

**CITY OF BRENTWOOD, MISSOURI
BOARD OF ALDERMAN MEETING
MARCH 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 and immediately led the Pledge of Allegiance.

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 March 3, 2014

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

CONSIDERATION AND APPROVAL OF THE MINUTES

Board of Aldermen Special Meeting Minutes February 3, 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 February 3, 2014

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

Board of Aldermen Special Meeting Minutes February 14, 2014

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

Board of Aldermen Special Meeting Minutes February 24, 2014

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

PRESENTATION/RECOGNITION

Recognition

Acceptance of Donated Equipment From O.B. Clarke's; this item will remain on hold as representatives were unable to attend.

PUBLIC HEARING

A Petition To Amend Section 25-260 Of The Brentwood Code Of Ordinances To Add “Professional Office” As A Permitted Use Within The Light Industrial District

Director Wyse announced the request for a text amendment to the municipal code. A request was made to locate a chiropractor within an area zoned Light Industrial District and after review it is not currently permitted. Alderwoman Manestar sponsored the request that went through Planning & Zoning to add “Professional Office” within the Light Industrial District. Planning and Zoning recommended approval by a vote 8-0.

The hearing closed and there were no interested parties to speak.

A brief discussion was held amongst the board and it was clarified that this is a formality as there are other office spaces in the district.

BIDS

Bid Selection – HVAC Maintenance and Mechanical Services

Administrator Akande announced the issuance of a request for proposals for HVAC maintenance and mechanical services to provide routine preventative maintenance, seasonal startups and inspections of the HVAC systems at city hall, police department, public works, post office, historical society (other buildings and houses owned by the city), the Bizzy Bee building at Memorial Park and the Norm West Park building. There were 4 companies that responded: American Mechanical (\$14,749), Waldinger Corp (\$7,896), Doll (\$12,400) and Vogel (\$6,325). The Public Works Committee recommends awarding the bid to Vogel.

Bid Selection – Oak Tree Park Playground

Administrator Akande announced the request for proposals last fall for the design and installation of a new playground at Oak Tree Park. This design and installation will include surfacing that would be inclusive for children of all abilities and would design a setting complementary of the Oak Tree Park. The total budget in the parks capital was \$250,000, staff recommends that when Public Works approved this recommendation, that the city administrator also be given authorization to approve change orders not to exceed \$17,499. Alderman Leahy asked if the changes orders are exercised would it require a budget amendment before being authorized. (If the total amount exceeds the budgeted amount, it would have to be a budget amendment and that process would go through Ways & Means, then to the Board of Aldermen. Alderwoman Saunders stated her opinion that the change order should not exceed to RFP threshold of \$10,000 and the bid should be fair for everyone. Alderwoman Saunders asked do you have to mention that the city is going to build in a percentage of change orders in the RFP; I am questioning the legality. A discussion was held of the 7% contingency which is common. Attorney Albrecht stated that change orders are common and can be approved by the Board; they are building in the flexibility to act as situations arise to alleviate the dilemma of being held up for monthly meetings. Granting the authority to the City Administrator should be granted by ordinance.

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

Matt Saunders 2326 Parkridge addressed the code of conduct. He stated that it will limit the scope of information that Aldermen are allowed to have and is based on the amount of time it takes office personnel to collect. He asked, how many request are being made and how much it takes?

Denise Soebbing 2612 Porter addressed the code of conduct. She asked that the committee that is reviewing the code also include that some of the elected officials and the city administrators return phone calls in a timely manner or don't ignore phone calls. She shared

that in a recent experience that she placed over 9 phone calls and never received a return call over the course of 3 weeks.

INTRODUCTIONS, READINGS, AND PASSAGE OF BILLS AND RESOLUTIONS

Alderman Leahy made a motion to remove Bill #5829 from hold. Motion seconded by Alderman Kramer. Unanimous vote in favor taken; **MOTION PASSED.**

