

**CITY OF BRENTWOOD, MISSOURI
BOARD OF ALDERMAN MEETING
FEBRUARY 3, 2014**

MEETING CALLED TO ORDER

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

ROLL CALL

The following members were present

Alderman Harper	Present	Alderman Toohey	Present
Alderman Wynn	Present	Alderman Leahy	Present
Alderman Robertson	Present	Alderdwoman Manestar	Present
Alderman Kramer	Present	Alderdwoman 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 February 3, 2014

Alderman Leahy made a motion to amend the agenda by adding **Item #7B - Update of Dispatch Services of The City of Brentwood and ECDC** to the agenda. 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; Alderdwoman Manestar – yes; Alderdwoman Saunders – yes; **MOTION PASSED.**

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

CONSIDERATION AND APPROVAL OF THE MINUTES

Board of Aldermen Special Meeting Minutes January 14, 2014

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

Board of Aldermen Regular Meeting Minutes January 14, 2013

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

PRESENTATION/RECOGNITION

Recognition

Acceptance of Donated Equipment From O.B. Clarke's; this recognition is being postponed as representatives were unable to attend.

Proclamation

Eagle Scout Troup 361 – Joey Musial;

Alderman Leahy presented a Proclamation to Joey Musial in recognition of efforts to earn the Eagle Scout Badge.

PUBLIC HEARING

Mayor Kelly opened the public hearing 7:13 pm.

A Petition To Grant A Conditional Use Permit To Operate A Nail Salon At 2814 S. Brentwood Blvd.

Director Wyse announced the request for a conditional use permit and site plan approval to operate a nail salon at 2814 S. Brentwood Blvd. (east of Brentwood and South of Manchester). The subject site is approximately 0.1 acres in size and is zoned "GC" general commercial district. As the property is less than ½ acre in size, it requires a special use permit by the board. After review by Planning & Zoning, a positive recommendation was forwarded with the following conditions (6-2 vote): rear parking lot be striped in accordance with city code to clearly delineate the parking spaces; verification of trash services be provided prior to occupancy; and that the applicant continue to work on additional landscape treatments that could be added along Brentwood Blvd to enhance the image.

Hearing no comments, Mayor closed the public hearing.

BIDS

Janitorial Services at Police Department

Administrator Akande announced the issuance of an RFP for janitorial services at the police department (3 year contract). A total of five (5) vendors submitted proposals; Select Commercial Cleaning Services, SG360, AMB Janitorial Services – North Central Inc, Corvus Janitorial Systems and ISS Facility Services, Inc. Following a review by the department, a presentation to public safety and references conducted, the department and committee both recommend the bid be awarded to AMB Janitorial Services at a cost of \$1,536 monthly (a fixed 3 year rate). They currently provide services to the St. Louis County Police Academy and eight (8) St. Louis County Police Precincts and were highly recommended for their performance and low employee turnover rate. The amount is still \$223.00 a month less than our current provider.

Alderman Leahy stated his review of the contract and belief that there are terms within that are not favorable to the city, they address why we should re-evaluate the low bidder and he would suggest they be removed before moving forward. It was agreed to discuss this further with the introduction of the bill.

Update of Dispatch Services of The City of Brentwood and ECDC

Mayor Kelly announced that ECDC is a group that was formed in the early 2000's in order to create a local dispatch center for our surrounding communities. Brentwood was part of the original discussions, but at the same time we started construction of the police department and decided to move forward with our own dispatch center; including it in the new construction. A few years later when Rock Hill sold their police department, they needed dispatching services and because we used the same frequency it was easy for Brentwood to provide that service. We made a proposal to provide dispatch services to Rock Hill which included the hiring of 3 additional dispatchers (the cost of the dispatchers was originally to be covered by Rock Hill); the annual cost was \$180,000. This allowed us to put a 2nd dispatcher on 2 of the shifts; we now have 2 dispatchers on the busiest shifts and 1 dispatcher in the evenings and on Sunday. Over the last few years with a number of the cities consolidating there are other options for the City of Rock Hill and they have since negotiated their contract to the current amount of \$55,000 a year while we are still maintaining all 3 employees.

