

**CITY OF BRENTWOOD, MISSOURI
BOARD OF ALDERMAN REGULAR MEETING
FEBRUARY 4, 2013**

MEETING CALLED TO ORDER

Mayor Pat Kelly called the regular meeting to order at 7:00pm, in the Council Room at Brentwood City Hall located at 2348 S. Brentwood Blvd., Brentwood, MO 63144, and immediately led the Pledge of Allegiance.

Roll Call

Deputy Clerk Pittman performed roll:

Alderwoman Saunders	Present	Alderman Robertson	Present
Alderwoman Manestar	Present	Alderman Wynn	Present
Alderman Leahy	Present	Alderman Harper	Present
Alderman Toohey	7:07pm	Mayor Kelly	Present
Alderman Kramer	Present		

Members present constituted a quorum. Also present were City Clerk/Administrator Bola Akande, City Attorney Frank Albrecht, Assistant City Administrator/Planning Director Ellen Rottjakob, and Deputy City Clerk Octavia Pittman.

APPROVAL OF AGENDA

Board of Aldermen Regular Meeting Agenda February 4, 2013

Alderman Leahy made a motion to approve the agenda as submitted. Motion seconded by Alderman Wynn. Unanimous vote in favor taken; **MOTION PASSED.**

CONSIDERATION AND APPROVAL OF THE MINUTES

Board of Alderman Regular Meeting Minutes January 7, 2013

After request by Alderwoman Saunders to include comments and correction of Alderman Kramer's absence, Alderman Kramer made a motion to approve the minutes as amended. Motion seconded by Alderman Leahy. Unanimous vote in favor taken; **MOTION PASSED.**

Alderman Toohey arrived.

Board of Aldermen Special Meeting Minutes January 29, 2013

Alderman Robertson made a motion to approve the minutes as submitted. Motion seconded by Alderman Harper. **ROLL CALL:** Alderwoman Saunders – yes; Alderwoman Manestar – yes; Alderman Leahy – abstain; Alderman Toohey – yes; Alderman Kramer – yes; Alderman Robertson – yes; Alderman Wynn – abstain; Alderman Harper – yes; **MOTION PASSED.**

PRESENTATION/RECOGNITION

Recognition

Assistant Chief Dan Fitzgerald – 30 Years of Services

Assistant Chief Dan Fitzgerald – Graduation from the FBI National Academy

Police Chief Disbennett presented Assistant Chief Dan Fitzgerald with plaques of recognition; 30 years of dedicated service and graduation from the FBI National Academy. Chief also noted that less than 1/2 of 1% of all officers has an opportunity to attend this academy. All applauded and congratulated Fitzgerald on his efforts.

Proclamation

Eagle Scout Troup 361

Quinn Briceno - Jack Doheny - Andrew Dreyer - Shawn O'Neal

Proclamations were prepared for Quinn Briceno, Jack Doheny, Andrew Dreyer and Shawn O'Neal in recognition of their efforts to earn their Eagle Scout Badges. Alderman Leahy will forward their proclamations to Troup 361 in their absence. Alderman Leahy made a motion to approve the proclamations submitted. Motion seconded by Alderman Wynn. Unanimous vote in favor taken; **MOTION PASSED.**

PUBLIC HEARING

None

BIDS

Asbestos Identification (Executive Walk Apartments)

Administrator Akande announced the bid process undertaken and 6 responses were received; SCI \$6400, Farmer Environmental Services \$2750, Precision Analysis \$5200, PSI \$2625, Sitex Environmental \$4050, NPN \$5700; staff recommended awarding the lowest bidder, PSI in the amount of \$2625. Alderman Leahy questioned if the Department of Natural Resources would accept PSI as approved certified inspectors as they were not on the approved inspectors list; it was believed that this was not a requirement but staff will verify before moving forward. Alderwoman Saunders announced concerns that we are bypassing procedures; as with other projects it seems rushed, it was not discussed at the Public Works Committee. She stated her concerns with it not being in order when the donation was accepted last year. A discussion was held of the need to have the asbestos inspection done and accommodating the owner that donated the property to the city as a city park. Alderman Harper questioned bid requirements; this grant is being paid by federal funds. Alderman Leahy made a motion to accept the bid from PSI, contingent upon them being qualified by the Department of Natural Resources as approved inspectors. 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.**

