

**CITY OF BRENTWOOD, MISSOURI  
BOARD OF ALDERMAN SPECIAL MEETING  
SEPTEMBER 10, 2012**

**MEETING CALLED TO ORDER**

Mayor Pat Kelly called the regular meeting to order at 7:05 pm, in the Brentwood Recreation Center Room #104 located at 2505 S. Brentwood Blvd., Brentwood, MO 63144, and immediately led the Pledge of Allegiance.

**Roll Call**

Deputy Clerk Pittman performed roll:

Alderman Saunders	Present	Alderman Robertson	Present
Alderman Manestar	Present	Alderman Wynn	Present
Alderman Leahy	Present	Alderman Harper	Present
Alderman Toohey	6:07pm	Mayor Kelly	Present
Alderman Kramer	Present		

Members present constituted a quorum. Also present were City Clerk/Administrator Bola Akande, City Attorney Frank Albrecht, Finance Director Gina Jarvis and Deputy City Clerk Octavia Pittman.

**APPROVAL OF AGENDA**

Alderman Leahy made a motion to approve the **Board of Aldermen Special Meeting Agenda September 10, 2012**. Motion seconded by Alderman Wynn. Unanimous vote in favor taken; **MOTION PASSED**.

**CONSIDERATION AND APPROVAL OF THE MINUTES**

Alderman Saunders announced she has changes that will be submitted later; Mayor Kelly informed that the changes will need to be presented to the board. Alderman Saunders made a motion to table the **Board of Aldermen Regular Meeting Minutes August 20, 2012** until the next meeting. Motion seconded by Alderman Manestar. Voice vote taken; 6 yes, Alderman Wynn – no; **MOTION PASSED**.

**PRESENTATION/RECOGNITION**

**St. Louis Area Insurance Trust (25 Years)**

Administrator Akande stated the city has been a member of the St. Louis Area Insurance Trust since 2009. The Trust and has been in existence for 27 years; they are made up of about 27 municipalities and their purpose is to ensure it's members are receiving competitive rates for worker's compensation insurance, general liability and health care. They recently had a reception to honor their members, in which Administrator Akande accepted on behalf of the City.

Mayor Kelly addressed a flyer circulated over the weekend to residents, what he considered to be great inaccuracies distributed to the public. He stated his hopes that the public believes when we tell you something that it is to the Boards best of knowledge it is correct and matter of fact. He clarified that there is no discussion about increasing taxes in order to increase reserves. Historically Brentwood has worked on very little reserves in order to run the city and it's been done pretty efficiently. One of the things being discussed in the letter is that we are talking about increasing taxes in order to increase reserves, which is completely opposite of what historically we've done in this city. We have not assessed property taxes and have stated

that the reason we did not is because we didn't think it was correct or the proper thing to do to collect property taxes from residents in order to create a savings account for the city; especially with the economic times we've been through over the last 10 years. We have, for the majority of the last 10 years, assessed zero general fund property taxes. Last year it was set at zero and the proposal for this year is set at zero again. Last year we did assess 11¢ of our debt service property tax against the resident which was paid but we could have assessed 16¢, so we waived 5¢, which we paid out of our general revenue. Most of the debt we've had over the years were bond issues going back to the street bond issue in the 80's and the park bond in 93. A significant amount of those bond payments were made from city funds, we never assessed the full amount to residents; if we had we would probably have more in the reserve fund right now. We paid for it out of revenues as we moved forward, last year to make the final payment we paid \$150,000 out of city revenues and the remainder was the 11¢ that was charged to residents. The good news is Brentwood is in great financial shape as said before and the future only looks brighter. In April 2009 the Promenade was paid off, 6-7 years ahead of schedule; the school district earns about \$500,000 a year and the city will get about \$2 million in new revenue from sales tax. In going forward, the Brentwood Pointe TIF will be paid off in November 2013 and the Brentwood Square TIF will be paid off in May 2014; those 2 combined projects, once the revenue starts coming in, will be an additional \$2+ million in revenue to the city. These are the things we've been working on for a number of years so that we can start to have higher reserves and to actually have a policy in order to establish those. We have talked about it for a number years at the Board of Alderman level and what the criteria would be. We consistently said that we hoped over the next several years that we are able to have reserves that will maintain a balance that is 25% of our annual budget; just the general reserves. The other thing that is misleading in the flyer is, there was a snap shot of December 31<sup>st</sup> last year, and yes, our general fund revenues were just under \$500,000 but the total reserves at that time were closer to \$3 million when you combine all of our fund balances. Today, or as of August 31<sup>st</sup>, we have a total reserve balance of over \$5 million dollars and a general reserve balance of just over \$1 million; that's what the reserve accounts are for, they are supposed to fluctuate up and down. Again, I just want to assure everybody that from a financial standpoint the city is in great shape and as it goes forward we should be in better shape and we should be able to build up those reserves. Just to compare and say a city is financially bad because they don't have the reserves that other cities have isn't a real true picture of what's happening here. We try to provide services and pay for things as best we can. We haven't assessed utility taxes against our residents either. 4-5 years ago we did a calculation that estimated that by not assessing utility taxes against residents, we saved homeowners over \$200 per year; in these economic times, that's good for our residents and so is the fact that we haven't assessed property taxes on our general revenue fund for that period of time as well. Our goal has been to try to keep taxes as low as possible in the city, and I think we've been doing pretty well. A lot of things we've put in place are just starting to pay off and we're going to get that point where we can start to build up a reserve. But I don't think we should do that by taxing our residents; we should do that by saving the money we are earning through economic development. He added that it is very misleading we you put out things that are partially true and do not necessarily give you all the facts. We have paid off the 2 general obligation bonds and we are not assessing this year 18.1¢ in property taxes. If we did that, the city would take in about \$257,000 in revenue, but we are not doing that because we have revenue to cover our expenses. The proposed tax rate from the board is zero; there have been no discussions about decreasing our property tax; so it would actually be 11¢ less than it was last year.

Aldermen Toohy commented that he is a CPA; he has financial training and experience putting together a financial audit. What concerns him most about the flyer, is that the audit report is thick for a reason; because you can't just look at one number and make an evaluation. He stated that it is missing a lot of crucial information and he is appalled that an Alderman would distribute it to their ward; it's just negligence in his opinion.

Mayor Kelly added another comment that over the last 3 years, the city has built up a savings account that went from over \$700,000 in cash to over \$2 million in cash that we have access to

in cases of emergency; which is what reserve funds are for. The point is we have the ability to get over any fluctuations in the economy or losses of revenue because of something happening. He also stated that if he were in Clayton and the city had \$20 million in reserves, he would be asking why they are charging property taxes every year, and it's higher than what we would charge if we assessed all of our taxes. He believes the city has been operating conservatively for a long time. It has been a goal and talked about publicly every year to build up reserves when we discussed our audit and our budget that we need to do it when we get to that point and we are there. We said that we wanted a line item in the budget this year that strictly says reserve account; staff is working to put that together as they work on the budget.