Alderman Leahy requested that Bill #5832 is placed on hold to discuss in executive session. Mayor Kelly stated his concern that we proceed in timely manner. This Bill is reaffirming the agreement entered into with the courts in September 2011. Since the second lawsuit was filed, we have said on numerous pleadings to the court that we are ready to move forward and do our part as part of the settlement as agreed. The only change in this Bill is that the city will be receiving \$80,000 in reimbursements of legal fees for this portion of the lawsuit. There isn't any renegotiation unless we are looking to take on some additional liability from the city's standpoint and the settlement cannot be changed. Cathy Schroeder (Thompson Coburn) explained that none of the claims of the developer or the bank were directed towards the city of Brentwood. We were a party to the 2nd round of litigation because we had signed the 1st settlement agreement on September 9, 2011. We've always said that the city stands ready to abide by the September 2011 agreement. Alderman Leahy stated there are 2 very critical issues that he is not comfortable discussing in public session and would like to have those issues addressed before the board is asked to make a decision. Ms. Schroeder explained that the new deadline from Judge Hamilton in the federal court is May 1st; there is this amount of time for the developer and the banks to work out their issues on reissuing the bonds. It was agreed that some numbers have changed in regards to the developer and the bank, but does not affect the city. **THE MOTION DIES DUE TO LACK OF SECOND.** Alderwoman Saunders questioned the execution of the agreed and stated her understanding that it was to be executed by the bank and developer before coming for approval. Alderwoman Saunders stated as long as the attorney reigns us in if we stray into closed session topics I am fine with discussing in public. Ms. Schroeder stated that it was executed by Mr. Bush and the banks but she is unsure of the other 2 developers at this moment. Alderwoman Saunders added comments of not being able to see the document until it was executed and not receiving it until Friday even though it was dated January 31st. Ms. Schroeder stated that on November 20th when the developers and the banks reached an oral agreement there was a conversation with Judge Hamilton because the case was set for November 2nd for trial. She gave the banks and developers 90 days to get the agreement finalized, it was extended on February 18th; a motion was filed and additional time was given. At that point became relevant to document what we were going to do; we were going to stay the litigation and give these banks time to get these bonds reissued and get everything resolved. Alderwoman Saunders asked why the city needs to stay the litigation and Kathy Schroeder responded that they want us to sign off because we were a party to the original September 2011 agreement. They want the city that here we are to stand by what we said we would. Alderwoman Saunders stated we sign off and yet there is a consent judgment and exhibit that are part of the agreement and that we haven't seen and yet we are to sign off. We can't be a party to and not have all the information. Alderman Leahy made a motion remove Bill #5832 and post it for a special executive session to discuss on Thursday, March 6th at 5:00 p.m. **ROLL CALL:** Alderman Harper – no; Alderman Wynn – no; Alderman Robertson – no; Alderman Kramer – yes; Alderman Toohey – no; Alderman Leahy – yes; Alderwoman Manestar – yes; Alderwoman Saunders – yes; Mayor Kelly – yes; **MOTION PASSED.**

Alderman Leahy made a motion for the 1st and 2nd reading of Bill #5829, 5833-5854. Motion seconded by Alderman Kramer. 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 #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

Attorney Albrecht read Bill #5829 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 AMB Janitorial Services for the City of Brentwood Police Department building”. Attorney Albrecht read Bill #5829 by title only. Alderman Robertson made a motion to perfect Bill #5829 into ordinance form. Motion seconded by Alderwoman Manestar. **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 #5829 IS NOW BECOMES ORDINANCE #4495.

Bill #5832 – An Ordinance Approving An Agreement To Stay Litigation In Connection With Compass Bank, Et Al. V. Eager Road Associates, Et Al – 1st & 2nd Reading

This Bill is on hold until March 6th at 5pm.

Bill #5833 – An Ordinance Terminating Tax Increment Financing Within The Kenilworth Redevelopment Area; Dissolving The Special Allocation Fund Related Thereto; And Authorizing Certain Actions Relating Thereto – 1st & 2nd Reading

Attorney Albrecht read Bill #5833 by title only. Alderman Kramer provided the synopsis, “The bonds were called in full on February 1, 2014 and are being paid off eight (8) years earlier than the original maturity date of 2022. The bonds were issued in October 2001 for \$15,660,000. The bonds are limited obligations of the City, payable solely from Payments in Lieu of Taxes (PILOTS), Economic Activity Tax Revenues (EATS) and Municipal Revenues subject to appropriation by the city, and Transportation Development District (TDD) revenues subject to appropriation by the District. Throughout the life of the bonds, they have maintained an A-rating by Fitch”. Attorney Albrecht read Bill #5833 by title only. Alderman Kramer made a motion to perfect Bill #5833 into ordinance form. Motion seconded by Alderwoman Saunders. **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 #5833 IS NOW BECOMES ORDINANCE #4496.

