition. We did it for Orville, one of our Public Works employees, who had a stroke and would never work again. We did it for one of the firemen who was shot and killed over in Maplewood a couple of years ago. We did it for McGrath PTO to help them build a playground. So, we tried to spread it around. Almost every year we gave a portion of the proceeds, what we thought were proceeds, to the Brentwood Foundation for scholarships for the students and teachers. We supported the Brentwood High School Football team on a regular basis so that they could buy new equipment. Again, we always were assuming that this golf tournament was making a profit. That's not what was reported here to the Board of Aldermen, to this Body, it was reported it was making a profit and I can assure you that if it hadn't of been, we wouldn't have done that. Were there any other issues or any other comments?

Because of the reissuance of the bonds for the Meridian Project there has to be an updated redevelopment agreement in order for those bonds to be issued and that is in the works. It was potentially going to be on this meeting but we have not held a meeting and had a final draft of that redevelopment agreement. It is not on the agenda. If the Board wants to put that on the next agenda, adding public comments at the end of the meeting, that's fine, but it's not on the current agenda.

Aldermen Leahy said Mr. Bower asked about reimbursements and the benefits of salary recapture from the fire department. Those are the only questions you haven't answered. Well, again, said the Mayor, the fire department issue has been resolved with the policies and the things we put in place, that was actually done last June, and I think we took the information, addressed that issue and the City is moving forward on that.

Mr. Malone asked, but what about the money for God's sake, what are you going to do to get the money back? Well, said the Mayor, the firemen have agreed through the union I think that what was released to the paper is that the firemen will not take their next 8% in raises over how many years it will take. This year, for instance, we had a 1% raise to our employees so for the next 7%. But how many years has this gone on Mayor? Well, again if you read the paper back in July or June

whenever that was in the paper according to the sources. We don't want to hear from the paper, we want to hear from our government. And you didn't know about it? I'm trying to respond and I'm not going to take yelling from the audience. Again, it started according to the papers and according to the sources that gave it to the papers; that process started here in Brentwood in 1987 prior to me being on this Board and most any other members on this Board. That's when it started and then it was something they had in place for a long time and that is correct.

If I may help clarify your question, said Aldermen Leahy. The best that the City could negotiate out in its recouping of funds because of the issue of the statute of limitations as to how far you can go back and retrieve any of it and being able to document a dollar value that all parties would agree to, the withholding of pay raises is the best method that we resolved with the parties to get that type of recouping to it which also went to the second part of your question with withholding pay raises that does effect the benefits that as you perceived in your question that they were receiving as extra pay and benefits to bump up by withholding pays that falls back down over the averages to the point that between all parties involved it was the best deal that the parties could agree to as simply and quickly as we could resolve that problem and it was a good decision to work with on that one otherwise you would be in to extended legal fights and battles which may not get you the best result either so that was the best the Board could work through in that situation.

INTRODUCTIONS, READINGS, AND PASSAGE OF BILLS AND RESOLUTIONS

We do have one Bill this evening. I would like to have a Motion for the first reading of Bill No. 5645. Motion was made by Alderman Marshall, second by Alderman Leahy to give Bill No. 5645 first reading. All in favor none opposed.

First reading of Bill No. 5645 by title only. AN ORDINANCE AMENDING CHAPTER 12 OF THE REVISED CODE OF THE CITY OF BRENTWOOD, MISSOURI BY ESTABLISHING THE PLANNING AND DEVELOPMENT DEPARTMENT IS RESPONSIBLE FOR APPROVING LICENSES AND PERMITS IN SECTION 12-20D PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE, PROVIDING FOR THE CURRENT MAINTENANCE OF THIS CODE AND PROVIDING FOR THE REPEAL OF ALL CONFLICTING ORDINANCES.

Synopsis please, Alderman Kramer - Bill 5645 is one that is for an Ordinance amending Chapter 12 of the Revised Code of the City of Brentwood by establishing the Planning and Development Department as the responsible party for approving licenses and permits in Section 12-20D. This is housekeeping item that would accomplish three things in this bill. No. 1, designating the Department of Planning and Development as the Department responsible for approving licenses and permits, making it clear that the Planning and Development Department administers and enforces zoning, fire and building codes and deletes the word in referencing dog licenses as the City no longer issues these, all of the references to dog licenses will be stricken from other sections of the code as needed as part of the recodification process we are currently undertaking with Sullivan publications.