Alderwoman Saunders stated her agreement that the board talked about it for several years; but talk is not action. When questions get brought forward action sometimes happens. I take exception to Alderman Toohey saying that an Alderman that distributed this flyer to my constituents is negligence. Can you please tell me, on that flyer, are the numbers wrong? Alderman Toohey responded that relying on the fact that he is a CPA with financial training, but if you look at this, there is a reason the language states "from an auditor's stand point"; you take it from a whole. If I went out as a CPA and signed off on numbers that were partially correct and didn't take the financial picture as whole, the ethics committee would take away my license. Alderwoman Saunders stated that the residents put this out, it was there take on information; so it's a legitimate concern...If the residents are concerned it's legitimate. The reserves, it's not like we are saying the whole financial picture of the city, it is what the reserves are. And although there's \$3 million and now the Mayor said \$5, some of those are restricted accounts; capital improvement, parks and rec. and can only be used for those improvements. The reserves that they are referring to are operating reserves, to be used only for operating expenses. There is a rule of thumb by the professional standards, including the City Administrator Board, and I do believe moving forward that we are going to have a reserve policy where we do have a minimum. Those are legitimate concerns, they're brought forward by this memo and I think to discredit the residents because they are alarmed...I saw Alderman Kramer's interview and he does allude to taxes. He says we could be taking utility and other taxes at our disposal and they cut you off. When someone emailed me about it I did a spread sheet showing how because the library rolled back their rate, that our taxes are increasing.....decreasing and the reason they're decreasing is because the debt service is paid off. We did our job, the residents issued that bond issue. They voted for it, they paid taxes and they paid the bill, and they deserve for their taxes to decrease and so that's what's happening here. But still this does not in any way diminish the fact that we don't have but ½ month in our reserve account. Like Mayor Kelly said, the Promenade paid off in 2009 which had \$2 million in income; but where did all that money go since we're not using taxes to put in the reserve, did it just get spent? I noticed in the expenses from 2010 to 2011, the municipal operating line alone increased \$1.5 million; that's a lot of money in one year and we got money from the TIFs. So there is information in here, this is a public document, it's already been uploaded to the website and it hasn't been adopted by this board; it's there for the public to digest. So since you're a CPA I don't think we should discard the ideas the residents or maybe some of the concerns they have.

Mayor Kelly commented that it needs to be understood that these are restricted funds; capital improvement, park storm water, sewer later, etc. In government operations, those funds are restricted and need to be used for those expenses. But in the time of an emergency, cash flow issues, or when one fund doesn't have enough to pay for something, you can transfer funds in between account. Saunders stated covering differences is one thing if you're just a day short because of receivable payments before you got paid, but for emergencies, stores closing because the crimes increasing, there could be a lot of things that could happen where we say as a board if that reserve line was there. As a board we would come together and say, does an expenditure qualify to dip into our reserves? That's what we should be doing, making a conscience effort when we are going into our reserves. Mayor Kelly commented that Saunders made a comment that we only had a half month operating in our reserve account. She agreed.

He asked if one store closes in Brentwood, all of a sudden we don't have any revenue and all of a sudden we can't operate. Borders closed, Circuit City closed and we continue to operate; we have over 700 businesses in Brentwood. And that's one of the reason we have been so fortunate and able to operate because we have such a diverse business base in our community. It's not just sales tax that goes into our general revenue fund, it's the business licenses that is the other big part of our revenue. Again, that's what reserves are for, fluctuations in the economy. I don't think anyone is disputing that fact that we want to build up our reserves. I do take exception with a flyer that says "tax increase eminent", when nobody up here has ever talked about it, if they have they didn't talk about it at a public meeting. Our tax rate that is being proposed is zero for the city. Don't confuse the library and the police and firemen pension fund, those were approved separately by the voters for those operations. The voters approved 35¢ for the police and firemen pension fund, they set that rate, the voters approved a 5¢ increase for the library; and that's the way it's supposed to be done. But for the city, it's zero.

Alderman Wynn stated he has something entirely different to say, he thinks these things are dangerous because they go out to people that are not informed and it scares them. If I got this and I didn't know, and say I'm alone and old and single and I get a marginal income, and I get this thing that says tax eminent, I'd be scared. I think these things bring fear, and I think that's bad. What is wrong with sitting down with the Mayor, what is wrong with coming up here? You don't have to handle everything through little things that go out 3-4 times. We've had 4 times on television; they didn't come running to us. We went to television saying come on over, we have something to expose to the public. Of all the years I ran for Alderman, I never sent one thing out to my ward with something on it that wasn't good. I never had a bad thing to say about my opponent. I think these things are careless, I think they're reckless, I think they bring harm to a community and I think there is no reason to ever put out some little thing like this to everybody. You want to work through the system? Go ahead and work through the system. It'll work. I think we have a great community. The only outcome of this is you're going to start this and you're going to start something you wish you've never started it. Pretty soon it's going to be just the thing to do, to always send the thing out. Let's send another letter out. Let's say something about somebody else. I think that's the wrong way to go. We sell a system of government, you can vote at an election and by the way if you don't like any of us, it's going to be a couple years because voters approve of that before we have another election. That's another way you could go. But these ways of just sending things out, sneaking them out to the neighbors, you know, I got one at my door. Thank goodness I did. I'd never have known about it if I hadn't, but I'm just very irate that we're going down a road that I think is careless.

Alderman Toohey clarified that he said he was appalled that an alderman would distribute this, not the residents. Saunders denied. Toohey continued, yes the numbers are accurate, but it's a play on numbers.

## **PUBLIC HEARING**

### **Establishing the 2012 Property Tax Rate**

**Matt Saunders, 2326 Parkridge**, To me what's appalling is what you hear our Aldermen say is that they don't want you to know. That's what we're hearing. Have you communicated all this with us? Have we seen the Mayor's report where you said yes this is what this is but we have this; it wouldn't go around. As long as you're not going to communicate with us and as long as we're too stupid to understand this stuff and you're going to try and hide it from us, this is our city. We have a right to know. Don't hide it from us. We're here to help. We're all in this together. We know the city is in good shape but tell us how good a shape it's in. that's your responsibility, I need communication. You're not communicating with us.

Mayor Kelly responded that every year we have an audit and all that information is in there and it is published. And that's where that number came from. We don't hide anything. It's all here and it's on our website if anybody wants to go look at it.

