

**CITY OF BRENTWOOD, MISSOURI
BOARD OF ALDERMAN MEETING
JANUARY 14, 2014**

MEETING CALLED TO ORDER

Mayor Pat Kelly called the meeting to order at 7:00pm, in the Council Room of 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:

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

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

APPROVAL OF AGENDA

Board of Aldermen January 14, 2014

Alderman Leahy made a motion to place the proclamation and presentation on hold until the February 3rd meeting. Motion seconded by Alderwoman Manestar. Unanimous vote in favor taken; **MOTION PASSED.**

Alderman Leahy made a motion to approve the January 14, 2014 agenda as amended. Motion seconded by Alderman Wynn. Unanimous vote in favor taken; **MOTION PASSED.**

CONSIDERATION AND APPROVAL OF THE MINUTES

Board of Aldermen Regular Meeting Minutes December 16, 2013

Alderwoman Saunders made a motion to approve the meeting minutes as submitted. Motion seconded by Alderman Kramer. Unanimous vote in favor taken; **MOTION PASSED.**

PRESENTATION/RECOGNITION

Recognition

Acceptance of Donated Equipment From O.B. Clarke's; ON HOLD until February 3rd.

Proclamation

Eagle Scout Troup 361 – Joey Musial; ON HOLD until February 3rd.

PUBLIC HEARING

None

BIDS

None

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

Mayor Kelly provided an update that the Board is considering a proposal received from East Center Dispatch Center (ECDC) to outsource the dispatch center. This is the first time the Board has had an opportunity to review and no decision was made. He explained that the Board needs additional time to review and reiterated that this is not an issue of money; it would be an issue of how to provide the best services to citizens.

There were no comments of public interest.

INTRODUCTIONS, READINGS, AND PASSAGE OF BILLS AND RESOLUTIONS

Alderman Leahy made a motion to place Bill #5825 on hold for further updates. Motion seconded by Alderwoman Saunders. Unanimous vote in favor taken; **MOTION PASSED.**

Alderman Leahy made a motion for the 1st and 2nd reading of Bill #5826. Motion seconded by Alderwoman Saunders. Unanimous vote in favor taken; **MOTION PASSED.**

Bill #5796 (On Hold) – An Ordinance Authorizing An STP-Urban Program Agreement With MoDOT Relating To The Hanley Industrial Complex Improvements Project; And Providing For The Effective Date Of This Ordinance –2nd & 3rd Reading
Bill #5796 remains on hold.

Bill #5825 – An Ordinance Approving Site Plan Approval For A Signage Plan For Bank Of Springfield Located At 1750 S. Brentwood Boulevard; Providing For The Enforcement Of This Ordinance; And, Establishing The Effective Date Of This Ordinance – 1st & 2nd Reading
Bill #5825 is on hold.

Bill #5826 – An Ordinance Granting Approval Of A Site Development Plan For Exterior Renovation Of An Existing Building And Related Site Improvements At Property Numbered 1705 S Hanley Rd. Which Permits Under The Provisions Of Chapter 25 Of The Brentwood Code Of Ordinances The Development Of That Site; Providing The Conditions Of Such Development; And Providing For The Effective Date Of This Ordinance – 1st & 2nd Reading

Attorney Albrecht read Bill #5826 by title only. Alderman Kramer provided the synopsis, "The petitioner proposes to add a 975 square foot addition onto the existing 12,025 square foot facility. The proposed building addition would add a new "face" to the building. Minor changes to the site are proposed to accommodate the building addition and increase efficiency and use of the parking field. The result of the proposed plan would result in 56 parking spaces and 33 spaces are required. The proposed spaces include four accessible spaces on the site (two on the front side of the building, and two in the rear of the building). The Planning & Zoning Commission recommends approval of the site development plan by a vote of 8-0." Attorney Albrecht read Bill #5826 by title only. Alderman Leahy made a motion to perfect Bill #5826 into ordinance form. Motion seconded by Alderman Robertson. **ROLL CALL:** Alderman Harper – yes; Alderman Wynn – yes; Alderman Robertson – yes; Alderman Kramer – yes; Alderman Toohey – absent; Alderman Leahy – yes; Alderwoman Manestar – yes; Alderwoman Saunders – yes; **MOTION PASSED.**

BILL #5826 IS HEREBY PASSED AND ORDINANCE #4490 IS ASSIGNED TO SAID BILL.

ACCOUNTS AGAINST THE CITY

Alderman Kramer made a motion to approve the warrant list in the amount of \$129,452.67. Motion seconded by Alderman Leahy. Unanimous vote in favor taken; **MOTION PASSED.**

REPORTS OF COMMITTEES AND DEPARTMENT HEADS

Mayor Kelly reported that the Code of Conduct discussion will be held at the next meeting. He also reported good news in regards to the Brentwood Square TIF; with the reserve account and expected sales, the TIF should be called before the end of February. Lastly he announced that the State Legislature is back in session and encouraged everyone to pay attention to bills that affect municipalities.

Public Safety Committee, Alderman Wynn reported the next meeting January 16th.

Public Works Committee, Alderman Robertson had no report.

Director of Planning & Development, Director Wyse had no report.