Alderman Leahy, if I may, Mrs. Saunders brought up the question about the number of eyes looking at all of the procedures and stuff and it's a good point. From what we're looking to change here for housekeeping, we are actually not reducing who is reviewing permits we're just establishing a

better flow down as to the chain of command and whose responsible to whom. That's good. Thank you.

Alderman Marshall, just for clarification, wanting to talk about the Drury Inn, something that size, I guess would be sent to an outside firm as far as looking at the plans and engineering and everything as far as the permits go for this thing. No, we would be overseeing that. We would have a building official in place before that process starts. And if we don't have a building official, said Aldermen Marshall? We already have someone with CBB that's assisting the City in the area. So it's an outside? Right, it's an outside firm that's already helping us so that there's no lag and we can continue to issue permits during this period, said Bola Akande.

Alderwoman Clements. Thank you. I wanted to touch on something that Maureen said. There is no smoking allowed in any buildings in Brentwood anymore so you don't have to worry about that with the new Drury. That will be enforced. The thing is a certain number of rooms are smoking. Do they allow a certain number of rooms? We can check on that when we get to that part of it, said Mayor Kelly. I think Drury may be smoke-free as a hotel but I think the Marriott has some smoking rooms. John Geppert, do you remember, said Mayor Kelly? Okay. Any other questions?

Second reading please.

Second reading of Bill No. 5645 by title only. AN ORDINANCE AMENDING CHAPTER 12 OF THE REVISED CODE OF THE CITY OF BRENTWOOD, MISSOURI BY ESTABLISHING THE PLANNING AND DEVELOPMENT DEPARTMENT IS RESPONSIBLE FOR APPROVING LICENSES AND PERMITS IN SECTION 12-20D PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE, PROVIDING FOR THE CURRENT MAINTENANCE OF THIS CODE AND PROVIDING FOR THE REPEAL OF ALL CONFLICTING ORDINANCES.

Motion was made by Alderman Marshall, second by Alderman Leahy to perfect Bill No. 5645 into Ordinance One. Roll call: Alderwoman Clements, yes; Alderman Marshall, yes; Alderman Leahy, yes; Alderwoman Krewson, yes; Alderman Kramer, yes; Alderman Robertson, yes; Alderman Wynn, yes; Alderman Harper, yes. Ordinance No. 4321. Thank you.

ACCOUNTS AGAINST THE CITY

Your Honor, said Alderman Marshall, the warrant list is before us tonight in the amount of \$106,896.62. I move for adoption. Motion was made by Alderman Marshall, second by Alderwoman Krewson to approve the warrant list.

Tom, I have reviewed the warrant list. Once again, I wanted to compliment our City staff and compliment Bola on whoever detailed the estimation for each of these items. Thank you very much. It looks to be in order to me your Honor. Thank you.

Alderman Marshall: Bola, I think that on the warrant list, I don't know if there is any tonight, but could we add a column that will let us know what's a pass through or something that we'll be reimbursed for. Okay. We had a first and second, said Mayor Kelly. All in favor of approving the warrant list say "aye". Motion carries.

REPORTS OF COMMITTEES AND DEPARTMENT HEADS:

Mayor's Report. I do have another appointment: Brian Rothery for the Library Board. Again, there's a vacancy and so he has volunteered and I entertain a motion for his appointment.

Alderwoman Clements: Your Honor, I move that this gentleman, whose resume is phenomenal, be appointed to the Library Board. Alderman Leahy: I'll second. All in favor say "aye". Motion carries.

Also under the Mayor's Report, one of the items more on the St. Louis County level but I think we really need to start playing an active role in , well I have been playing an active role in, but the City and our residents need to be made aware of. The issue is very involved but those of you who know, dealing with point of sale and pull cities within St. Louis County and again in these economic times, wherein budgets are very tight, cities are looking for revenues and income any way they can get them and for those of you who don't know, prior to me, a long time ago, back in the 70s or so, cities had to declare whether they were point of sale cities or pool cities. Point of sale cities would basically collect all of their own sales tax and they would generate their revenues that way. Pool cities, a lot of the larger communities and bedroom communities, they would pull all of their revenues together, sales tax revenues, and then divide them by the population.

