

**CITY OF BRENTWOOD, MISSOURI
BOARD OF ALDERMAN REGULAR MEETING
MAY 20, 2013**

MEETING CALLED TO ORDER

Mayor Pat Kelly called the regular meeting to order at 7:04pm, in the Council Room at Brentwood City Hall located at 2348 S. Brentwood Blvd., Brentwood, MO 63144.

Roll Call

Deputy Clerk Pittman performed roll:

Alderman Harper	Present	Alderman Toohey	Present
Alderman Wynn	Present	Alderman Leahy	Present
Alderman Robertson	Present	Alderdwoman Manestar	Present
Alderman Kramer	Absent	Alderdwoman Saunders	Present
Mayor Kelly	Present		

Members present constituted a quorum. Also present were City Clerk/Administrator Bola Akande, City Attorney Frank Albrecht, Treasurer Greg Reynders, and Deputy City Clerk Octavia Pittman.

APPROVAL OF AGENDA

Board Of Aldermen May 20, 2013

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

CONSIDERATION AND APPROVAL OF THE MINUTES

Board of Aldermen Regular Meeting Minutes May 20, 2013

After noted corrections, Alderdwoman Saunders made a motion to accept amendments to the May 20th meeting minutes. Motion seconded by Alderman Leahy. Unanimous vote in favor taken; **MOTION PASSED.**

Alderdwoman Saunders made a motion to approve the minutes as amended. Motion seconded by Alderman Leahy. Unanimous vote in favor taken; **MOTION PASSED.**

PRESENTATION/RECOGNITION

None

PUBLIC HEARING

None

BIDS

Hanley Industrial Court Pedestrian Project Construction Bid

Sealed bids were accepted for the Hanley Industrial Court project which included sidewalks, ADA ramps, retaining walls and landscaping. At that time, Raineri Construction was selected as the low bidder. After final review by MoDOT, it was determined that they did not meet the required DBE (disadvantage business enterprise), and lost the good faith hearing appeal. The next bidder is Gershenson Construction (\$195,952.86) and they are in compliance; MoDOT has given a concurrence to move forward with this project. Alderman Wynn made a motion to

accept Gershenson as the contractor for the Hanley Industrial Court Project. Motion seconded by Alderwoman Manestar. Unanimous vote in favor taken; **MOTION PASSED.**

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

In response to the state audit report, Mayor Kelly provided a synopsis of things that have taken place since 2011 which also addresses concerns included within. It was stated that Administrator Akande was asked to develop an RFP for some financial management assistance, assessment evaluation of current internal controls and processes in effort to recommend ways of improvement on deficiencies; going forward this can be done bi-annually. Given the auditors 90-day window before revisiting, it was recommended that the RFP is immediately released with a 2 week turn around. A discussion ensued of the request for a forensic audit; the need versus plans for continued forward movement considering the costs. Comments were offered that 21 violations were noted and it was concluded in the report that there is additional risk for fraud. Alderwoman Saunders suggested hiring a firm that specializes in both, and if it is decided to go this route that the selection committee is made up of the three Aldermen that were not on the board when the wrong doing happened. Discussion also ensued regarding the state audit process and results and previous misunderstandings between Board members comments.

Karen Meyer (8726 Pine Ave), Leonard Eschbach (2210 Hatton Lane), Susan Ryan (Pine Ave), Karen Smith (rep. Mark Wilson), Julie Pozzo (2211 St. Clair), Denise Soebbing (Porter), Bob Brown, Cindy Pennington (8780 Pine Ave), offered comments of the need for a forensic audit, the need to fix internal controls, and the embarrassing display by board members. Comments were also added regarding the inability to hear in the board room.

Comments were offered regarding Boys Hope Girls Hope, **Kathy Beckman (1526 E. Swan Cir)** opposed and **Christine Lewis (9243 Pine Ave)** in favor.

Mayor Kelly responded to resident concerns of audit findings. Administrator Akande also stated that there is a long road ahead in re-establishing trust. The job was accepting knowing that there would be a challenge but staff is committed to continue making necessary improvements.