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

Susan Ryan (9324 Pine Ave) thanked staff and board members for visits to her home and attempts to make her feel as someone cares; as well as asking ARB to do the right thing. She announced her questions of how the project was approved with many questions of nuisances and request for updated plans. She stated her struggle with the Board's decision to deny her request for reimbursement of legal fees after continuous complaints. And her receipt of a brief letter from the city's attorney stating the request had been denied, without explanation or rationale. She explained that her experience was a result of systematic failure and lack of protection from the individuals elected to do so. She asked that some measure of deterrent is put in place to ensure the code is being followed. She also stated her intent to be clear that city staff tried to help; the legislative body and ARB did not.

INTRODUCTIONS, READINGS, AND PASSAGE OF BILLS AND RESOLUTIONS

Alderman Leahy made a motion for the 1st and 2nd readings of Bills #5724 - #5731. Motion seconded by Alderman Kramer. Unanimous vote in favor taken; **MOTION PASSED.**

Bill #5724 – An Ordinance Authorizing The City Clerk/Administrator Of The City Of Brentwood, Missouri, To Enter Into And Execute A Professional Services Agreement Between The City Of Brentwood And The Warren Poll; Providing For The Effective Date

Of This Ordinance And Providing For The Repeal Of All Conflicting Ordinances – 1st & 2nd Reading

Attorney Albrecht read Bill #5724 by title only. Alderman Kramer provided the synopsis, “This Bill is for an ordinance authorizing the City Clerk/Administrator to enter into and execute a professional services agreement between the City and The Warren Poll for a Citizen Community Center Survey. The total cost is \$11,800 which will be funded from the Parks and Recreation budget”. Attorney Albrecht read Bill #5724 by title only. Alderman Robertson made a motion to perfect Bill #5724 into ordinance form. 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.**

BILL #5724 IS HEREBY PASSED AND NOW BECOMES ORDINANCE #4399

Bill #5725 – An Ordinance Authorizing The Mayor To Execute An Agreement On Behalf Of The City Of Brentwood, Missouri For Dispatch And Holding Services To Be Provided To The City Of Rock Hill For Police, Fire And Ambulance Calls By The City Of Brentwood, Missouri – 1st & 2nd Reading

Attorney Albrecht read bill #5725 by title only. Alderman Kramer provided the synopsis, “This Bill is for an ordinance authorizing the mayor to execute an agreement on behalf of the City of Brentwood, Missouri for dispatch and holding services to be provided to the City Of Rock Hill for police, fire and ambulance calls by the City of Brentwood, Missouri. The agreement is for \$56,275 for Dispatch service and \$15.00 per day (\$13,659) for prisoner housing”. Attorney Albrecht read Bill #5725 by title only. It was noted that the Aldermen need to be updated under the introduction. Alderman Kramer made a motion to perfect Bill #5725 into ordinance form as amended. Motion seconded by Alderman Leahy. **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.**

BILL #5725 IS HEREBY PASSED AND NOW BECOMES ORDINANCE #4400

Bill #5726 – An Ordinance Of The City Of Brentwood, Missouri, Authorizing The Mayor To Enter Into And Execute The Attached User Agreement For Subscriber Radios With St. Louis County Emergency Communications Commission; And Providing For The Effective Date Of This Ordinance – 1st & 2nd Reading

Attorney Albrecht read Bill #5726 by title only. Alderman Kramer provided the synopsis, “This Bill is for an ordinance authorizing the mayor to enter into and execute a user agreement for subscriber radios (mobile and portable radios) with St. Louis County Emergency Communications Commission ("ECC"). These radios will be distributed to public safety and local government agencies within St Louis County. The request to re-approve the ordinance is it reflects changes made by “ECC” - namely, the correct ordinance number, inclusion of a “sovereign immunity” clause in section 13 (as requested by the municipal attorneys) and a list of individual radio allocations for police and fire departments”. Attorney Albrecht read Bill #5726 by title only. Alderman Wynn made a motion to perfect Bill #5726 into ordinance form. Motion seconded by Alderman Leahy. **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.**