Brentwood is a point of sale city. Back in the mid 1990s, around 1995, Buzz Westfall, without going to the vote of the people at the pressure of some of our larger pool cities, got the state legislators to take a portion of the pool cities' one cent sales tax and distribute that on a population formula basis into the pool for the pool cities. They also at that time allowed the cities to present to their voters a quarter cent local option sales tax and if the voters did approve that quarter cent option they also took 14% of that on an on-going basis to put into the pool. For Brentwood last year, the portion that went to the pool of our 1% sales tax was almost 1.3 million dollars. I'm not sure of the amount of the quarter cent but it would be percentage wise. But just say 1.3 million of our sales tax went into the pool to go to these other municipalities. Some of the cities have been very upset about that, the larger pool cities, Fenton, and a couple of other Mayors, so they want to get that reversed. So the A cities and the B cities, the pool and point of sale cities have been meeting now for about four months to try to come up with a way of making this more equitable. The point of sale cities feel like too much of their sales tax is going to the pool. The pool, obviously there is no way that we could just take all that money away from them, you'd have cities like Richmond Heights and Webster and all these other cities with a huge portion of their budgets being depleted and that's not logical but the reason I'm going through this long tirade and so the people understand what I'm getting at, the cities have been trying to work out an equitable solution to this but there's a couple of the cities that are now going out on their own and trying to create state legislation that is really going to impact our community.

Also, most concerning is St. Louis County is trying to get legislation passed at the state level that will take the entire 1 cent sales tax that we currently have that we lost again about 28% of last year to the pool, they want to take the entire 1 cent and put it into the pool to be distributed throughout the county. That would be devastating to the City of Brentwood and I think we need to let our legislators know that we don't want that redistribution of our sales tax. I think the most important thing for us to remember is that our voters approved those sales taxes for our use in the City of Brentwood. When the Buzz Westfall plan was initiated that never went to a vote of the people.

The County and the state took our sales tax to be redistributed. The reason the cities didn't fight it was because we were concerned that the larger bedroom communities, Webster Groves, and part of Chesterfield, and University City and those bedroom communities, if they really got to a vote, we might be outvoted and they would take more of it. But now it's to the point where if they did take that whole 1 cent, it would be devastating to a community like us. So, I just wanted to bring that up, there is a meeting actually tomorrow at 3:00 at the County Library. The A and the B cities are making some presentations in the Municipal League on our recommendations on the legislation as we go forward but the most concerning thing right now is some of these what I would call rogue cities and also St. Louis County is looking to taking that big part of our budget and again I don't think anybody's heard that before and it is a big concern and something we've been talking about for quite a while. Any questions on that? Sorry to take so long but I think people need to understand what the history of that is and how we got to that point.

Public Safety Committee – No report your Honor. We are having a meeting this Thursday afternoon at 4:30.

Public Works Committee – No report your Honor.

Director of Planning and Development – I have just two quick things. One is that the Planning and Zoning Commission will meet this month on January 25 to start their review of the Drury project, the site plan review. The 25th is normally the subcommittee meeting and Drury has asked that they could attend that meeting to get some initial comments before they make their formal presentation at the February 8, Planning and Zoning. So, again on January 25th the Planning and Zoning Commission Subcommittee will meet with Drury to go over their initial site plan. And that will be here in this room? Yes, I plan for it to be here in this room to make sure if there's others interested.

Also, another quick item is that the Fire Chief, Chief Jury and the consultant code reviewer and I met this morning with Musick Construction to go over the tenant finish on their last retail space in the seven story office tower at the Meridian and they did say we could mention that Lazy Boy will be opening there to take over the last 12,500 square feet of that ground floor retail space. They hope to be open at the end of April or beginning of May this year. Thank you.

I think kind of touching on that; it would be a good addition to that project to finish that off. We are starting to see business licenses come in and again for those of you who don't know, with respect to the retailers, their business licenses are based on their overall sales so we kind of get a barometer on how a business is doing by whether their business licenses are going up or down kind of thing and the ones that have been trickling in so far most of our retailers seem to be increasing their business licenses which means that 2011 was a good year for them and which means it was good for us as well and so we can't say specifically the amount of their sales but that's a good indicator of how things are going to be for 2012.

Then, one other item, said Ellen Rottjakob, this Thursday at 7:00 the Redevelopment Corporation will hold a meeting with Drury on the Drury project and that's again to go over the redevelopment plan. That's the first meeting when we've actually gotten some numbers from them to look at from a public standpoint and we will have a report on the analysis done by our consultant Stifel Nicholas.