Bill #5834 – An Ordinance Amending Chapter 25 Of The Revised Code Of Ordinances Of The City Of Brentwood, Missouri By Amending Section 25-260 As It Relates To Permitted Uses; 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 #5834 by title only. Alderman Kramer provided the synopsis, “This amendment would permit a chiropractor’s office to locate within an area zoned “LID” Light Industrial District. Under the City’s current uses established within the Zoning regulations, a chiropractic business is classified as a *Professional Office*. Chapter 25, Article II, Division 5 allows for any member of the Board of Aldermen to initiate an application for a text amendment. The request was sponsored by alderwoman Manestar. The Planning and Zoning Commission recommends approval of the amendment by a vote of 8-0”. Attorney Albrecht read Bill #5834 by title only. Alderman Robertson made a motion to perfect Bill #5834 into ordinance form. Motion seconded by Alderwoman Manestar. **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 #5834 IS NOW BECOMES ORDINANCE #4497.

Bill #5835 – An Ordinance Authorizing The Mayor And/Or City Administrator To Enter Into And Execute A Participation Agreement On Behalf Of The City Of Brentwood, Missouri, With East Central Dispatch Center; And Providing For The Effective Date Of This Ordinance – 1st & 2nd Reading

Attorney Albrecht read Bill #5835 by title only. Alderman Kramer provided the synopsis, “This Bill is for an ordinance authorizing the mayor and/or city administrator to approve an agreement with East Central Dispatch Center for centralized police, fire, remote prisoner monitoring and other emergency dispatching system between the City of Brentwood and the cities of Clayton, Maplewood, Shrewsbury, Webster Groves, and Olivette”. Mayor Kelly read letters to be entered into the record by Fire Chief Ted Jury and Police Chief Steve Disbennett.

Alderwoman Saunders made a motion for public comments on this topic. Motion seconded by Alderman Leahy. **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.**

Brandon Jones, presented a petition of 409 signatures to the Board asking that they vote no; it was done online at change.org and door to door with residents. This petition is being attached to the minutes.

Bill Griesmer 8508 Genenieve, shared his opinion that the residents do not want the dispatch center to change to ECDC; residents need more information but are not sure this is the right decision.

Jill Manestar Eulalie, shared her experience with a fire and the prompt response from the department. She stated that she would like to hear from the chiefs and stated her disbelief that both the police and fire departments are in agreement. She stated that voting for this would be selling our the community.

Page Russell 8514 Joseph, shared her family ties to the city of Brentwood and her experience with the dispatch. She stated that she is not convinced that outsourcing is beneficial to the community.

Mayor Kelly closed public comment and reiterated that the reason we are discussing the proposal is because in order to update our equipment with the new county wide system, the city will need to update all the dispatch equipment to adapt to the new system which costs about \$350,000. It will be paid for by the county wide tax. We were a part of the original talks in forming ECDC in the early 2000 we were also in the process of building our new police department at the time. We were further ahead than they were so Chief Karabas opted to move forward with the police department and our own dispatch. Since then, we have also taken on Rock Hill for dispatch when they sold their police department building; prior to this we only had 1 dispatcher per shift. The original agreement with Rock Hill was that we would take on their dispatch, we were going to hire 3 new dispatchers and Rock Hill agreed to pay for them. The original contract was \$180,000 per year. As we moved to the next agreement with Rock Hill and other options became available (They came to us because we used the same radio frequency) the contract has been reduced to \$55,000. They shop around every year and we have put them on notice that if they could not pay more, the city would have to make a decision regarding the additional dispatchers. If they were to find something else, the call volume would go down and we would have to go back to one dispatcher per shift or absorb that cost. He noted that this is an emotional issue and asked that everyone understand the Board is attempting to make the best decision for the city. He stated that ECDC has agreed, if this goes through, to hire 3 of Brentwood dispatchers and increase their shifts by one 24 hours of the day. We are currently spending, with Rock Hill, about \$600,000 annually for dispatch services. ECDC (they take their total cost for operations and divide it by the calls to each community involved) is estimating \$235,000 the first year. He noted that it is important to

keep in mind that we all work together on a day to day for mutual aid; by joining the consortium all calls would go directly to them. With St. Louis County installing the new systems, they are hiring 10 new positions. Mayor Kelly reiterated that we will not be outsourcing, we will become partners in their organizations and have an equal say.