A couple of years ago with the support of many municipalities including Brentwood, a tax was approved to fund the county wide communication system. This was originally started by our

former Police Chief after failed communications during a major accident. County will begin implementation this year but our dispatch center must be upgraded, estimated costs are \$350,000 and will be paid for through the tax. Doing this upgrade means we are making a commitment to keep our dispatch center. The County Council for the communication system is encouraging, because of the technology and the ability to provide additional services, consolidation of smaller dispatch centers. Knowing this, ECDC submitted their proposal. Mayor stated he met with the city administrator, police and fire chiefs individually to see if they wanted to explore joining local municipalities (Webster Groves, Maplewood, Shrewsbury, Richmond Heights, Clayton, Olivette) for dispatch services as these are the communities we rely on regularly for mutual aid. The city would also have a say on the communication, the City Administrators of each municipality serves on the commission that runs the operations and the police and fire chiefs meet monthly to address/resolve concerns. Mayor suggested upon receipt of the proposals that the police and fire chiefs meet with ECDC to learn of the benefits, after doing so, they felt it was in the best interest of the city to move forward. It was then taken to the Board of Aldermen for an executive session at the first January meeting and today was the second opportunity to discuss.

Mayor stated that he knows it is difficult, especially on the dispatchers; no one wants to hear that their jobs are being eliminated. He stated his hope that everyone knows him well enough to know that his belief is that employees are the city's best asset; they are dedicated and nothing means more than their service and representation.

The proposal by ECDC enhances our program, primarily with 2 things we don't have; dispatchers that are trained and certified in fire dispatch and dispatchers with the emergency medical assistance certification, both are being offered by ECDC. The cost to the city, although not the determining factor, for our own dispatch center was close to \$600,000 last year. ECDC is proposing a cost of \$235,000 (based on our number of calls last year). The way their billing works is the total operating cost divided by the number of calls is billed to each municipality based on their calls.

Mark Dougherty, ECDC General Manager also provided information of how East Central Dispatch operates. He explained that the six surrounding cities that belong to ECDC previously owned their own dispatch center but ran into problems associated when you only have a limited number working; when you have one person working and no one is available they would have to call an officer off the street for assistance – this is complicated more with fire calls. ECDC is a not-for-profit organization owned by each of the cities. There are 2 managing boards; the board of directors is comprised of the City's Managers and the Police & Fire Board takes care of policies and procedures for all departments represented. The dispatch center is located in Richmond Heights on Dale Ave; there are 21 dispatchers that work 12 hour shifts. All dispatchers are EMD (emergency medical dispatching) certified. Dispatchers are able to provide instructions to the caller (medical protocol approved by the medical director at St. Mary's (pre-arrival instructions). While doing so they are also dispatching equipment. 5.2 dispatchers are assigned to each watch, the current minimum staffing is 4. If Brentwood decides to join, minimum staffing would increase to 5 per watch. He explained the benefit of having the increased staff to assist during multiple calls. If Brentwood were to join ECDC, the police would go on the North channel (Richmond Heights, Clayton, Olivette). There is a primary fire dispatcher and a second to assist because fire calls are generally overwhelming. The proposal is a significant cost savings because you would not have the overhead associated with the calls. He added that the system automation is web-based and also allows neighboring jurisdictions to hear all calls. A provision is included in the proposal that states ECDC would provide monitoring of prisoners; cameras and software would be installed, there is a similar arrangement in Richmond Heights.

Mayor Kelly pointed out the ECDC would hire 3 of our dispatchers. St. Louis County will also have 10 vacancies to fill when bringing the new system online. If the board makes this

decision, administration will help with resumes and applications to apply. He also recommended to the board if going forward that a severance is decided; perhaps 2 months pay.

Fire Chief Jury offered comments that the proposal was brought forward in November. He and Chief Disbennett met with counterparts of other cities that use ECDC, he also added that he has worked with them since inception and is familiar with how they operate. What ECDC brings to the table that we don't currently have; we currently have 60 hours per week with only one dispatcher on duty. Any major incident would immediately overwhelm the dispatch. They offer EMD which has proven to be a life saver nationwide. He added his opinion that contracting with ECDC is an upgrade and recommended that we move forward.