Ways and Means Committee, Alderman Kramer reported the next meeting January 15th.

City Attorney Albrecht, Attorney Albrecht had no report.

City Clerk/Administrator, Administrator Akande had no report.

Excise Commissioner had no report.

Library, Alderman Wynn had no report.

Municipal League, Mayor Kelly reminded the Board of the annual Legislative Conference in February and encouraged attendance.

Historical Society, Alderman Wynn had no report.

Closed Meeting

None

UNFINISHED BUSINESS

Alderwoman Saunders reiterated her request for copies of other municipality's code of conduct used for the draft presented. Mayor Kelly suggested contacting the Cities of Creve Coeur, Rock Hill, Olivette, Maplewood and to research some other cities. Alderwoman Saunders commented that she has contacted some cities and they did not have a code of conduct (i.e., Clayton, Webster Groves, Kirkwood) and suggested using material that was included in the handbook distributed upon becoming Alderman regarding behavior. She added that the rule she opposes is in regards to accessing information.

NEW BUSINESS

Alderman Leahy announced that due to a conflict, the Ward 3 meeting will be held Tuesday, January 21st at 7pm.

Aldermen complimented the service of the Public Works department during inclement weather. Alderman Kramer also announced complaints of the resulting condition of Brentwood Blvd and multiple pot holes. Staff has been in contact with St. Louis County in hopes to resolve. It was also announced that there is a chance for overlays this year as County is researching funding options.

Alderwoman Manestar reported the findings of the Missouri Ethics Commission (MEC) regarding the negative campaign material distributed during the April 2012 municipal election specifically targeting Maureen Saunders. The MEC concluded that several campaign finance laws were broken and the individual found to be responsible (Glen Jamboretz) has made allegations that city employees including police and fire were involved. She added that although she personally don't believe that employees would have been involved she made a motion that the City investigate the allegations to clear the fire fighters and police officers and to restore public trust in city employees. Alderwoman Saunders seconded the motion. A discussion was held and it was clarified that police and fire allegations were not mentioned in the report only in newspaper articles found on Riverfront Times and 40 South News blog. The report also stated that the city had previously hired Jamboretz to do some advertising and did not obtain bids. Aldermen questioned the grounds on which the investigation would stand without having seen the report and the motion and second were withdrawn to allow time to review the report and contact County Police and Highway Patrol to determine how to proceed. Alderman Leahy made a motion that staff contact the Missouri Ethics Commission to get a copy of the official report. Motion seconded by Alderman Kramer. **ROLL CALL:** Alderman Harper – yes; Alderman Wynn – yes; Alderman Robertson – yes; Alderman Kramer – yes; Alderman Toohey – absent; Alderman Leahy – yes; Alderwoman Manestar – yes; Alderwoman Saunders – yes; **MOTION PASSED.**

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

Susan Ryan, reminded that she previously submitted a sample code of conduct and asked that the Board revisit this material as it is believed it should fit current needs.

Todd Ingersoll, announced his knowledge of the articles referenced. He asked if the funds spent were worth it, and if there are any plans for a future contract with Jamboretz.

Matt Saunders, recommended the city move forward with the investigation for the purpose of clearing the Mayors name. Saunders added that he is a good friend with Jamboretz and he's stated the mayor's involvement. Saunders stated that there must have been an extensive review of how much time employees are taking to fill request from Aldermen and requested, within the last 60 days, how many requests were made by Aldermen and how many hours it took to complete.

Richard Clockner, apologized to Alderwoman Saunders for what she suffered and asked that the Board move forward with the investigation. He added that that the code of conduct seems to be stifling the ability of Aldermen to do their jobs.

Tom Martin, asked if the Mayor had received any assistance from the City Attorney to draft the code of conduct (no). He asked if other municipalities have rules similar to "rule 3" in the draft and suggested the attorney render an opinion in writing on the legality of this rule. He also added his support of the Board moving forward with the investigation as he had also received some of the material mentioned.

Mayor Kelly closed public commented and responded with respect to the code of conduct; the draft is just being considered and has not yet been approved. He added that the reason for adding language stating the information being requested of staff should be brought to committee is not to stifle anyone from getting the information (rule 3); if it is pertinent, it should be for each Alderman. Mayor Kelly denied any involvement with Jamboretz and added that he too has been a target of such threats in the past and it is disheartening of someone to think that he would do the same to another.

Alderwoman Saunders commented that her requests are made by email and are all shared with the entire board. She stressed that the Board of Aldermen and their questions serve as an internal control. Reviewing information does not mean you are looking for fraud or misrepresentation, but you don't know who is going to commit fraud and who is not. Controls are in place so that you do not have to make judgments about people. She disagreed with the need to wait to go to the Board of Aldermen to get information because she may not ever get it as it currently seems to take a long time to get anything.

ADJOURNMENT

Alderman Wynn made a motion to adjourn the meeting at 7:55pm. Motion seconded by Alderman Robertson. Unanimous vote in favor taken; **MOTION PASSED.**

Approved as submitted the 3rd day of February, 2014.

Attest:

Pat Kelly, Mayor

Bola Akande, City Clerk/Administrator