Alderwoman Saunders questioned the amount of channels Brentwood dispatch has. She stated she was told it was 1 channel but learned that there is a channel for police, fire and public works. She stated her disappointment of how it was brought forward, all the presentations were done in closed session. The public needed to be educated. It was not personnel and we did not negotiate any terms in the contract; it should have been opened to the public. She stated that it was presented to Aldermen Wynn in November but the Board was not notified until January 3rd. No one met with the police, dispatch and maybe the firemen to ask their concerns. She stated that we shouldn't diminish the police professionalism by saying that they want to keep this dispatch because they really do have their back and it's a safety issue by saying they're just doing this because they are friends with a dispatcher. You can be friends and professional. She asked, do you plan for Armageddon, or do you plan for 98% of the time. What is the likelihood that we will have a massive fire and a shooting at the same time; probably less than 2% but it could happen. But 98% of the time we are helping the police and running REJIS so they don't have to look at the screen and continue to watch the suspect. I think we should respect the police and dispatchers, they have done a great job. She stated that she has a gut feeling and it's difficult to put a dollar amount on that. We didn't look at all of our opportunities. Alderwoman Saunders later added that safety is the number one priority; public safety, sanitation and streets. She questioned why the board didn't take action to hire another dispatcher (after the Sports Attic fire). Knowing there's a cost, Alderwoman Saunders said safety is more important and if hiring a dispatcher she suggested eliminating Brentwood Days.

Mark Dougherty, ECDC addressed staffing concerns. He explained that they currently have 5 individuals per watch and an afternoon person; they are adding three. Each of the 4 shifts has 6 people on them. He added that the proposal is not a reflection on the quality and dedication of the dispatchers; there is a good working relationship. The proposal is an alternative to look at and to keep in mind the difference in dispatch services, especially emergency dispatch. If the city chooses to provide EMD, as many departments are doing now, it will be difficult with 1 person on staff; it takes too much time on the phone. When incidents occur, ECDC has the ability to open another channel. Another advantage of having multiple entities on one channel is that everyone knows what's going on. ECDC will look at the capacity of all radio channels; the board of directors (made up of city managers/administrators from participating cities) will determine if another channel is needed because the funding is shared by everyone. He stated that the transition will not be easy and adjustments will need to be made. They will also take dispatchers that do not live within the city limits on a ride along to give them some familiarity of the wards. He also responded to Alderman Robertson's concerns of how multiple incidents are handled.

Alderman Leahy announced receipt of concerns regarding response times. A survey was conducted and during this time Brentwood's average time was 4 minutes and ECDC 3-4 minutes dependent on the city. The statistics gives you a fair and comparable response. It's important to consider the times of overwhelming calls and ECDC had the ability to respond. He added that yes, it is a cost issue. You want to spend \$660,000 for a total of 7 dispatchers (2 on each shift except Sundays and mornings from 12am - 6am), if you have a major problem and overload that person, someone may get lost and delayed. The city can add a 8th dispatcher but will spend over \$700,000 on salary and benefits; but this doesn't sound like the best option. ECDC has the extra personnel and saves \$300,000 in the process. The board does not want to lose valuable employees and needs to make sure the public safety has the best coverage. This decision is not an easy one. Alderwoman Saunders commented that statistics

come from the board. If you don't ask your staff to keep statistics and ask to see them then they are not going to have them at their disposal.

Alderman Wynn commented that he is also a long time resident and has been on the board over 20 years; he has a concern in making sure we get the best possible. If there was a thought that this was not the best decision he would vote no but it makes sense. Hopefully everyone can understand and move forward and knows how much he cares about Brentwood.

Alderman Harper stated his concern that the way the board is set up, we would have equal say; however, having our own dispatchers, we have total say. He also asked, if we do go to ECDC, once we get rid of our dispatchers there is no going back. He asked if ECDC will provide the monitoring of board meetings and court for safety. Mr. Dougherty stated that this was not brought up, but it could be done. Lastly Alderman Harper stated that the radio traffic will increase and this is not best for public service. It was later clarified that a letter was not sent to public safety, there was a conversation with the chairman. When the proposal was originally sent to the city, the direction was to have the department chiefs to review and offer recommendation; it was then brought forward to the board of aldermen.

Alderman Kramer stated that public safety is extremely important and is taken seriously. He has visited the dispatcher center on a couple of occasions, has interviewed personnel and has researched the other municipalities that are receiving the service. As invited, the other participating police and fire chiefs in attendance shared their experience; Maplewood, Clayton, Richmond Heights.