BILL #5726 IS HEREBY PASSED AND NOW BECOMES ORDINANCE #4401

Bill #5727 – Ordinance Reaffirming The Gross Receipts Tax To Be Imposed Upon Electric Corporations Conducting Business Within The City Of Brentwood, Missouri And Matters Relating Thereto; And Providing For The Effective Date Of This – 1st & 2nd Reading

Attorney Albrecht read Bill #5727 by title only. Alderman Kramer provided the synopsis, “this Bill is for an ordinance reaffirming the gross receipts tax to be imposed upon electric corporations conducting business within the City of Brentwood. The City currently receives revenues based on Ameren’s gross receipts for electrical service multiplied by 7 and one half (7

½) for non-domestic usage and zero (0) percent for domestic usage. On December 27, 2012, Ameren Missouri was approved for a rate increase of 10.05 percent. RSMo 393.275 says that tariff increases approved by the Public Service Commission that are above 7 percent require municipal utilities to roll back their gross receipts tax rate on the utility, or approve an ordinance to maintain the current utility tax rate if they pass an ordinance maintaining the current rate within 60 days of the rate increase". Attorney Albrecht read Bill #5727 by title only. Alderman Kramer made a motion to perfect Bill #5727 into ordinance form. Motion seconded by Alderman Leahy. **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 – no; **MOTION PASSED.**
BILL #5727 IS HEREBY PASSED AND NOW BECOMES ORDINANCE #4402

Bill #5728 – An Ordinance Authorizing The Mayor Of The City Of Brentwood, Missouri To Enter Into And Execute A Professional Agreement With PSI Inc. For Asbestos Survey Services; And Providing For The Effective Date Of This Ordinance – 1st & 2nd Reading

Attorney Albrecht read Bill #5728 by title only. Alderman Kramer provided the synopsis, "This Bill is for an ordinance to authorize the mayor to enter into and execute a professional services agreement with PSI and the City for asbestos survey services. Identifying whether asbestos is present in the buildings is the next step in the City's project to demolish the eight buildings that previously made up a portion of Executive Walk Apartments, the property that was donated to the City in 2011". Attorney Albrecht read Bill #5728 by title only. Alderman Robertson made a motion to perfect Bill #5728 into ordinance form. Motion seconded by Alderman Wynn. **ROLL CALL:** Alderwoman Saunders – no; Alderwoman Manestar – yes; Alderman Leahy – yes; Alderman Toohey – yes; Alderman Kramer – yes; Alderman Robertson – yes; Alderman Wynn – yes; Alderman Harper – yes; **MOTION PASSED.**
BILL #5728 IS HEREBY PASSED AND NOW BECOMES ORDINANCE #4403

Bill #5729 – An Ordinance Authorizing The City Administrator To Execute An Agreement With Laclede Gas For Service Line Abatement; And Providing For The Effective Date Of This Ordinance – 1st & 2nd Reading

Attorney Albrecht read Bill #5729 by title only. Alderman Kramer provided the synopsis, "This Bill is for an ordinance to authorize the City Administrator to enter into an agreement with Laclede Gas for service line abatement in preparation for demolition of the eight (8) buildings that previously made up the Executive Walk Apartments that were donated to the City in 2011. There are six (6) known service line connections at this location but Laclede Gas maps show the possibility of an additional service line connection that cannot be verified until the service connections are actually abandoned". Attorney Albrecht read Bill #5729 by title only. Alderman Kramer made a motion to perfect Bill #5729 into ordinance form. Motion seconded by Alderman Harper. **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.**
BILL #5729 IS HEREBY PASSED AND NOW BECOMES ORDINANCE #4404

Bill #5730 – An Ordinance Authorizing The City Administrator To Execute An Agreement With Charter Communications For Abatement Services; And Providing For The Effective Date Of This Ordinance – 1st & 2nd Reading