A 5 minute recess was taken at 9:08 pm. The meeting reconvened at 9:13pm.

INTRODUCTIONS, READINGS, AND PASSAGE OF BILLS AND RESOLUTIONS

Alderman Leahy made a motion for the 1st and 2nd readings of Bills #5757 and #5759. Motion seconded by Alderman Robertson. Unanimous vote in favor taken; **MOTION PASSED.**

Bill #5757 – An Ordinance Of The City Of Brentwood, Missouri, Authorizing The Mayor And/Or City Administrator To Enter Into And Execute An Agreement Between The City Of Brentwood, Missouri And Gershenson Construction Company Inc For Pedestrian/Transit Improvements; And Providing For The Effective Date Of This Ordinance – 1st & 2nd Reading

Attorney Albrecht read Bill #5757 by title only. “This Bill is for an ordinance authorizing the mayor and/or city administrator to approve an agreement with Gershenson Construction, LLC for the construction of the pedestrian/transit improvements. A new pedestrian walkway will be built from Memorial Park to the Promenade and ending at the Metro link entrance next to Dierbergs. Currently, there are no sidewalks in this area and pedestrians have to walk in the street. Construction is scheduled to start this spring. The total project cost was \$830,000. The federal funds covered 80% which is \$664,000 and the local match is \$166,000. Public Works recommend the bid be awarded to Pride Master Inc. - \$233,600. The initial low bidder (Raineri Construction LLC) was deemed ineligible by the Missouri Department of Transportation

because they did not meet the Disadvantaged Business Enterprise (DBE) requirement. Once the City has an approved and fully executed contract, it will be forwarded to MoDOT for approval. MoDOT will then give staff authority to proceed with a pre-construction meeting". Attorney Albrecht read Bill #5757 by title only. Alderman Leahy made a motion to perfect Bill #5757 into ordinance form. Motion seconded by Alderman Wynn. **ROLL CALL:** Alderman Harper – yes; Alderman Wynn – yes; Alderman Robertson – yes; Alderman Kramer – absent; Alderman Toohey – yes; Alderman Leahy – yes; Alderwoman Manestar – yes; Alderwoman Saunders – yes; **MOTION PASSED.**

BILL #5757 IS HEREBY PASSED AND ORDINANCE #4430 IS ASSIGNED TO SAID BILL.

Bill #5759 – An Ordinance Amending Chapter 13 Of The Revised Code Of Ordinances Of The City Of Brentwood, Missouri By Adding A New Article XV As It Relates To The Proper Management Of A Residence Or Other Private Property In The City Of Brentwood And The Supervision Of Persons Thereon; Providing For The Current Maintenance Of This Code; Providing For The Repeal Of All Conflicting Ordinances; And, Providing For The Effective Date Of This Ordinance – 1st & 2nd Reading

Attorney Albrecht read Bill #5759 by title only. Alderman Leahy provided the synopsis, "This Bill is for an ordinance amending chapter 13 of the revised code of ordinances of the City of Brentwood, Missouri by adding a new article xv as it relates to the proper management of a residence or other private property in the City of Brentwood and for the supervision of persons thereon. This bill is sponsored by Alderman Harper. The Public Safety Committee did not have a quorum and were unable to meet on Thursday, May 15, 2013". Attorney Albrecht read Bill #5759 by title only. Alderman Wynn made a motion to perfect Bill #5759 into ordinance form. Motion seconded by Alderman Harper. **ROLL CALL:** Alderman Harper – yes; Alderman Wynn – yes; Alderman Robertson – yes; Alderman Kramer – absent; Alderman Toohey – yes; Alderman Leahy – yes; Alderwoman Manestar – yes; Alderwoman Saunders – yes; **MOTION PASSED.**

BILL #5759 IS HEREBY PASSED AND ORDINANCE #4431 IS ASSIGNED TO SAID BILL.