**Brian Rothery, 8934 White**, we do need to know what's going on. I serve on the Brentwood Public Library Board. As you know the vote has been approved on a nickel tax increase. There has been a discussion about what the ultimate rate would be on the voters. In our written material that we published, we indicated that a nickel tax increase would roughly point to about \$19 on a \$200,000 home. Once we learned that the effective tax rate, due to something called the Hancock Amendment, which I won't go into details here because frankly I can't speak authoritatively on it, we may need to adjust it, we met as a board as soon as we realized the change circumstance, and voluntarily agreed to roll it back so that our written materials that said the assessed value roughly \$19 on a \$200,000 home actually are true. I want to let everybody know that that's what the board did. I see here on the agenda, Bill #5698, contemplates a changed rate. I just want to make sure that the numbers off-hand on the rate here don't correspond with the numbers we had at the time of the meeting. It's my interest to make sure that whatever number we arrive at actually equates to \$19 on a \$200,000 home. That's the bargain that the voters voted on, that's what the board intended, and it's important that we get that clarity.

**Chris Harrington, 8542 Rosalie**, Mayor, Board of Aldermen, I hear you, tell us that this is the way it's always been. Correct? This is the way the city has always been run. But then I go back and find that in the last year, a number of things have always been done a certain way and every one of these things is either inaccurate, unexplained, or always been done that way. And every one of them, personally, is objectionable to me and I find it ironic that when this one comes up, it's again, how it's always been done. Well if you look at the numbers on there that I've compared and I've done nothing more than looked over two items on there. First of all, all these items run there city's that way and I think they are pretty good cities. They've decided to do that. Secondly, there's this national trade association that recommends this. So I think that's pretty good. Now, the fact that I'm offensive about this really doesn't matter to me. What matters to me is a continuous way that this board and city government seems to run itself behind the scenes, not open to what's really going on, and gets frightening to me and it continues to be that way. Every time we come back, it's like what's next? So I'm not just waiting for this one, which is the third at least serious issue, what are you guys doing? When is it going to get better? I suggest that you folks figure out a way to run this town that doesn't get half the people in here stirred up and angry.

**Chris Kobler, 8615 Henrietta**, Mr. Wynn, I appreciate your comments and I understand where you're coming from on behalf of the elderly folks here in Brentwood, however, those of us that need to get involved need to know what's going on. We need to understand where the city's at. I appreciate that the budget is printed every year and that it is audited. I vote for my alderman so that they can communicate with me. That's the point of why you're here. I don't want to be an alderman, I don't want to involve myself in the day to day business that goes on with the city, but I want you to be responsible and respectful of the money that I provide to the city through my taxes. I have choices on where I shop every day and I choose to shop in Brentwood as much as I can to support my city. I've lived here multiple times my entire life. I don't plan on going anywhere. Having said that, I have never seen the amount of turmoil that goes on and that has been going on since everything that has started to come out with Mr. Seemayer. I don't want our taxes increased; I want them to stay at zero. I'm perfectly fine paying for the fire departments and the police department's pension and I am perfectly fine paying what I agreed to pay when I voted for the library tax board. I want to know what's going on because I want to make sure that the city is being run in a way that I feel is appropriate. I feel like I've already paid enough taxes, I don't need to pay any more. I also think we need to look at what we're spending and be responsible and respectful of the tax payers' money and make sure we are spending it in the appropriate way so that we do have the ability to save

money to put in a reserve for a rainy day because, unfortunately, most of us who live our everyday lives aren't able to have as much in reserve as we need to.

**Mark Wilson, 2214 Hatton Lane**, you made some statements on how Brentwood does business and how you chose to do business which should be explainable. I'm a little bit curious why when the NACLSLB does make these recommendations and they establish these as guidelines, that when we look around to surrounding communities they have all chosen to follow this lead and we have chosen to ignore it. When you look back on the annual reports over the last 10 years, only one year in 2008 did we ever meet that 17% requirement, or that 2 month reserves. And I think that we can all agree that the reason we make reserves is not because we necessarily have to have that money to pay for something because we provide it for everything we do but if we do have an emergency, that we immediately had to go to funds, well these other communities have directed that they're going to maintain between 80% to 100% in a reserve fund. That general reserve fund which currently states where it's 4% in Brentwood and I'm wondering if you chose a different avenue, how is it then that you prepared us for a problem along those lines? The proposed sewer lateral line increase going from \$40 to \$50; in going to the surrounding communities, they basically have a pretty firm tax from about \$28 across for it and they maintain a reserve balance. We are currently at 40 which is quite an excess and I've lived here with a sewer lateral line mishap of having flood at the bottom of my basement so I know the problems that exist. But why is it that our community is so much more damaged that we have to have \$22 more go to \$50 as opposed to other communities who operate on \$28 and still make that reserve? Another thing is the tax rates. Right now, if I'm not mistaken, we're getting ready to retire a debt of 11¢? If that was dropped to the bottom line, would that immediately give the citizens a tax break? So if you wanted to reallocate that in order to maintain some, I wish some of that could be used as a reserve in order to make us a little bit safer community, or where else exactly is that going to go? Right now if we operated at the same \$700,000 cost as we did last year, as opposed as to what we planned, we would be in the red next year if something wasn't shuffled around.

**Lynn DeVaughn, 2469 Louis Avenue**, I am the treasurer on the library board and of Mark Twain PTO. What I learned in looking at the financial statements and everything else of the city is that the calendar year starts Jan 1 and goes to Dec 31<sup>st</sup>. The majority of the revenue that is earned for that year is from property taxes. Unlike a business, you don't have the ability to raise the prices as your costs increase. The way it's structured is that all of that income is based on the taxes collected. Taxes are collected after the bills are put out in October. That means we are getting them in October and many of us are paying them in November and December. So all of the revenue that the city or the library is getting is coming in within 2 months of the year and it has to essentially cover all of the expenses that have happened from January until that point in time. I personally don't panic when I hear that we have a month and a half of reserve. Right now reserves are low because we are getting ready for our next pay period. This is where a factual statement can be taken out of context. It is not necessarily the correct approach so keep in mind that some of the things that are going on, they are open and they are available and it just takes knowing all of the facts. Mayor Kelly corrected that the city does not receive residential property taxes.

**Karen Smith, Harrison Ave**, I wanted to thank Bola and Gina, they met with me last week and went over the budget, and they were able to answer a lot of my questions so I appreciated the time that they spent. I have concerns about the taxes and I'm hoping we can get that straight tonight exactly as to what the tax rates will be for next year. The reason that I wanted to make some comments tonight is about the reserves. I appreciate your explanation; that was very helpful, I don't think the city is as impacted by those property taxes coming in as much at the end of the year. And I also don't think even with the reserve accounts being full, we have sufficient reserves. Bola and Gina did explain to me the flows of funds moving in and out of our city but the recent published reserves, to me, of 400k, seem dangerously low. Especially for a city that has the amount of retail that we have, I think we should have more, so that even