After questions of response time as it relates to the dispatcher's location, Dougherty responded that 911 is designed that all calls go to a call center; there is no time delay associated with routing a call. In terms of call processing, ECDC fire calls are 43 seconds; EMS calls 55 seconds; police calls 64 seconds.

Mayor Kelly stated that a draft ordinance will be presented to the board at the next meeting to make a decision. He added that it is frustrating but it is not a decision to be taken lightly. Other cities have been able to make the change without controversy (i.e., Frontenac, Town & Country, Creve Coeur). If residents haven't been getting the appropriate service, we would have heard about it. It's unfortunate but surrounding communities rely on each other daily for public safety and the coordinated communication system is important for operations and the safety of residents and employees.

After request of a recommendation from the police department, Mayor Kelly announced that Police Chief Disbennett recently announced his retirement but was in favor. He also added that over the weekend, a letter, signed by about 20 policemen, stating preference to keep our existing dispatch center was received.

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

Laura Beckman, Brentwood Dispatcher, stated the police wrote a letter to the Mayor and Board to save the dispatch center and she read it aloud.

Brandon Jones, 2637 Helen, stated that the emergency medical dispatch was played up and made to sound like a big deal. The class for the academy was 2 days when he took it 4 years ago and cost \$300. To get all dispatchers certified would be less than \$3000.

Leslie Graeser, Brentwood Dispatcher, stated that she has previously worked for a multijurisdictional dispatch center. She shared her experience that it makes the response time slower; taking multiple calls. She also invited the Board to visit the dispatch center to see how they operate. She commented that the most important thing to consider is the amount of traffic stops and the ability to run license plates. If the decision is not about the money has previously stated, it should be about the safety of our officers and this change would not make it safer. She also added the dispatchers also perform other duties that many do not, running different codes, assisting with the paperwork to book prisoners and lastly she stated that dispatchers were never told to go to training.

Craig Eisenbeis, Police Officer, commented that the department monitors scans all other channels, including ECDC and he has witnessed incidents where it takes 8 minutes to dispatch calls on Eager Road which is unacceptable (this includes times where we have given them information on the call). He added that response time is critical and is what citizens deserve.

Nick Lang, Police Officer, questioned who provides training for EMD certification and if it can be conducted by our fire department (a National academy out of Utah); the amount of call takers on duty at any given time. It stated that the advantage we currently have is that there is no down time, we have direct communication between departments. He commented that he previously witnessed a 5 minute response time from ECDC on a murder which is unacceptable. He asked that he be considered if this deal is done, if it can be undone if necessary.

Jeff Manestar, Police Officer, offered comments that taking away the dispatch center will not make the service better. He shared his experience during a major incident in 1996 and commented that in a major incident it will not make a difference who is dispatching. Our dispatchers work hard and no one here has ever gotten hurt.

Louise Charboneau, 8833 Madge, commented that she has had outstanding experiences with police and fire. She stated that we can afford the pay the employees well due to the commercial districts. The dispatchers only priority is service to the private and commercial citizens of Brentwood and Rock Hill. We owe our business the distinct timeliness in the event of an emergency and this can only be granted through the dispatch center. Nationwide we are looking for ways to create jobs, yet Brentwood is looking to eliminate them; our people deserve better.

Julie Pozzo, St. Clair, questioned the status of the code of conduct and the stipulation that aldermen cannot access documents. She stated her expectation that they should be allowed access to help them do the jobs they are elected to do. It seems that there is a pattern; i.e., Seemayer incident, Meridian incident, Jim Pozzo attempted to file a bond against Seemayer for the city and could not get Board of Aldermen approval, anonymous packets sent to Saunders while a candidate but some members are reluctant to investigate these tactics. She asked if the city attorney has a responsibility to prevent officials from violating state and city laws.

Louise Charboneau, 8833 Madge, understands the mistrust. She stated that Policy A Rule 3 of proposed code of conduct is "draconian", it is an attempt to restrict information available to aldermen who are exercising their duty to protect and further their interest of the citizens they represent. She stated that she has always received well responses from staff and thinks just a one page protocol may cover this.

Matt Saunders, 2326 Parkridge, offered comments of proposed code of conduct. He questioned how many demands are being made and how much time is required to fulfill request. He stated that the last time the mayor and city administrators were the only 2 getting information didn't work out. He asked the Aldermen how they would explain to constituents how they vote if they don't have all of the facts and urged them not to vote for this (the code of conduct).

