

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

**City Hall
Council Chambers**

**March 16, 2012
4:30 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, Alderman Kramer, Alderman Wynn, and Alderman Harper.

Staff Present: City Clerk/Administrator Akande, City Attorney Albrecht, and Interim Executive Secretary Schuler.

Absent: Alderwoman Krewson, and Alderman Robertson.

CONSIDERATION AND APPROVAL OF THE AGENDA OF THE BOARD OF ALDERMEN MEETING MARCH 16, 2012. Motion made by Alderman Leahy, seconded by Alderwoman Clements. All in favor none opposed.

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

Karen Smith, 8930 Harrison, asked whether the cooperation agreement with the Hanley Eager Rd covered the % of Brentwood's bottom half of the EATS, the 3.6 million in additional pledge revenues and the \$150k to pay down the principal. The mayor responded that the cooperation agreement they were revising dealt only with the TDD and not the TIF. The TIF would be handled in a separate agreement that is still being negotiated.

INTRODUCTION, READING AND PASSAGE OF BILLS AND RESOLUTIONS

Mayor Kelly says he has vetoed Bill No. 5657, Ordinance 4333. Before the meeting on March 14 started, City Administrator Akande informed me there was a section in page 2, section 2 of the ordinance that should be removed. By the time we got to that item I had forgotten and thought a revised ordinance had been circulated. That ordinance should have been approved with provision accepting the revision. That is why we are meeting today. This is a time sensitive item that cannot wait until the April 2 meeting for it to come back before the Board of Aldermen. The TDD is assessing a special assessment on their tenants. This will be collected by the trustees. Also, the Board of Aldermen is being asked to ratify an amendment to the cooperation agreement as the City no longer collects TDD taxes. This became effective January 1, 2010 and is now collected by the State.

I also want to take this time to clarify a comment I made last night about the one (1%) collection fee. The City was receiving about \$27,000 a year for collecting the TDD sales tax prior

to the adoption of a new state bill that took that responsibility from municipalities effective January 2010 and gave it to the department of revenue. The legislatures forgot to include the provision in that bill that would have allowed the county to collect the one (1%) percent collection fee for providing that service. Also around that same time, the city consolidated all the TDDs. Since we needed someone to monitor the revenue returns, we along with the City of Maplewood initiated a Request for Proposal (RFP) for accounting firms to provide that service for us. When responses to the RFP came in the cost was between \$24,000 and \$50,000. The City Administrator at the time said the City could provide that service for \$24,000 and we took it over. We are still collecting that amount.

Alderman Leahy, City Administrator Akande, with all the changes in personnel in finance, is anyone monitoring the receipts. Yes we are still monitoring the receipts.

Motion made by Mayor Kelly for the first and second readings of Bill No. 5659 in title only. Motion made by Alderwoman Clements, second by Alderman Marshall. First and second reading. All in favor, none opposes.

City Attorney Albrecht provides first reading for No 5659 by title only, an ordinance authorizing the mayor to execute an amended and restated cooperation agreement; and authorizing certain other actions in connection with the execution and delivery of said agreement - a Transportation Development District (TDD) cooperative agreement (Hanley/Eager Road TDD).

Alderman Kramer provides synopsis for Bill No. 5659. This bill is for an ordinance authorizing the execution of an amended and restated cooperation agreement; and authorizing certain other actions in connection with the execution and delivery of said agreement - a Transportation Development District (TDD) cooperative agreement (Hanley/Eager Road TDD). Bill No. 5658 adopted on March 14 included a provision on page 2., Section 2 that said the bonds would be issued at the same time as the TIF bonds; this was not supposed to have been in the ordinance – (the section to be removed is as follows - *but only upon issuance of the City's tax increment revenue bonds in an amount sufficient to refund all of the City's outstanding Variable Rate Demand Tax Increment Refunding Revenue Bonds, Series 2007A (8300 Eager Road Project – Phase 1) and Variable Rate Demand Tax Increment Improvement Revenue Bonds, Series 2007B (8300 Eager Road Project Phase 2).*

The TDD bonds are being issued in April and that process has already started and this provision needs to be removed so they can proceed. This is not something that can wait till the next Board of Aldermen meeting. With this approval, the Board of Aldermen approves and ratifies the collection of the TDD tax by the State and the special assessment for the Meridian TDD. The property owners will make a direct payment to the trustees.

Second reading of Bill No., 5659 in title only, an ordinance authorizing the execution of an amended and restated cooperation agreement; and authorizing certain other actions in connection with the execution and delivery of said agreement - a Transportation Development District Cooperative Agreement (Hanley/Eager Road TDD).

Motion is made by Alderman Mike Marshall to adopt Bill No. 5659 into Ordinance form, Seconded by Alderman Robertson.

ROLL CALL: Alderwoman Clements, yes, Alderman Marshall, yes, Alderman Leahy, yes, Alderman Kramer, yes and Alderman Wynn, yes, and Alderman Harper, yes. (Ord. 4334).

REPORTS OF COMMITTEES AND DEPARTMENT HEADS.

Mayor Kelly asks for a motion for removal of all committee and department head reports from the agenda as this is a special meeting of the board of aldermen and there are no reports. Motion is made by Aldermen Leahy, seconded by Alderwoman Clement.

ROLL CALL: Alderwoman Clements, yes, Alderman Marshall, yes, Alderman Leahy, yes, Alderman Kramer, yes and Alderman Wynn, yes, and Alderman Harper, yes.

New Business

No new business

Public Comments

Maureen Saunders, 2326 Park Ridge Avenue, wants to know if the city will schedule an event to mark the 100th year anniversary of St. Mary Magdalen or if an event is planned for March 17. Mayor Kelly responds the city is not planning an event. He said the proclamation was presented to Father Seifert at mass this morning. Mrs. Saunders congratulates Mayor Kelly on receiving recognition as alumni of the year. The morning mass and presentation was well done.

Karen Smith, 8930 Harrison, asked for clarification regarding the changes. Section 2 of the ordinance was not changed and not Section 2 of the actual agreement. Also, the agreement that she had was missing the recital page which was determined to be a copy error and she was provided another copy.

Brentwood Mayor and long-time St. Mary Magdalen parishioner Pat Kelly presents Father Jack Seifert with a proclamation from the City of Brentwood on Friday. It designated Saturday, March 17, as St. Mary Magdalen Day in Brentwood.

Adjournment

Motion was made by Alderman Leahy, second by Alderwoman Clements. All in favor none opposed.

Meeting adjourned at 4:57 p.m.

Approved as submitted the 2nd day of April, 2012.

SS/Pat Kelly
Pat Kelly, Mayor

Attest:

SS/Bola Akande
Bola Akande,
City Clerk/Administrator