when our reserves are at its lowest point, it's higher than 400k. I have been observing the city and looking at the audit financials for years. We have tended to maintain between 1.2 and 1.4 million and I know that even some of the aldermen that have not felt that was not sufficient reserves and that we should have more, especially with the amount of retail that we have. The benchmarking that we have done with the neighboring municipalities, I think we should look at that and seriously consider. Especially if one of the previous presenters also commented that there are some national organizations that have some information out there. I definitely think those reserves need to be stronger, even 1.2, 1.4 million I don't think that for our sized city, that is sufficient. Our budget has increased significantly and we have had that 1.2, 1.4 million for a number of years when our budget was much smaller. But our budget is much, much larger now and I think it needs to be higher. We have an opportunity to increase those reserves without raising our taxes; there have been a lot of misdirected dollars over the last couple of years that has been corrected. I think that those are dollars we are not used to seeing in our city because it been going to other things, firefighter overtime, etc. I think all of these funds could be directed into our reserves. We could easily generate 100k out of that budget. I also think we need to look at how we're spending our money. That fountain we recently built, I believe it takes about 20k a year to maintain. Can we minimize the cost that we are spending on that in some way, shape, or form? The lawsuit related to the meridian, is there an opportunity there to renegotiate our settlements so we don't have to give up as much of our revenue. There have been municipalities across the country that has been declaring bankruptcies. Although the economy is blamed for much of the reasons for the bankruptcy, there has been a lot if recent articles that said that the choices and the way that the cities have run themselves, in these municipalities that have gone bankrupt, also contributed to it; over building, taking on too much debt, inflated cost structures. I don't think we should be continuing to run the city and doing business as usual as an earlier commenter implied. We do rely heavily on retail. Although there is a lot of research that indicate the type of retail we've built in the last couple of years is not going to be sustainable over the long term. Especially with the competition that are coming from all over municipalities structured in St. Louis. All of these municipalities are putting boxes over asphalt which I don't believe to be sustainable but in the long run we hurt each other's communities when we do that. I don't think we can sole rely on the retail. There have been several talks about the fact that we don't charge property taxes and that we could charge property taxes in the future if we needed to but that takes time. Those property taxes was alluded to earlier coming at the end of the year. Question. When we had the 400k that we had to pay for the meridian, we took a loan out for that instead of using our reserves and if our reserves are so flushed, why did we use the reserves to pay that back. Why did we have to take out a loan? There has been a lot of discussion about taking on some additional debt. I think the rec center is a possibility. I do think we need to think very long and hard about whether that's appropriate to do. Maybe we should have more of a discussion before we take on more debt about increasing our reserve. One of the things that I reviewed with Gina and Bola is that a policy would most likely be more beneficial for our city about our reserves and I don't believe we have one right now. So I encourage the board to consider putting a policy in place about our reserves, establishing a percent that we want to achieve. We're not going to be able to build it up in a year but over the long term we should have a policy that establishes a stronger reserve. Finally I do appreciate your comments regarding the flyers. I do think that one of our rights is freedom of speech and we do have the ability to put information out there when we're concerned.

**Susan Ryan, 9324 Pine Avenue**, my biggest concern is respect. I also see the information as somewhat inflammatory. However, again, we have the right to speak and we have the right to have those in charge make us feel they are running the city, they understand, and that they can understand our concerns. Not to personally attack the other members on this board. I have heard it more than once. If you cannot work together and you cannot be respectful as a community, we are lost. And I hope that each of us recognize that everyone is trying to do the best they can. It doesn't always work when you follow the process and my expectation is that each and every one of you can be respectful to each other as well as us.

Mayor Kelly stated the public hearing will continue on October 1<sup>st</sup>. The proposed rates are 0 for the city's general revenue fund and 0 for our debt service. And the library will be somewhere in the area of 19¢ to 20¢, I believe, in order to have their revenues increased. The general obligation bonds that we retired the debt on, those were approved by the voters. Again, there was a street bond issue back in the 80's and then a park bond issued back in 1993, I believe. When those were approved by the voters, they approved a certain amount of tax in order to pay for those and now that we've paid those off, it goes away. We can't use that money for something. It's gone, basically. As far as the sewer lateral program goes, I, first of all, even a \$50 as a resident, think is the cheapest insurance you could buy. What separates our program from a lot of the other municipalities, if you want to go around and check, a lot of municipalities will have a budget for a year and once that budget is gone, they stop the program. Some municipalities, if you have a broken sewer lateral, you have to go out, get 3 bids, bring it up to the city, show them the 3 bids, and you would have to take the low bid and then they may only give you a portion of that amount in order to have your sewer lateral fixed. Some of them have a co-pay. Basically they have a \$4,000 maximum or \$2,500 maximum. They are all different but our program, one reason that makes us so successful, is because our men do all the work. So we're able to do a lot more. I think we probably did more than 40 sewer laterals last year. The other thing that we do here in the City of Brentwood is that we pay for sewer clean outs. I don't know any other municipality in St. Louis County that does that with their sewer lateral program. We consider that lateral to be our responsibility as a city. One of the things that have actually increased the numbers up on over the last couple years is the sale of all the different houses. Whenever there is a change in ownership now realtors require that they have their sewer laterals camera'd and if there's a crack or something, then that's something that they want to repair before selling the house. Our program is a lot different because we provide a better service than the other municipalities do.

### **BIDS**

**None**

### **PUBLIC COMMENT - HEARING OF ANY MATTER OF PUBLIC INTEREST UPON REQUEST OF ANY PERSON PRESENT**

**Chris Kobler, 8615 Henrietta**, are we ever going to address the situation on Brentwood Blvd with Starbucks and the morning traffic? I cannot tell you the number of times I've tried to get on Brentwood Blvd and cannot because the drive thru is backed up or I cannot tell you the number of times I've almost been hit by someone trying to cut through the parking lot to make an illegal turn to get into Starbucks. I personally avoid Starbucks like the plague in any place I go because I'm so sick of it. So if we need money, why don't we set a police officer on that parking lot every morning between 6:30 and 9:30, I bet we can write a lot of tickets. She asked that someone address the situation. My second thing is, there have been a lot of things over the years where we spent money that we didn't necessarily need to spend; health insurance and sometimes Brentwood Days gets a little out of control. Why are we buying a brand new car for the city administrator that we're going to spend up to \$40,000 on when there is a lot of folks in Brentwood who can't afford to even fix up things that are wrong with their houses? I believe your predecessor rode a pool car and I'm trying to figure out why that's not good enough. I don't want my tax dollars being spent in that manner. So find a cheaper car or drive a pool car.

**Catherine Genetti, 8819 Lawn**, I'm glad our taxes aren't going up. I was wondering, one of the questions you did not answer that has been coming up, why the city has not adapted the policy for reserve of 17% and everybody else has done that. We've done things kind of keeping in line with other cities because that's the way it's done. Why are we not doing that one thing? I'd like to know what the average reserve is. I understand that it fluctuates but I'd like to know

what it is and if we need a way to build reserve, I would say that you all should decrease salaries, should think about giving up health insurance benefits, should think about not buying a new car. The big thing we are kind of concerned about is mismanagement of money in many different areas. We have Chris Seemayer with \$30,000; we have the fire department that was overpaid for maintenance for 24 years. You all salaries are not keeping in line with other people. It's just hard to understand how you all viewing the financial picture. I think if you all were to get control of what's going on financially, we are not, as citizens, comfortable with how our money is being managed.