Susan Ryan, Pine, stated that she has done some research and thinks the proposal fall short of best practices. She distributed a version she thought would be of some use and would continue to do more research.

Karen Smith, commented in regards to the Missouri Ethics Commission Finding; she stated she was the one that filed the complaint on Jamboretz because she thought the materials in the 2012 campaign were inappropriate and closely resembled materials in 2005 when she ran for office. She stated that some were uncomfortable supporting her because they felt that would not have police protection and now she understands why and is frustrated that we have people degrading honorable professions; an investigation needs to take place. In regards to the code of conduct - she supports conducting business in professional manner but is concerned about the sections that hinder Aldermen from getting the information they need; given the history, we should want more information and each Alderman should not have to do their own research. She asked if resolutions should include the aldermen introduction (as it is no listed)

and if it carries the same weight as an ordinance. Lastly, she announced previous issues when calling 911 regarding issues with the exit ramp on highway 40; no one knew which department she should speak to. She stated that she supports stronger communication but believes it must have the coordination and a backup plan.

Angie Holshav, 8735 Rosalie, shared her experience in dialing 911 and the quick response time. She asked why take a chance at breaking something that is already fixed.

Denise Soebbing, 2312 Porter, stated that she is appalled that we would be considering a code of conduct when we know that there have been violations of ethics in the community and the board has not do their job investigating the atrocities at the last campaign.

Mike McGee 2026 Spanish Dr, shared a recent experience of a 911 call and the dispatcher had no knowledge of where Brentwood & Litzinger was; his concerns with changing dispatch is that they will not be familiar with the area.

Mayor Kelly closed public comment.

Mark Dougherty replied that it is difficult to address particular incidents without having done any research. He stated in regards to the exit ramps, sometimes there are incidents when you are requesting us to get cars out and they have no cars in service and we can't dispatch; we call the supervisors but it may be the agency's protocol to hold the call. (this may not be the case for this incident). There are 5 people on a watch, 4 for minimum staffing. 3 people are on the radios but they are also taking calls; there is often a lot of down time on the radio. In regards to training, there is a national agency that we get certification from. They have classes that are set up in the St. Louis area and nationwide. We send dispatchers to training provided by Abbott Ambulance, 40 hours initially and ongoing with annual test for EMD certification. Brentwood could do it, but if you are on the phone providing medical instructions it is time consuming which can not be done in smaller dispatch centers. It was also clarified that there are currently 3 channels, the proposal is to go to 4 with additional personnel. The minimum personnel is 4 but the majority of the time it is 5 and they all answer calls; only admin calls can be placed on hold.

Mayor Kelly responded that he has tried to respond to the accusations and innuendos but no matter what is said, no one is believing. After going through the federal investigation and state audit, we were doing what we were told through those processes. His goal is to do the best he can and make the decision with the information at hand. In regards to the code of conduct, for a couple of years and after hearing all the talk but no action, he stated that he took his time to draft it and present it for consideration. The way the system works is that they make the decision if they want to implement it, if they don't want to then we move on. The issue is that we are a board trying to work together to run the city in a cooperative way. If the information is so important, we should all need it to make the decision. If the board or committee agrees that we don't need it then we should move on to something else. It is ultimately up to the board to make the decision.

Alderman Toohey added that since he has been on Ways and Means we have brought on an accounting firm to evaluate internal controls, additionally we have switch accounting firms to evaluate internal controls and are also working on bringing on an audit committee made up of residents that have no attachment to the city; this removes biases from the process. Our job is to make sure those things are being done.