Ways and Means Committee – No further report

City Attorney – No report

City Clerk/Administrator – Your Honor, I want to introduce Gina Jarvis. Gina is our new finance director. You talked about her earlier. We are thrilled to death to have her and to speak to what you all have said tonight I can guarantee you that changes are afoot, just give us time. Welcome Gina, said Alderwomen Clements.

Excise Commissioner – No report

Library – No report

Municipal League – No report – Again, tomorrow at 3:00 pm at the County Library on Lindbergh to find out more about the County sales tax.

Communication – One of the things I would like, can you find out if we can put on the website the week at hand as far as what meetings like a flash on the front page or something letting people know that this meeting is going to be Tuesday that they look at it Sunday and we write on the front page. There is a calendar, but you're looking for a flashing message so to speak. We'll talk to Civic Plus and see what we can do there.

Historical Society – No report

UNFINISHED BUSINESS

Alderman Marshall asked for an update on the Helen Avenue project. Ms. Rottjakob stated that she didn't have an update at this time. Missouri American still has not done the work that they need to do on Manchester Road to their main; they actually have to raise their main up so that the sewer lateral line can go underneath that. It is my understanding that the work on Helen, laying the new sewer line is essentially complete but the contractor can't go forward until they are able to have Missouri American raise the main that runs on Manchester Road so they can go under that, but that's the most updated information I have. I don't have any dates as to when expect that to happen. Very happy to see that MSD picked a contractor that was able to get through that quite fast compared to the previous contractor on the first part.

Ellen can you give us an update on taking possession of the fountain? What's going on with that, I notice the waterfalls are off but the fountains are still on. Sure, said Ms. Rottjakob. It had been winterized, the two floating fountains will remain on throughout the winter, and those will not ever be shut down except for periodic cleaning and maintenance. The pro project is currently still under the maintenance and responsibility of the contractor, NB West Contracting, the City will not take over that project until the Spring to assess the plans and conditions of them and also all of the grasses will have to be green and growing and completely covered before we take that over. Actually tomorrow on the website and also in the newspaper the advertisement for bid on the maintenance will be published and then that bid opening will be February 7th. We had a problem I

believe back in December one of the shutoffs that go above ground broke or was shooting water into the traffic.

You know I talked to Planning Design Studio, they're doing the construction management for us and they had actually talked to the contractor about Hydrodynamics the subcontractor with NB West Contracting to shut down there, shouldn't have been an issue with the backflow device so they got with the contractor to make sure that's corrected. Okay, thank you.

I had a question and an update here, said Alderman Kramer. A question on the, do we have authorization yet to give out the name who's taking that smaller space that was formerly occupied by Border's Book. No.

Okay. And then, for an update for all of those of you who like me have been frustrated driving on to deteriorating Brentwood Boulevard, I continue my push to try to get St. Louis County to live up to the agreement they've been remitting on since January of 2009. They agreed to restore Brentwood Boulevard after it was used for detour and we now have received several different, I guess, denials from St. Louis County and the Mayor and staff are continuing to look for the written agreement from 2006 and upon failure of that why we might just have our own request for public documents from St. Louis County for all of 2006 to see what they have and it will be interesting. But we're working on it; we're trying to make it happen. Brentwood Boulevard is falling apart. They're saying that it's not going to be done until 2015 which is ridiculous. If we do have kind of a winter here which maybe we'll get lucky and not have by next spring it will be even worse and it's just not looking good. So we're looking at it. To credit Alderman Kramer, said Mayor Kelly, he's really been diligent and I think that at some point with St. Louis County, maybe the squeaky wheel, we'll get this greased and we are continuing to try to see what we can come up with on that so I appreciate his help on that.

NEW BUSINESS

Alderman Leahy announced the Ward 3 meeting would be held on Tuesday, January 31st at 7:00 pm in the council chambers. All are invited.

Alderman Marshall: I just wanted to remind everybody to lock your doors. We've had a lot of cars broken into. They open the doors half the time, the doors aren't even locked. Don't leave valuables in your car, I mean they are even taking change out of the ashtrays and things like that. If you don't leave something in the car for them, there's no way they'll open the car. Okay.

Any other item asked Mayor Kelly? I would like to thank everyone for coming and actually for staying, usually people leave but if I can ever answer any questions, please don't hesitate to contact me.

ADJOURNMENT

Motion was made by Alderman Clements, second by Alderman Leahy to adjourn the meeting at 8:34 pm. All in favor none opposed.