**Matt Saunders, 2623 Partridge**, congratulates the police department for patrolling High School. For those of you that don't know the retail planning that's going on in Brentwood, if you guys don't know, that's the number one Bread Co. in the country. So when you look at the retail planning that the board had done, in the long term they really deserve a lot of credit for that because we are the most gifted location and they've done a great job. I also think that's the number one Target store in the country, too. Our fiscal future, if our moneys are properly watched, is in great shape. I just have one little problem. It really troubles me when I have to come up here and watch other aldermen not like the aldermen from our ward. Tonight she's been negligent, accused of blackmail; she's not a team player. It really troubles me and the only question I would ask of any of you is when has she not told the truth? And when I see her at night when she's not working for the city, I keep reminding her just tell the truth. The truth will set you free. I want to say to the citizens who come up to me, thank you for your support of Alderwoman Saunders cause you're what keeps her going.

**Barry Williams, 9001 Pine Avenue**, stated he is troubled by the reserves. I think it's too low. If you look at all the surrounding communities that we all respect very highly, they're doing a better job on that and I think we need to do a better job. I would say that our budget is a little bit precarious. I think we need to do a better job with the reserves and I've got a suggestion for you. I was very proud of my ward 1 Alderman Anthony Harper last year when he was very upset with this idea that after a city official was convicted of a felony, that rather than fire this individual and try to recoup the tax payers' money, this body did the opposite. Instead of firing Chris Seemayer and trying to be a good fiduciary, you rewarded him by allowing him this opportunity to resign which then made it possible for him to get all this unused sick leave, all this unused vacation leave, as well as a pension that would amount to about \$36,000 a year. That's our money. That's our hard earned tax payers' money every year until he dies. And that's going to kick in about six or seven years. He's not getting it right now but he will at the age of 60. Anthony Harper said it very well. He was quoted in Paul Hample article in the St. Louis Post-Dispatch on October 15<sup>th</sup> of last year saying "This is ridiculous. We shouldn't give that man another penny. We need to get that money back. I wilt this body to direct our city attorney Frank Albrecht to file a civil suit against Christopher Seemayer." Apparently we can't get the money back for the sick leave and the vacation leave. It was cashed out because he turned around and used that \$34,000 of our tax money to then pay the city for the \$30,000 that he admitted stealing to go over to the Casino Queen and gamble away. Correct me if I'm wrong but I know that he received about \$34,000 in that settlement that Mr. Hesse negotiated and I was down there at sentencing at the Eagleton Court House last October, and Chris is a friend of mine so I hate to be saying this because I like Chris, he did a lot of good for the city, and it pains me to say this but at a time when our fiscal situation is not good, it is really hard to explain how this city is not trying to get that money back. We need that money so I would really like to see this city launch a civil lawsuit. Maybe we can't get that sick leave and that vacation leave money back but he is not getting that pension which will amount to, according to Paul H's article, beginning at the age of 60, Chris will draw from us \$35,892 a year in pension. We are rewarding a felon but this is bad wouldn't you agree? And there are rumors that it's a lot more than \$35,000 that he took to the Casino Queen. Anyway it was a bad crime and he shouldn't have been rewarded and thank you Anthony for having the backbone and the courage to say so at the time and I hope that you and your colleagues here will try to launch a civil suit and I hope you will do that.

**Mark Wilson, 2214 Hatton Lane,** one of the things that have been consistently requested, and this deals with once again our expenditures and where our reserves sit, is why we don't get comparative salary survey. And I did a little checking into the cost because one of the first things people were concerned with is cost and so I dug in with a number of cities and I found out that in most cases, certainly in the case of a private sector, the people go to your head of HR. Brentwood is one of the few communities of this size that actually has a head of HR. It's very surprising that individuals can't do this on their own. However, I do know that the cost go into one of the top notch companies that is highly referable is roughly \$2,000 to do a survey of this sort. In the private sector you'd have a comparable survey at least every 2 years and that's not only to inform the company where they sit but, as important, the employees where they sit compared to the rest of the people in their own industry. Well I don't think, considering how long it's been since we've done a comparable salary survey, that spending \$2,000 to find out where we head out when you go across the board, I certainly don't want to take money out of the pockets of our other citizens. I think they are very good at what they do; we want to keep them in place. However, when you do look at this for responsibility and how you pay your people, whether you're running your own private business or whether you're running the citizens of Brentwood Company which is Brentwood that you need to make certain that you're not overpaying for roles. We have accounting clerks and executive secretaries that make an excess of \$60,000 a year when you go to other communities and they're making roughly \$30,000 to \$40,000. We have some highly qualified people in front of us but I don't think it's so much they should be paid 40% to 50% higher than any other community. On top of that, the Seemayer issue is a real issue. In going back over time, what I would like to ask is, right now this is not about putting Chris Seemayer in jail, this is about rewarding or reimbursing the citizens of Brentwood for what was taken from them. If you take from someone, you have to return it. And the bottom line is there is a handful of things, from the overtime in firemen which was somewhere in the neighborhood of a minimum \$12,000 to \$28,000 for 24 years which was at a minimum \$300,000 and when you get into the illegal approving of the benefits for the board of aldermen and for you Mr. Mayor and for whomever else was there. Now once again, it's not meant to take it out of your hide because you're not the one that did it but Mr. Seemayer is and he illegally approved something that had to be passed by ordinance as pointed to in the Missouri statutes which we're guided by. Bottom line is, if we go back at a minimum, just on ¾ of alderpersons and yourself for 10 years, we're somewhere in the neighborhood of \$230,000 and I'll guarantee it goes back much farther than that. One other thing Mr. Mayor you said you wanted transparency and you said that you would help try to clarify this situation. One of the things that we will need in order to go back with Mr. Seemayer is you brought up that you might have difficulties going back with these insurance companies because of HIPAA. And that you wouldn't be able to acquire certain information. Well I have checked it out and as long as you will approve it, and will sign a waiver, then we can go back as a citizen of Brentwood and go to that insurance company and find out exactly when your benefits started and when they stopped, as well as every other alderperson on this floor and I would think that considering this is the best interest for the City of Brentwood that you would open your arms to an opportunity like this since it really doesn't do anything about getting into your numbers it simply states the year that you were with this insurance company and when you left. Last but not least, and this gets back once again into the respect circumstance and it has to do with Ms. Akande. Ms. Akande, your role is to run the day to day affairs and service and objectives by the mayor and the board of alderpersons. You should be equally open to the mayor and the board of alderpersons, all of them. With that being said, you should be counseling this business unit on the administrative steps that they should be taking in order to maintain a prosperous municipality. You do sit on ICMA, do you not? So you were aware of these standards that were established correct? Why are we staying above everyone else and have we chosen a different way to run our government versus what is recommended and versus what all local municipalities around us run their government but if there is a better way, all I want you to do is lay it out for us. The real problem that I've seen with these board of aldermen being turned the last 6months, is that you Ms. Akande, when being asked for

information or questioned, you're anything but forthcoming. You either are purposely vague sidestep questions, or dodge and provide answers for questions that don't have anything to do with it. Most often when you're challenged, you display disrespect and you clearly have a very strong aversion for the truth. I would expect more, professionally, out of you and I think we deserve more.