INTRODUCTIONS, READINGS, AND PASSAGE OF BILLS AND RESOLUTIONS

Alderman Leahy made a motion to remove Bill #5825 from the agenda. Motion seconded by Alderwoman Saunders. Unanimous vote in favor taken. **MOTION PASSED.**

After announcement of needed clarity, Alderman Leahy made a motion to place Bill #5829 on hold. Motion seconded by Alderwoman Saunders. **VOICE VOTE TAKEN**; 7 – yes, Toohey – No; **MOTION PASSED.**

Alderman Leahy made a motion for the 1st and 2nd readings of Bills #5827, 5829, 5830. 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 (Removed) – 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 #5827 – An Ordinance Approving Site Plan Approval For An Amended Signage Plan For The Joseph White Building Located At 1750 S. Brentwood Boulevard; Providing For The Enforcement Of This Ordinance; And, Establishing The Effective Date Of This Ordinance – 1st & 2nd Reading

Attorney Albrecht read Bill #5827 by title only. Alderman Kramer provided the synopsis, “This Bill grants an ordinance for a site plan approval for a signage plan for 1750 S. Brentwood Blvd. (Joseph H. White Building). Included within this submittal is the signage for the Bank of Springfield tenant space as well as additional signage for the other tenant three spaces on the first floor of the Joseph H. White Building. The Planning & Zoning Commission recommended approval of the signage plan for the additional ground signs and awnings on the first floor for both the north and south sides of the building as well as proposed removal of several of the window signs currently installed on the north tenant space (Refresh) by a vote of 8-0”. A brief discussion was held and Alderman Kramer announced concerns of the lights and awning standing out unfairly. Mayor Kelly stated his opinion that the area is dark and the lights may help to brighten it. Building owner, Tom White, stated that he had negotiated the signage with the tenants and P&Z requested a comprehensive sign plan for the building; other signs would come into conformity when the leases roll over. He also clarified that the Bank of Springfield is more of a mortgage center. Attorney Albrecht read Bill #5827 by title only. Alderman Robertson made a motion to perfect Bill #5827 into ordinance form. Motion seconded by Alderman Toohey. **ROLL CALL:** Alderman Harper – yes; Alderman Wynn – yes; Alderman Robertson – yes; Alderman Kramer – no; Alderman Toohey – yes; Alderman Leahy – yes; Alderwoman Manestar – yes; Alderwoman Saunders – yes; **MOTION PASSED.**

BILL #5827 IS HEREBY PASSED AND ORDINANCE #4491 IS ASSIGNED TO SAID BILL.

Bill #5828 – An Ordinance Granting Approval Of A Site Development Plan And Conditional Use Permit For A Nail Salon Business At Property Numbered 2814 S Brentwood Blvd Which Permits Under The Provisions Of Chapter 25 Of The Brentwood City Code 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 #5828 by title only. Alderman Kramer provided the synopsis, “This Bill grants an ordinance for a site plan and conditional use permit approval for a personal service facility to operate a nail and skin care salon located at 2814 S. Brentwood Blvd. (on the east side of the street). The Planning and Zoning Commission passed a motion to move the project forward with a recommendation of approval with conditions by a vote of 6-2. The conditions included that the parking 2814 S. Brentwood Blvd. (Jasmine Nail) Board of Aldermen Case # 14-01 February 3rd, 2014 lot be striped in compliance with city code requirements, that trash service and receptacles be in compliance with code requirements, and

that the applicant continue to work with Staff on incorporating landscaping treatments along the Brentwood Blvd. right of way. Landscaping planters have been proposed along the right-of-way and are included in the submittal information presented by the applicant". Attorney Albrecht read Bill #5828 by title only. After questions by Alderwoman Saunders, Director Wyse reported that P&Z concerns were if the proposal should be taken to subcommittee due to the landscaping proposal. A brief discussion was held in regards to the landscaping plan submitted, as requested by P&Z. Alderman Kramer made a motion to perfect Bill #5828 into ordinance form. Motion seconded by Alderman Robertson. **ROLL CALL:** Alderman Harper – yes; Alderman Wynn – yes; Alderman Robertson – yes; Alderman Kramer – yes; Alderman Toohey – yes; Alderman Leahy – yes; Alderwoman Manestar – yes; Alderwoman Saunders – yes; **MOTION PASSED.**

BILL #5828 IS HEREBY PASSED AND ORDINANCE #4492 IS ASSIGNED TO SAID BILL.

Bill #5829 – An Ordinance Authorizing The Mayor And/Or City Administrator To Enter Into And Execute A Service Agreement On Behalf Of The City Of Brentwood, Missouri, With AMB Janitorial Services; And Providing For The Effective Date Of This Ordinance – 1st & 2nd Reading

Bill #5829 is placed on hold.