Alderman Toohey commented that there are some services that we aren't doing and questioned why staff has not already initiated additional training or attempted improvement instead of trying to improve now. It's no one's fault, we just don't have the manpower and this group does. He added that if this is passed, he hopes that we take every effort to take care of our employees with a severance package.

After discussing the cost, Administrator Akande stated that we do not anticipate any cost. There's that 70% of the total cost that will be reimbursed, we believe there are savings from the grant. We will partner jointly with ECDC to put the application together. We will also be including the prisoner monitoring equipment in the grant application for reimbursement.

Alderwoman Manestar commented that she toured ECDC and there was clearly a difference with the amount of phones ringing and activity between the 2 centers. She stated that it makes her leery that was are dissolving the dispatcher center when it is working and added there should be another alternative.

Attorney Albrecht read Bill #5835 by title only. Alderman Wynn made a motion to perfect Bill #5835 into ordinance form. Motion seconded by Alderman Robertson. **ROLL CALL:** Alderman Harper – no; Alderman Wynn – yes; Alderman Robertson – yes; Alderman Kramer – yes; Alderman Toohey – yes; Alderman Leahy – yes; Alderwoman Manestar – no; Alderwoman Saunders – no; **MOTION PASSED.**

BILL #5835 NOW BECOMES ORDINANCE #4498

All agreed to recess at 8:53 p.m. the meeting reconvened at 9:02 p.m.

Bill #5836 – An Ordinance Authorizing The Mayor And/Or City Administrator To Exercise An Option On Behalf Of The City Of Brentwood, Missouri, To Extend Its Contract With State Mechanical Services, Inc., For A Brentwood Recreation Complex Refrigeration/HVAC/Heat Recovery System Service Contract For One (1) Year Commencing On April 9, 2014; And Providing For The Effective Date Of This Ordinance – 1st & 2nd Reading

Attorney Albrecht read Bill #5836 by title only. Alderman Kramer provided the synopsis, “the current contract expires on April 9, 2014, with an option for a one year extension. Public Works Committee recommends approval of the one year extension”. Attorney Albrecht read Bill #5836 by title only. Alderman Robertson made a motion to perfect Bill #5836 into ordinance form. Motion seconded by Alderman Wynn. **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 #5836 NOW BECOMES ORDINANCE #4499

Bill #5837 – An Ordinance Authorizing The Mayor And/Or City Administrator To Enter Into And Execute An Agreement On Behalf Of The City Of Brentwood, Missouri, With Vogel Heating And Cooling; And Providing For The Effective Date Of This Ordinance – 1st & 2nd Reading

Attorney Albrecht read Bill #5837 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 Vogel Heating and Cooling for HVAC Maintenance and Mechanical Services and routine preventative maintenance, seasonal startups and inspections of HVAC systems at City Hall, Police Department, Public Works Department, Post Office, Historical Society, Busy Bee building at Memorial Park and the Norm West Park Building. Public Works Committee recommends approval”. Attorney Albrecht read Bill #5837 by title only. Alderman Leahy made a motion to perfect Bill #5837 into ordinance form. Motion seconded by Alderman Wynn. **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 #5837 NOW BECOMES ORDINANCE #4500

Bill #5838 – An Ordinance Authorizing The Mayor And/Or City Administrator To Enter Into And Execute An Agreement On Behalf Of The City Of Brentwood, Missouri, With Cunningham Recreation; And Providing For The Effective Date Of This Ordinance – 1st & 2nd Reading

Attorney Albrecht read Bill #5838 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 Cunningham Recreation for the design and installation of a new playground at Oak Tree Park. This is a capital improvement project approved in the 2014 Budget. Public Works Committee recommends awarding the project to Cunningham Recreation in the amount of \$249,986.41 plus a contingency of \$17,499 for change orders with the approval of the city administrator. The contingency for unforeseeable conditions encountered during the project”. Attorney Albrecht read Bill #5838 by title only. Alderman Leahy made a motion to perfect Bill #5838 into ordinance form. Motion seconded by Alderman Robertson. **ROLL CALL:** Alderman Harper – no; Alderman Wynn – yes; Alderman Robertson – yes; Alderman Kramer – yes; Alderman Toohey – yes; Alderman Leahy – yes; Alderwoman Manestar – no; Alderwoman Saunders – no; **MOTION PASSED.**