Mayor Kelly closed public comments and reiterated the public hearing will be continued at the next meeting. He also addressed some issues that have come up. Karen Smith had asked why we took out a loan in order to pay back the Meridian taxes that had been put into the wrong fund by the state. The reason why is at that time the investment we had were all in CD's so if we would have cashed those out we would have taken a penalty on that so it was cheaper interest rate wise with a loan. With respect to the HR survey, I think that is something that is being talked about with the board and putting one in place. It's not as simple as just calling up and getting survey or finding out what a public works person makes in another city or what a policeman makes in another city. If you're really going to do it properly, you need to compare what their job descriptions are and what their duties are within the city in order to get real comparables. My understanding is Clayton just did a year or two ago and their survey cost \$100,000. (Man speaks in background.) You have to have all the information. We are into look into it as something we need to do. It just needs to be talked about and what the process is and I'll definitely want to have it done. With respect to Chris Seemayer, I think there are a lot of rumors out there as Barry indicated. Our police did the investigation. It was determined how much Chris had taken. I will tell you it was caught relatively quickly even though that's was not what the rumors say. At the point that he was arrested, of the \$30,000 he had already paid back \$15,000. As part of the settlement, he paid an additional \$15,000 and reimbursed the city for all the funds he had taken at which time he also gave up more than around half of his accrued vacation and sick days in order to cover our legal expenses for that process. So we did recoup the money from Chris Seemayer that was taken from the City of Brentwood and what it cost us to go through that process. I think as far as the policy goes, I agree that's something the staff is working on in putting a policy together to set a benchmark for our reserves as we go forth. This is something we've been working towards for a number of years to get to this point. When our TIFs are paid off and when we get issues paid off so we can start doing those kinds of things. We look for ways to save money all the time. An example is our trash service. We implemented our own trash service, I think, 5 or 6 years ago, and instead of paying a vendor to do it, we do it ourselves. We have saved almost \$10,000 a month since the inception of that program because our tipping fees are less and we control the cost much better. We have the best trash service than any municipality in St. Louis County. And we save money by doing that. I do think some of our employees are a little bit above the average of some of the other municipalities but I think that's a good thing because we have employees who are dedicated to the city of Brentwood who do an amazing job, from our public works all the way through our police and fire, and I think that's important. If you want to retain those good employees, then you need to give them the benefits and you need to pay them. But we want to do a survey and compare. We just need to set that criteria on how we do that survey and make sure we're doing it appropriately.

I will ask for a motion to place Bills #5697, #5698 and #5699 on hold till we conclude the public hearing at our next meeting. Alderman Leahy questioned if we do this, are we still going to fall within the time schedule that St. Louis County has established? Mayor Kelly responded yes, we were granted an extension on Friday that we have until October 2.

Alderman Leahy made a motion to place on hold, Bills #5697, #5698 and #5699 until the October 1<sup>st</sup> meeting. Motion seconded by Alderman Wynn. **ROLL CALL:** Alderwoman Saunders – yes; Alderwoman Manestar – yes; Alderman Leahy – yes; Alderman Toohey – yes; Alderman Kramer – yes; Alderman Robertson – yes; Alderman Wynn – yes; Alderman Harper – yes; **MOTION PASSED.**

Alderman Leahy commented that as an Aldermen, he would like to thank the library. You had a tough task. I know it didn't go through smoothly but I like the decision you all came back with. I like the fact that you called a meeting to get it further discussed. I like the results of that meeting. And I thank you for taking the extra time to work it through and I think that was well done.

**INTRODUCTIONS, READINGS, AND PASSAGE OF BILLS AND RESOLUTIONS**

**Bill #5697 – An Ordinance To Confirm, Ratify And Approve The Rate Of Tax To Be Assessed And Collected For Each One Hundred Dollars (\$100) Of Assessed Valuation For The Year 2012 For: (A) General Municipal Purposes; (B) To Pay Principal And Interest As The Same Matures On Indebtedness Of The City Of Brentwood Evidenced By Bonds; And (C) To Provide The Annual Contribution To The City Of Brentwood's Police And Firemen's Retirement Fund; Providing For The Effective Date Of This Ordinance; And Providing For The Repeal Of All Conflicting Ordinances – 1<sup>st</sup> & 2<sup>nd</sup> Reading**

Tabled until 10/1

**Bill #5698 – An Ordinance To Confirm =, Ratify And Approve The Rate Of Tax To Be Assessed And Collected For Each One Hundred Dollars (\$100) Of Assessed Valuation For The Year 2012 For To Pay For The Maintenance Of The Public Library; Providing For The Effective Date Of This Ordinance; And Providing For The Repeal Of All Conflicting Ordinances – 1<sup>st</sup> & 2<sup>nd</sup> Reading**

Tabled until 10/1

**Bill #5699 – An Ordinance Establishing The Annual Assessment For 2012 For The City Of Brentwood's Sewer Lateral Repair Program At \$50; And Providing For The Effective Date Of This Ordinance – 1<sup>st</sup> & 2<sup>nd</sup> Reading**

Tabled until 10/1

Alderman Robertson made a motion for 1<sup>st</sup> and 2<sup>nd</sup> readings of Bill #5700. Motion seconded by Alderwoman Saunders. Unanimous vote in favor taken; **MOTION PASSED.**

**Bill #5700 – An Ordinance Authorizing The City Administrator To Enter Into A Temporary Easement Agreement And A Permanent Easement Agreement Between The City Of Brentwood And Postal Properties – Hanley Industrial, LLC, A Missouri Limited Liability Company – 1<sup>st</sup> & 2<sup>nd</sup> Reading**

Attorney Albrecht read Bill#5700 by title only. Alderman Kramer provided the synopsis, "This bill is for an ordinance to authorize the City Administrator to enter into a temporary construction easement and a permanent sidewalk easement between the City of Brentwood and Postal Properties (1449 Strassner Road). The Brentwood Pedestrian & Transit Improvement Project consists of constructing new sidewalks from Memorial Park to the Brentwood MetroLink Station, within Hanley Industrial Court. The new sidewalks will be ADA compliant, improve pedestrian safety and provide an amenity for the surrounding property owners and businesses whose customers and employees walk within this area. The Surface Transportation Program (STP) grant will fund 80% of the Right-Of-Way (ROW) acquisition costs, with 20% funded by the Hanley Road Corridor Transportation Development District (TDD). The owner requests the City pay temporary construction easement (\$3,274) and a permanent sidewalk easement (\$6,726) for a total of \$10,000.