Bill #5830 – An Ordinance Of The City Of Brentwood, Missouri, Authorizing The Mayor And/Or City Administrator To Enter Into And Execute A Planning Services Agreement With Planning Design Studio LLC; And Providing For The Effective Date Of This Ordinance – 1st & 2nd Reading

Attorney Albrecht read Bill #5830 by title only. Alderman Kramer provided the synopsis, "This Bill is for an ordinance authorizing the mayor and/or city administrator to execute an agreement with Planning Design Studio for Phase Two of the Brentwood Parks System Master Plan. Last year, the Parks and Recreation Department completed the Initial Assessment of the Brentwood Parks System Master Plan. The assessment identified gaps or needs in the community's park system and proposed initial solutions. Phase II will consist on further data collection, stakeholder interviews, analysis of park sites, plan recommendations, design concepts and implementation strategies. Planning Design Studio submitted a fee of \$35,000 which was included in the budget that was approved by the Board of Alderman on December 2, 2013. This item was presented to the Public Works Committee and they recommend this be presented to the Board of Aldermen for consideration". Attorney Albrecht read Bill #5830 by title only. Alderwoman Saunders made a motion to perfect Bill #5830 into ordinance form. Motion seconded by Alderman Robertson. **ROLL CALL:** Alderman Harper – yes; Alderman Wynn – yes; Alderman Robertson – yes; Alderman Kramer – yes; Alderman Toohey – yes; Alderman Leahy – yes; Alderwoman Manestar – yes; Alderwoman Saunders – yes; **MOTION PASSED.**

BILL #5830 IS HEREBY PASSED AND ORDINANCE #4493 IS ASSIGNED TO SAID BILL.

Resolution #1002 – A Resolution Of The City Of Brentwood, Missouri, Adopting A City Officials Code Of Conduct

Alderman Wynn made a motion to place the resolution on hold for an opportunity to review. Motion seconded by Alderman Kramer. Alderwoman Saunders suggested the policy is taken back to Ways and Means to review. Alderman announced the distribution of the revised copy including his revisions. A motion was made by Alderman Wynn and seconded by Alderwoman Saunders to amend the previous motion and send the discussion to ways and means. Alderman Harper questioned any penalty for the disclosure of information from closed session and Attorney Albrecht replied that there is very little and it was clarified that there would be a liability issue. Unanimous vote in favor taken; **MOTION PASSED.**

ACCOUNTS AGAINST THE CITY

Alderman Kramer made a motion to approve the warrant list in the amount of \$288,369.48. Motion seconded by Alderman Leahy. Unanimous vote in favor taken; **MOTION PASSED.**

REPORTS OF COMMITTEES AND DEPARTMENT HEADS

Mayor Kelly requested the appointment of Dan Fitzgerald as the Acting Police Chief while the city begins the search process; Motioned by Alderman Harper and seconded by Alderman Wynn. Unanimous vote in favor taken; **MOTION PASSED.**

Mayor Kelly requested that staff start the process to issue the bonds for the work agreed for the community center including the bidding for the process manager. (RFP's will be issued). It was clarified that the action was taken last year and the information was included in the budget. The information will be distributed to the board.

Mayor Kelly nominated Patrick Toohey to serve as the Aldermanic representative for the Police and Fire Pension Board. Motion made by Alderman Wynn and seconded by Alderwoman Saunders. Unanimous vote in favor taken; **MOTION PASSED.**

Mayor Kelly announced that the TV channel is back up and running. He also reported a suggestion received in regards to making the Norm West Park area into a dog park; he asked staff to gather information for cost and feasibility.

Public Safety Committee, Alderman Wynn had no new report.

Public Works Committee, Alderman Robertson had no new report.

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

Ways and Means Committee, Alderman Kramer announced the next meeting the 3rd Wednesday at 5:30 p.m.

City Attorney Albrecht, Attorney Albrecht had no new report.

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

Excise Commissioner

Temporary Liquor License: St. Mary Magdalen (2618 S. Brentwood Blvd)
Commissioner Clements announced the request from St. Mary Magdalen for a temporary liquor license for the Fish Fry season, "March 7th, 14th, 21st, 28th, April 4th, 11th, 18th. As well as April 26th (Trivia Night); May 16th & 17th (Parish Picnic). Motion was made by Alderman Leahy and seconded by Alderwoman Manestar. Unanimous vote in favor taken; **MOTION PASSED.**

Library, Alderman Wynn had no new report.