Resolution #993 – 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 Leahy provided the synopsis, "this resolution is for the Consumption and Sale of Beer, Wine and Liquors during the City's Annual Maddenfest Festival at Brentwood Park on Friday, September 20, 2013 from 5:00 p.m. – 10:00 p.m. and Saturday, September 21, 2013 from noon – 10:00 p.m. This resolution would allow for the consumption and sale of beer, wine and liquors". Alderman Leahy made a motion to approve Resolution #993. Motion seconded by Alderman Robertson. Unanimous vote in favor taken; **MOTION PASSED.**

Resolution #994 – 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 Leahy provided the synopsis, this resolution would allow for the consumption of beer, wine and liquors at the Summer Concert Series at Brentwood Park on June 7, July 5, and August 2; from 6:30pm – 9:30pm each evening. The Brentwood Parks & Recreation and West Community Credit Union are presenting the sounds of summer concert series". Alderman Leahy made a motion to amend the resolution, changing start time of the event to 5:00pm. Motion seconded by Alderwoman Saunders. Unanimous vote in favor taken; **MOTION PASSED.** Alderman Leahy made a motion to approve Resolution #994 as amended. Motion seconded by Alderman Robertson. Unanimous vote in favor taken; **MOTION PASSED.**

Resolution #995 – A Resolution Providing For The Consumption Of Beer And Wine, As Provided For In Section 3.3.1 Of The Brentwood Municipal Code, At The Veterans Day Observance To Be Held On Monday, November 11th, 2013 Beginning At 2:00 P.M. In Brentwood City Hall And At The Annual Holiday Open House To Be Held On Monday, December 9th, 2013 Beginning At 5:00 P.M. At The Brentwood Recreation Center

Alderman Leahy provided the synopsis, "this resolution would allow for the consumption of beer, wine and liquors. in the Brentwood City Hall on Monday, November 11, 2013 beginning

at 2:00 p.m. and the Annual Holiday Open House on Tuesday, December 10, 2013, beginning at 5:00 p.m. at the Brentwood Recreation Center". Alderman Leahy made a motion to approve Resolution #995. Motion seconded by Alderman Harper. **ROLL CALL:** Alderman Harper – yes; Alderman Wynn – no; Alderman Robertson – yes; Alderman Kramer – absent; Alderman Toohey – yes; Alderman Leahy – yes; Alderwoman Manestar – yes; Alderwoman Saunders – yes; **MOTION PASSED.**

ACCOUNTS AGAINST THE CITY

Alderman Leahy made a motion to approve the warrant list in the amount of **\$51,731.47**. Motion seconded by Alderman Wynn. Unanimous vote in favor taken; **MOTION PASSED.**

REPORTS OF COMMITTEES AND DEPARTMENT HEADS;

Mayor Kelly announced the retirement of Terry Schimweg, Public Works Foreman, after 40 years of employment. It is requested that the position description is changed from Foreman to Project Manager which will require a BA in construction management and will also include some increase in salary to provide more assistant to the Superintendent; there was no opposition.

A brief discussion was held and Alderwoman Saunders made a motion to issue an RFQ for an accounting firm to evaluate our internal controls as well as the potential of there being other areas that warrant a forensic audit. (It was agreed to add this language to the RFQ and language clarifying that this would be conducted by a different firm; cost estimates will be removed from the packet) Motion seconded by Alderman Harper. **ROLL CALL:** Alderman Harper – yes; Alderman Wynn – yes; Alderman Robertson – yes; Alderman Kramer – absent; Alderman Toohey – yes; Alderman Leahy – yes; Alderwoman Manestar – yes; Alderwoman Saunders – yes; **MOTION PASSED.**

After discussion, Alderman Wynn made a motion to reschedule the June Board of Aldermen meeting to Monday, June 24th at 6pm. Motion seconded by Alderman Leahy. **ROLL CALL:** Alderman Harper – yes; Alderman Wynn – yes; Alderman Robertson – yes; Alderman Kramer – absent; Alderman Toohey – yes; Alderman Leahy – yes; Alderwoman Manestar – yes; Alderwoman Saunders – yes; **MOTION PASSED.**

Public Safety Committee, Alderman Wynn had no new report.

Public Works Committee, Alderman Robertson had no new report.