Alderwoman Saunders questioned the owner of the property and if they received tax assistance from the city? Director Rottjakob replied they did not receive any tax assistance and the owner is Postal Properties.

Alderman Leahy stated the value that we're paying for the sidewalk doesn't seem to be in line with the other 8 properties that we did. He asked if we vote this down this evening, is there

any real negotiating rule to get the property values and the cost estimate down for the compensation? Director Rottjakob replied that we have paid partials so much we are requesting donations. 5 of those were donated and 3 were actually negotiated in a settlement to purchase. We made an initial offer based on the cost estimate that was provided by an appraiser the city paid. The owner of the property had an appraisal done and submitted a counter offer and then we submitted our final offer which was below what his counter offer was but still above the appraised value that we obtained from our own appraisal. So we feel that we've exhausted all negotiations at this point and the next step would be considering our next option which is condemnation which is considerably more expensive just to get to the decision by the condemnation board than the \$10,000 would be used at this point for cost.

Alderwoman Saunders clarified why she asked about the tax assistance. Because we are paying for putting in with the grant but the city puts up some of the money, too, and so typically, landowners will donate the property because we're improving their property by putting down sidewalks and so it is their right to ask for money. But since the benefit, they're getting the sidewalk, we're doing the work and paying the money for the sidewalks, the courtesy is to donate the property and especially if we've given them tax assistance. I think they really should be willing to help us out. Just my personal opinion.

Alderman Kramer publicly applauded those property owners in the target area zone for donating their property for the public good. It's a benefit that the citizens are going to reap the benefits from for a number of generations. Hopefully in the future, and the Industrial Corp was never intended to be a pedestrian-friendly area. There are some of our property owners in there that have just begun to do well since the economy has begun to turn around still there are some long term owners who have done well for generations and we were not asking for that much and I really appreciate Ellen for all the hard work she put into for this project and I'm looking forward to seeing it be completed.

Attorney Albrecht read Bill #5700 by title only. Alderman Kramer made a motion to approve Bill #5700 as submitted. Motion seconded by Alderwoman Saunders. **ROLL CALL:** Alderwoman Saunders – yes; Alderwoman Manestar – yes; Alderman Leahy – no; Alderman Toohey – yes; Alderman Kramer – yes; Alderman Robertson – yes; Alderman Wynn – yes; Alderman Harper – yes; **MOTION PASSED.**

***BILL #5700 IS HEREBY PASSED AND ORDINANCE #4373 IS ASSIGNED TO SAID BILL.***

**Resolution #982 – A Resolution Providing For The Consumption Of Beer, Wine And Liquors, As Provided For In Section 3.3.1 Of The Brentwood Municipal Code**

Alderman Kramer provided the synopsis of Resolution #982, "This resolution provides for the consumption of beer, wine and liquors. Brentwood Parks and Recreation is hosting Brentwood's Annual Maddenfest in Brentwood Park. Section 3.3.1 of the Brentwood Municipal Code allows the Board of Alderman to approve consumption of intoxicating liquors on special occasions".

Alderman Leahy made a motion to amend the dates in section 1 and establish that it is the year 2012. Motion seconded by Alderman Toohey. Unanimous vote in favor taken; **MOTION PASSED.**

Alderman Leahy made a motion to pass resolution #982 as amended. Motion seconded by Alderman Kramer. **ROLL CALL:** Alderwoman Saunders – yes; Alderwoman Manestar – yes; Alderman Leahy – yes; Alderman Toohey – yes; Alderman Kramer – yes; Alderman Robertson – yes; Alderman Wynn – yes; Alderman Harper – yes; **MOTION PASSED.**

Alderman Wynn commented in regards to the Annual Fest. I don't know anybody else that does free rides to kids and a parent can come there with only a basket of food and spend the whole day and any money we spend it goes in to help that, I'm for it.

**ACCOUNTS AGAINST THE CITY**

Alderman Kramer announced warrants against the city in the amount of \$40,131.25. Alderman Leahy requested clarity on materials purchased from Breckenridge Materials and asked if staff could check into there being a chance of dumping material with St. Louis County with them doing the 270 construction?

Alderman Kramer made a motion to approve the warrant list. Motion seconded by Alderman Leahy. Unanimous vote in favor taken; **MOTION PASSED.**

**REPORTS OF COMMITTEES AND DEPARTMENT HEADS;**

**Mayor Kelly**, had no additional comments.

**Public Safety Committee**, Alderman Wynn announced that the next meeting will be held September 27<sup>th</sup> at city hall.

**Public Works Committee**, Alderman Robertson announced that the next meeting will be held the upcoming Wednesday at city hall.

**Director of Planning & Development**

**Special Use Permit – Vic Krahl (PetsMart) 62 Brentwood Promenade Ct**

Director Rottjakob announced the special use permit request from PetsMart to hold a dog adoption event on the parking lot; September 15, 2012 & September 16, 2012; 10am – 9pm. They will be taking up 8 parking spaces; to mitigate this they have asked employees to park on the back lot. Alderman Kramer applauded PetsMart for acting on the suggestion mitigate parking issues by relocating employee parking for the day.

**Ways and Means Committee**, Alderman Kramer announced the next Ways & Means meeting will be held the upcoming Tuesday at 6:30pm. Discussion will be held on the 2013 budget and the continuation of the employee handbook.

**City Attorney**, had no new report.

**City Clerk/Administrator**, had no new report.

**Excise Commissioner**

**Refind Room (2525 S. Brentwood Blvd)**

Commissioner Clements announced the request from “Refind Room” to have a temporary liquor permit to serve beer and wine at their soft opening October 5, 2012. Alderman Leahy made a motion to approve the liquor permit for the “Refind Room”. Motion seconded by Alderwoman Manestar. Unanimous vote in favor taken; **MOTION PASSED.**

**Library**, Alderman Wynn has no new report.

**Municipal League**, Mayor Kelly announced the MML Annual Conference will be held next week, Sunday – Wednesday. If any elected official is interesting in attending there will be many educational meetings.

**Communication**, Alderman Kramer encouraged those that have not signed up for “Code Red” to do so by visiting the city’s website.

**Historical Society**, Alderman Wynn had no new report.

**Closed Session**, will be conducted at the end of the agenda.

Alderman Leahy made a motion to enter into executive session at 9:10pm to discuss personnel matters pursuant to the litigation, personnel and real estate exemption in RSMo. 610.021. Motion seconded by Alderman Kramer. **ROLL CALL:** Alderwoman Saunders – yes; Alderwoman Manestar – yes; Alderman Leahy – yes; Alderman Toohey – yes; Alderman Kramer – yes; Alderman Robertson – yes; Alderman Wynn – yes; Alderman Harper – yes; **MOTION PASSED.**

Mayor Kelly called the closed meeting to order at 9:18pm with the following members present: Alderwoman Saunders; Alderwoman Manestar; Alderman Leahy; Alderman Toohey; Alderman Kramer; Alderman Robertson; Alderman Wynn; Alderman Harper; Mayor Kelly. Also present were City Clerk/Administrator Akande; City Attorney Albrecht, P&D Director Rottjakob, Finance Director Jarvis, HR Manager Julie Echols, Labor Attorney Brian Hey, Labor Attorney Jim Foster and Deputy Clerk Pittman.