Municipal League, Mayor Kelly offered a reminder of the Annual Legislative Conference next week.

Historical Society, Alderman Wynn had no new report.

Closed Meeting

Legal RSMO 610.021 (1)

Alderman Leahy made a motion to enter into executive session at 9:52 p.m. to discuss legal matters pursuant to RSMO 610.021(1). Motion seconded by Alderman Wynn. **ROLL CALL:** Alderman Harper – yes; Alderman Wynn – yes; Alderman Robertson – yes; Alderman Kramer – yes; Alderman Toohey – no; Alderman Leahy – yes; Alderwoman Manestar – yes; Alderwoman Saunders – yes; **MOTION PASSED.**

Mayor Kelly called the closed session to order at 9:58 p.m. with the following members present: Alderman Harper, Alderman Wynn, Alderman Robertson, Alderman Kramer, Alderman Leahy, Alderwoman Manestar, and Alderwoman Saunders. Also present were City Administrator Akande, City Attorney Albrecht, and Deputy City Clerk Pittman. Alderman Toohey was absent.

Legal

Alderman Harper made a motion to approve providing the legal opinion from Attorney Stephanie Karr to the Missouri Ethics Commission. Motion seconded by Alderman Wynn **ROLL CALL:** Alderman Harper – yes; Alderman Wynn – yes; Alderman Robertson – yes; Alderman Kramer – abstain; Alderman Toohey – absent; Alderman Leahy – abstain; Alderwoman Manestar – yes; Alderwoman Saunders – abstain; **MOTION PASSED.**

Alderman Leahy made a motion to close the executive session. Motion seconded by Alderwoman Manestar. **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.**

UNFINISHED BUSINESS

Alderwoman Saunders asked if it is appropriate to speak on the ECDC proposal and Attorney Albrecht stated it is within the board's discretion. She also stated her agreement of internal controls and the audit committee and stated that there are times that she asks for documents of invoices and it is to help her understand. She later stated that she is not looking for every transaction and may have only requested to view 1 or 2 within the last 3 months. A brief discussion was held in regards to the warrant list book previously available for review that included invoices; Director Jarvis stated that it may be something that we can provide but multiple requests may be overwhelming.

NEW BUSINESS

A brief discussion was held and Mayor announced that they previously hired the services of the Police Chief's Association but current staff will work to put a process together.

Alderman Leahy announced the next Ward 3 meeting February 25th at 7pm in the Council Room; all are invited.

Alderwoman Saunders announced the next Ward 1 meeting February 11th at 6:30 in the Council Room.

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

Jim Pozzo, 2211 St. Clair, responded to an earlier comment of letting the professionals run the city; he stated that he didn't expect the state audit to come out poor and the board needs to help/watch the professionals. He added in regards to the Warrant List, we paid Glen & Co \$6,000 (12/10) and \$19,000 (12/11). And also that the state statutes states that you can take someone to civil court over sunshine law violations; the penalty may be court cost and \$5000.

Matt Saunders, suggested Fitzgerald as a permanent replacement.

Julie Pozzo, asked for the status of the previous motion of the Jamboretz issue; the information was distributed to the Board of Aldermen for review. After further questions, Alderman Leahy stated that he would be happy to discuss with her personally.

Denise Soebbing, stated her interest in the investigation status. She also stated her curiosity of Chief Disbennett's sudden retirement and if it had anything to do with the dispatchers discussion. Administrator Akande replied the city owes Disbennett gratitude for serving the city for 37 years. Alderman Leahy approved the posting of a statement on the website. Motion seconded by Alderwoman Saunders. Unanimous vote in favor taken; **MOTION PASSED.**

ADJOURNMENT

Alderman Leahy made a motion to adjourn the meeting at 10:15 p.m. Motion seconded by Alderwoman Saunders. Unanimous vote in favor taken; **MOTION PASSED.**

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

Attest:

Mayor Pat Kelly

Bola Akande, City Clerk/Administrator