Attorney Albrecht read Bill #5730 by title only. Alderman Kramer provided the synopsis, "This Bill is for an ordinance to authorize the City Administrator to enter into an agreement with Charter Communications for utility abatement in preparation for demolition of the eight (8) buildings that previously made up the Executive Walk Apartments that were donated to the City in 2011. Charter has explained that in addition to the standard cable lines, they have a signal amplifier inside of one of the buildings that will need to be relocated". Attorney Albrecht read Bill #5730 by title only. Alderman Robertson made a motion to perfect Bill #5730 into ordinance form. Motion seconded by Alderman Kramer. **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 #5730 IS HEREBY PASSED AND NOW BECOMES ORDINANCE #4405

Bill #5731 – An Ordinance Authorizing the City Administrator To Execute A Professional Services Agreement With Acumen Consulting For Interim IT Services; And Providing For The Effective Date of This Ordinance – 1st & 2nd Reading

Attorney Albrecht read Bill #5731 by title only. Alderman Kramer provided the synopsis, “**Bill No 5731** – This Bill is for an ordinance to authorize the City Administrator to enter into a service agreement to provide professional services relating to Interim Information Technology Services. The City seeks to engage Acumen Consulting Inc., Corporation for this professional service”. After noted corrections of the title, Alderman Leahy made a motion to perfect Bill #5731 into ordinance form 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.**

BILL #5731 IS HEREBY PASSED AND BECOMES ORDINANCE #4406

Resolution #988 – A Resolution Of The City Of Brentwood, Missouri Authorizing The City Administrator To Apply For A Planning Grant From The Municipal Parks Grant Commission – January 2013 Round 11 To Update The Parks And Recreation Master Plan

Alderman Kramer provided the synopsis, “This is a resolution authorizing the City Administrator to apply for a planning grant from the Municipal Parks Grant Commission to update the Parks and Recreation Master Plan The updated Master Plan will be used in conjunction with the Brentwood Comprehensive Plan (2006) and other plans to guide staff and officials to ensure that our short term and long term plans for the parks and recreation facilities remain current and in accordance to the needs and expectations of the residents. Alderman Leahy made a motion to approve Resolution #988. Motion seconded by Alderman Kramer. Unanimous vote in favor taken; **MOTION PASSED.**

Resolution #989 – A Resolution Supporting The City Of Brentwood’s Application For A Surface Transportation Grant And Congestion Mitigation And Air Quality Program Sponsored By East-West Gateway Council Of Governments For A Portion Of Manchester Road

Alderman Kramer provided the synopsis, “This is a resolution authorizing the City Administrator to apply for a Surface Transportation Grant and Congestion Mitigation and Air Quality Program (CMAQ) sponsored by East West Gateway Council of Governments. The improvements to the portion of Manchester Road located within the Brentwood City Limits (west of Hanley to Brentwood) would bring much needed pedestrian improvements to an area that experiences a heavy volume of pedestrian traffic. Approximately \$35-\$45 million is available in Missouri for programming in FY, 2015, 2016 and 2017. The STP-S funds can be used for projects such as pavement preservation, bridges, highway expansion, congestion mitigation, safety, environmental mitigation, transit and pedestrian facilities. Eligible activities include: Resurfacing, road reconstruction, bridge rehabilitation/reconstruction, new road/bridge, intersection improvements, safety improvements, improvement to curb ramps/sidewalks to comply with American with Disabilities Act, new construction of sidewalks, and transit vehicles acquisition in Missouri”. Alderwoman Saunders questioned why are we approving without the application, Administrator Akande said that we don’t have another meeting. Alderwoman Saunders asked about the cost and Administrator Akande estimated \$800,000 and the city would be responsible for 20%. Mayor Kelly clarified this is over 3 years. Alderwoman Saunders inquired if the city is aware of the deadlines for these grants, Mayor Kelly clarified that it’s usually around this time of year; the email EastWest Gateway sends is the dollar amount. Alderman Kramer made a motion to approve Resolution #989. 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 – no; **MOTION PASSED.**