Closed session included discussion of personnel matters; no action was taken.

Alderman Leahy made a motion to adjourn the closed session and reconvene the regular session at 9:48pm. Motion seconded by Alderwoman Saunders. **ROLL CALL:** Alderwoman Saunders – yes; Alderwoman Manestar – yes; Alderman Leahy – yes; Alderman Toohey – yes; Alderman Kramer – yes; Alderman Robertson – yes; Alderman Wynn – yes; Alderman Harper – yes; **MOTION PASSED.**

#### **UNFINISHED BUSINESS**

None

#### **NEW BUSINESS**

After announcement by Alderwoman Saunders to cancel the Ward 1 meeting due to conflict, she accepted the invitation to host the Ward 1 meeting in conjunction with the Ward 3 meeting on Tuesday, September 18<sup>th</sup> at 6:30pm.

Alderwoman Saunders also made a motion pursue civil action against Chris Seemayer. Motion seconded by Alderman Toohey. A discussion was held regarding the need to have this discussion in closed session. Alderwoman Saunders and Alderman Toohey rescinded their motion.

Alderwoman Saunders made a motion that was seconded by Alderman Toohey to consider pursuing civil action against Chris Seemayer. (this allows the topic to be placed on the next agenda) **ROLL CALL:** Alderwoman Saunders – yes; Alderwoman Manestar – yes; Alderman Leahy – yes; Alderman Toohey – yes; Alderman Kramer – yes; Alderman Robertson – yes; Alderman Wynn – yes; Alderman Harper – yes. **MOTION PASSED.**

Alderman Leahy announced Maddenfest Days September 15<sup>th</sup> and September 16<sup>th</sup>; everyone is invited. The Tri-City Garage Sale will be held October 6<sup>th</sup>, 7am – 10am, in coordination with Brentwood, Maplewood, and Richmond Heights; there are still spaces available but a permit is needed. He also reiterated the Ward 1/3 meeting September 18<sup>th</sup> @ city hall. He also encouraged residents to remain involved and to continue attending meetings.

Alderman Toohey offered a comment on the Library Board, that he is disappointed of the disrespect they've received this week. These are hard working volunteers; they are not intentionally out to deceive the public. Everyone was encouraged to review the Hancock Amendment to get a better understanding. He stated he did not like the way they were treated and suggested to Alderwoman Saunders that we are careful with the language we used when

addressing them, it seemed very accusatory. He stated his understanding that she went to their meeting saying she represented the board and that wasn't the case. Additionally she told them they weren't their own taxing entity, which they are. He stated that we need to be careful to have our facts straight when we show up at their meetings and start accusing and we also have to respect that they have Robert's Rules of Order as well; and you just can't go run their meetings and interrupt.

Alderwoman Saunders responded that Alderman Toohey was not at the meeting and is sure that he received one side to the story. She stated she went to the meeting just because by fluke she found out about it. She decided to go because she had done some research and some information that she had gotten from Ways & Means and was not correct. She said she was met with great hostility. She just went to explain the \$19 valuation versus the \$57 valuation; a vote was going to be taken before she was allowed to speak. She was instructed that comments were after vote at the end of the meeting. She said as an Alderperson not as the board but as me, an alderwoman that sat on Ways & Means and listened to the explanations that the director had given and had a different take on it. She said she should have been recorded to how she was even able to go the white board to show the \$19 and \$57 difference. But she did bring along; she went out to the taxing authority because she didn't understand the taxes. She is brand new to the process and she did all the homework on her own because she got info regarding tax rates on Friday night of Labor Day weekend and the meeting was Tuesday night after she has had to work all day. She is getting into complicated Hancock tax rate information and is expected to take a vote. Then moved to an emergency library board meeting, there's a vote going and to me the rate is set at 30¢ and by the way I do the math and I was trying to explain that I agree sometimes that because of the interjection and feeling like I shouldn't even be speaking there, I got anxious and I came home and felt awful that it didn't go as well. I was contacted by the Patch and I wrote a very nice comment about the board on there. I said they did the right thing, I was proud of them and an example of good government; that was my comment on the Patch to the action that was taken by the board that night. There are 2 sides to every story. When I went to the St. Louis County tax revenue site, other libraries are listed as separate taxing districts; Brentwood has our rate all rolled together and I didn't understand. When I asked they said it was a grey area and I thought we were moving too fast. I do have to commend Brian the attorney, he helped me with the math, he clarified what the intent of the board was. Since then I questioned, when I went to talk to Bola, which years are assessment years (odd years); tax can be increased in an even year. She asked could we have raised the tax to 20¢ without going for a ceiling increase from 25 to 30 for the library, and Bola said she didn't know I would have to ask Vicki. I did read all about the Hancock and the ceiling. I tried to come early to get this clarified; I'm doing my best when I only get less than 24 hours to review.

**PUBLIC COMMENTS – Hearing Of Any Matter Of Public Interest Upon Request Of Any Person Present**

**Julie Pozzo**, stated Alderman Toohey was not at the meeting. She was at the Ways & Means meeting and at the special library board meeting. The disrespect could be cut with a knife. She can't believe how Alderwoman Saunders was treated. She asked how the board voted and Mayor Kelly referred her to direct her questions to the library board.

**Sherman Lee, 8772 Pine**, stated he just stepped down from the library board and commented that it seems that everyone wants to do right by the city. He questioned the coordinated effort between the aldermen and the library board. He also commented that there is a lot of emotion and passion regarding Chris Seemayer and hopefully we are working towards a resolution. He stated his hope that there is some future practice to prevent this from happening in the future. Lastly he stated that he is exhausted with the us versus them attitude. He commented that it is a great place to live with higher standards than many communities; everyone should be working for the benefit of the entire city.

**Julie Pozzo**, approached again and commented that she hoped that everyone considers a civil lawsuit for Chris Seemayer, she has some estimates of amounts she feels that he is responsible for totaling almost \$1 million.

**Barry Williams**, thanked the board for the vote to pursue civil action against Chris Seemayer. No disrespect to the city administrator, he thought it would be in public interest that the \$40,000 for a vehicle is reallocated for the police department.

**ADJOURNMENT**

Alderman Leahy made a motion to adjourn the meeting at 9:48pm. Motion seconded by Alderman Wynn. Unanimous vote in favor taken; **MOTION PASSED.**

**Approved, with corrections, the 1<sup>st</sup> day of October, 2012.**