Director of Planning & Development, None

Board Appointments

A request was made for copies of the statement of costs and interests. Alderman Leahy made a motion to approve the appointments of John Davis, Daniel Stegmann, Lori Reichert, Sabrina Stegmann and Ben Stegmann to the **8750 Manchester Road CID**. Motion seconded by Alderman Robertson. Unanimous vote in favor taken; **MOTION PASSED.**

Ways and Means Committee, the next meeting is scheduled for May 30th at 4:30pm.

City Attorney, Attorney Albrecht had no new report.

City Clerk/Administrator, Administrator Akande reported that an open house has been scheduled for the Litzsinger Road project; June 6th, 6:30-7:30pm. Engineers from Horner Shifrin will be in attendance; notices are going out to all property owners.

Staff is working with CH2M Hill regarding the Deer Creek feasibility study, the final report is expected soon. There is a federal program (Community Rating System) that allows the city to apply to participate in the FEMA national flood insurance for insurance discounts. Alderman Wynn made a motion to authorize staff to send forward a letter of intent. Motion seconded by Alderman Leahy. Unanimous vote in favor taken; **MOTION PASSED.**

Staff is also requesting authorization to apply for a TRIM Grant. Funds will be used to document an inventory of street trees in the city via reimbursement of \$1,000-\$10,000. Alderman Leahy made a motion to authorize staff to proceed. Motion seconded by Alderwoman Manestar. Unanimous vote in favor taken; **MOTION PASSED.**

The Parks and Recreation Department received a grant from the Municipal Park Grant Commission to perform an Initial Assessment of the Brentwood Parks and Recreation Master Plan. Planning Design Studio was selected by the department to complete the assessment. In order to complete the initial assessment, a Working Committee needs to be formed to work with Planning Design Studio. In conversation with Planning Design Studio, they suggested that the working committee be comprised of 7 – 9 people and consist of the following; Elected Official – at least 1 member, Committee – at least 1 member, Public – at least 2 members, Parks and Recreation Staff – at least 2 members, City Staff – at least one member from a separate city department.

Based on the recommendation from Planning Design Studio, the Parks and Recreation staff recommends that the Master Plan Working Committee be comprised of the following members:

1. Alderman Robertson – Chairperson of the Public Works Committee
2. Daniel Glowski – Member of the Planning and Zoning Commission
3. Brad Barbeau – Parks and Recreation Staff
4. Eric Gruenenfelder – Parks and Recreation Staff
5. Sue Krewson – Parks and Recreation Staff
6. Ellen Rottjakob – Director of Planning and Development
7. Angie Hulshoff – Resident
8. Kent Krimmel - Resident

Alderman Robertson made a motion to approve the formation and appointments of the Parks Master Plan Working Committee. Motion seconded by Alderwoman Saunders. Unanimous vote in taken; **MOTION PASSED.**

Alderman Leahy made a motion to reappoint Greg Reynders to the Board of Adjustment; through the end of June. Motion seconded by Alderman Harper. Unanimous vote in favor taken; **MOTION PASSED.**

Excise Commissioner, Commissioner Clements had no report.

Library, Alderman Wynn had no new report.

Municipal League, Mayor Kelly had no new report.

Communication, Alderman Kramer had no new report.

Historical Society, Alderman Wynn had no new report.

Closed Meeting none

UNFINISHED BUSINESS

None

NEW BUSINESS

Alderman Harper recognized Sophia Rivera (Brentwood Freshman) as State Champion in Discus and Shot Put.

Alderman Leahy announced the Ward 3 meeting will be held May 28th at City Hall.

Alderwoman Saunders announced the Ward 1 meeting will be held June 11th at 6:30, City Hall.

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

None

ADJOURNMENT

Alderman Leahy made a motion to adjourn the meeting at 9:54pm. Motion seconded by Alderman Wynn. Unanimous vote in favor taken; **MOTION PASSED.**

Approved on the 24th day of June, 2013.

Attest:

Mayor Pat Kelly

Bola Akande, City Clerk/Administrator