Resolution #990 – A Resolution Supporting The City Of Brentwood’s Application For A Surface Transportation Grant And Congestion Mitigation And Air Quality Program Sponsored By East-West Gateway Council Of Governments For Hanley Industrial Court Roadway

Alderman Kramer provided the synopsis, “This is a resolution authorizing the City Administrator to apply for a Surface Transportation Grant and Congestion Mitigation and Air Quality Program (CMAQ) grant sponsored by East West Gateway Council of Governments for Hanley Industrial Court roadway. The improvements to the portion of Hanley Industrial Court roadway would bring much needed pedestrian improvements to an area that experiences a heavy volume of pedestrian traffic”. Alderwoman Saunders clarified that she voted yes for the Manchester Road grant because improvements are sorely needed even those it was against better judgment because we don’t have all of our ducks in a row. The Hanley Industrial application is not complete and we don’t know DCM Hanley Industrial Court Association contribution. Alderman Wynn made motion to approve Resolution #990. Motion seconded by Alderman Robertson. **ROLL CALL:** Alderwoman Saunders – no; Alderwoman Manestar – no; Alderman Leahy – yes; Alderman Toohey – yes; Alderman Kramer – yes; Alderman Robertson – yes; Alderman Wynn – yes; Alderman Harper – no; **MOTION PASSED.**

ACCOUNTS AGAINST THE CITY

Alderman Kramer made a motion to approve the warrant list in the amount of \$108,012.03. Motion seconded by Alderman Robertson. **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.**

REPORTS OF COMMITTEES AND DEPARTMENT HEADS;

Mayor Kelly announced that Director Rottjakob delivered a healthy baby girl last week; both she and the baby are doing well. He announced the need for special meetings to discuss the employee manual and a closed meeting to discuss the state audit response, members agreed to February 12th at 6:30pm for the employee manual and to close the meeting at 7:30 to discuss the state audit response.

The Ward 1 meeting will be rescheduled to Feb 19th at 6:30pm.

Public Safety Committee, Alderman Wynn had no report. Alderwoman Saunders followed up on the request to contact other manufacturers that did not submit a bid on the Fire Truck. Administrator Akande replied that those manufacturers were consistent, even though we advertised as required they didn’t look at it. A discussion was held and Chief Jury stated he will resubmit the bid and mail the specifications out to the different vendors.

Public Works Committee, Alderman Robertson had no report.

Director of Planning & Development

None

Ways and Means Committee, Alderman Kramer announced the next meeting will be held 2/20 at 6:30. A proposal was also submitted for meeting dates for the remainder of 2013 that will be forwarded to committee members.

Alderwoman Saunders stated concerns with the timeline, bids are due for accounting firms 2/14-2/15; it should have been put out earlier.

City Attorney, Attorney Albrecht had no report.

City Clerk/Administrator, Administrator Akande reported a request for a letter of support from St. Louis County to accompany the application for a Surface Transportation grant to resurface Brentwood & Eager; the board eagerly agreed.

She also reported the request from the Brentwood School Alumni Association for a temporary sign permit to advertise their Trivia Night in March in front of Walgreens. Alderman Harper made a motion to approve the temporary sign permit for the Brentwood School Alumni Association. Motion seconded by Alderman Leahy. Unanimous vote in favor taken; **MOTION PASSED.**

Mayor Kelly announced previous denials of requests for electronic message boards. He asked if the board would be interested in having P&Z review as uses and technology is different than it used to be and many municipalities have begun to allow. A discussion was held and members agreed to have P&Z research what other cities have done.

Excise Commissioner, Commissioner Clements announced the request from Immerse by Atlas for two open house events; 2/19 and 2/28. Alderman Leahy made a motion to approve the two temporary liquor licenses for Immerse by Atlas. Motion seconded by Alderwoman Manestar. **ROLL CALL:** Alderwoman Saunders – yes; Alderwoman Manestar – yes; Alderman Leahy – yes; Alderman Toohey – yes; Alderman Kramer – yes; Alderman Robertson – yes; Alderman Wynn – no; Alderman Harper – yes; **MOTION PASSED.**

Commissioner Clements announced the request from the Dierbergs Market for a full liquor license and a license to sell drinks by the drink on Sunday. They are remodeling their wine section in the liquor department; installing a phone in the dispensing area where a customer can call a manager and after verify ID they can purchase wine by the glass while they shop. Such practice is also used in Des Peres. Alderman Leahy made a motion to approve the liquor license for Dierbergs Market. Motion seconded by Alderman Kramer. **ROLL CALL:** Alderwoman Saunders – no; Alderwoman Manestar – yes; Alderman Leahy – yes; Alderman Toohey – yes; Alderman Kramer – yes; Alderman Robertson – yes; Alderman Wynn – no; Alderman Harper – yes; **MOTION PASSED.**

Library, Alderman Wynn had no new report.

Municipal League, Mayor Kelly announced the league conference next week.

Communication, Alderman Kramer had no new report. He requested an update regarding the acquisition of computers for the Board. Administrator Akande had no new information.

Historical Society, Alderman Wynn announced the invitation to join the historical society and the \$15 annual dues.

UNFINISHED BUSINESS

Alderwoman Saunders questioned the enforcement date of the parking agreement at the Promenade; Administrator Akande will check on it.

Alderwoman Saunders questioned the status of the Schnuck's remodel. Mayor Kelly replied that they are still at P&Z; they may be losing approximately 8 parking spaces but are not expected to have a huge boost in revenue.

NEW BUSINESS

Alderman Leahy announced that the Ward 3 meeting will be held on Tuesday, 2/26 at 7pm. He also announced that the Parks Dept is working with RainScape (residential landscaping grants) and they will be providing training session Wednesday @ 7 in the Richmond Heights recreation center Monday at 7pm and again on Monday 2/11.

Alderman Toohey questioned the status of the whistleblower hotline; Administrator Akande stated we are waiting for the new employee handbook.

Alderwoman Saunders reminded that the Ward 1 meeting will be held 2/19 at 6:30pm.

PUBLIC COMMENTS – Hearing Of Any Matter of Public Interest upon Request of Any Person Present

Susan Ryan reiterated that it was 6 months that she asked for the plans and they were in the city's hands the entire time; she wanted members to be clear on the facts. She again thanked Aldermen Saunders, Manestar and Harper for understanding and trying to hold the city accountable for its own errors and trying to address an egregious situation. She referenced comments made by the P & Z attorney and stated that she hopes this never happens to anyone else.

Closed Meeting

Alderman Wynn made a motion to enter into executive session at 9:10pm to discuss personnel and legal matters pursuant to the litigation and personnel exemption in RSMO 610.021. Motion seconded by Alderman Robertson. **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.**

Closed session was called to order at 9:19pm with the following present: Alderwoman Saunders, Alderwoman Manestar, Alderman Toohey Alderman Kramer, Alderman Robertson, Alderman Wynn, Alderman Harper, and Mayor Kelly. Also present were City Clerk/Administrator Bola Akande, City Attorney Frank Albrecht, Finance Director Gina Jarvis, and Deputy City Clerk Octavia Pittman.

Alderman Harper made a motion that city staff contacts an outside investigative firm of my choosing to come do a thorough investigation and provide a report back to the city. Motion seconded by Alderwoman Saunders. **ROLL CALL:** Alderwoman Saunders – yes; Alderwoman Manestar – yes; Alderman Leahy – no; Alderman Toohey – no; Alderman Kramer – abstain; Alderman Robertson – no; Alderman Wynn – no; Alderman Harper – yes; **MOTION FAILED.**

Alderman Leahy made a motion to adjourn closed session and re-convene to open session at 10:07pm. 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.**

The open session re-convened and Alderman Kramer clarified an earlier comment; the purchasing requirement in our code for professional services is \$1500.00.

ADJOURNMENT

Regular Board of Alderman Meeting February 4, 2013

Alderman Leahy made a motion to adjourn the meeting at 10:10pm. Motion seconded by Alderman Wynn. Unanimous vote in favor taken; **MOTION PASSED.**

Approved with amendments the 4th day of March, 2013.

Attest:

Mayor Pat Kelly

Bola Akande, City Clerk/Administrator