BILL #5838 NOW BECOMES ORDINANCE #4501

Bill #5839 – An Ordinance Of The City Of Brentwood, Missouri, Repealing City Of Brentwood Ordinance 4450 And Adopting A New Table Of Permit Fees, Inspection Fees, And Other Related Fees; Providing For The Current Maintenance Of This Code; Providing For The Effective Date Of This Ordinance; And, Providing For The Repeal Of All Conflicting Ordinances – 1st & 2nd Reading

Attorney Albrecht read Bill #5839 by title only. Alderman Kramer provided the synopsis, “In August of 2013, staff presented the Public Works Committee with a revised Permit Fee Table. After adoption of Ordinance #4450, which detailed permit fees, it was discovered that some permits and fees were inadvertently omitted. As a matter of housekeeping, it was suggested that the complete and amended table be forwarded for adoption. Public Works Committee

recommends approval". Attorney Albrecht read Bill #5839 by title only. Alderwoman Saunders stated that since they pick a plan from preapproved plans we gave them a reduced rate. Alderwoman Saunders stated that since each deck in Brentwood Forest is issued an individual permit and each deck is inspected the permit fee should be by each deck not by building. The owners own the decks and trip charges aren't an issue and Brentwood Forest hasn't paid permit fees in the past. Alderman Robertson made a motion to perfect Bill #5839 into ordinance form. Motion seconded by Alderman Leahy. **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 – no;

MOTION PASSED.

BILL #5839 NOW BECOMES ORDINANCE #4502

Bill #5840 – An Ordinance Authorizing The City Administrator To Enter Into A Temporary Construction Easement Agreement Between The City Of Brentwood And Midwest Trust Company Of Missouri, Trustees Of The Mary R. Darst Revocable Living Trusts UTD; And Providing For The Effective Date Of This Ordinance – 1st & 2nd Reading

Attorney Albrecht read Bill #5840 by title only. Alderman Kramer provided the synopsis which applies for Bills #5840 - #5854, "this project consists of new sidewalk, curbs, and resurfacing of Litzsinger Road from Brentwood Boulevard to McKnight Road. Of the 42 parcels impacted by the project, 14 ordinances and temporary construction easement agreements are presented for passage. The Surface Transportation Program (STP) grant will fund 80% of the Right-Of-Way (ROW) acquisition costs, with 20% funded by the City of Brentwood and 25% of that funded by the City of Rock Hill". Attorney Albrecht read Bill #5840 by title only. Alderman Leahy made a motion to perfect Bill #5840 into ordinance form. Motion seconded by Alderwoman Saunders.

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 #5840 NOW BECOMES ORDINANCE #4503

Bill #5841 – An Ordinance Authorizing The City Administrator To Enter Into A Temporary Construction Easement Agreement Between The City Of Brentwood And Jack H And Sandra L Deatherage – 1st & 2nd Reading

Attorney Albrecht read Bill #5841 by title only. Attorney Albrecht read Bill #5841 by title only. Alderwoman Saunders made a motion to perfect Bill #5841 into ordinance form. Motion seconded by Alderman Toohey. **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 #5841 NOW BECOMES ORDINANCE #4504

Bill #5842 – An Ordinance Authorizing The City Administrator To Enter Into A Temporary Construction Easement Agreement Between The City Of Brentwood And Wayne L. Hill And Linda M. Hill, H/W – 1st & 2nd Reading

Attorney Albrecht read Bill #5842 by title only. Attorney Albrecht read Bill #5842 by title only. Alderwoman Saunders made a motion to perfect Bill #5842 into ordinance form. Motion seconded by Alderwoman Manestar. **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 #5842 NOW BECOMES ORDINANCE #4505

Bill #5843 – An Ordinance Authorizing The City Administrator To Enter Into A Temporary Construction Easement Agreement Between The City Of Brentwood And Neil S. Shah, Et Al – 1st & 2nd Reading

Attorney Albrecht read Bill #5843 by title only. Attorney Albrecht read Bill #5843 by title only. Alderwoman Saunders made a motion to perfect Bill #5843 into ordinance from. Motion seconded by Alderwoman Manestar. **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 #5843 NOW BECOMES ORDINANCE #4506

Bill #5844 – An Ordinance Authorizing The City Administrator To Enter Into A Temporary Construction Easement Agreement Between The City Of Brentwood And Lan Thi Nguyen And Hon Cuc Nguyen – 1st & 2nd Reading

Attorney Albrecht read Bill #5844 by title only. Attorney Albrecht read Bill #5844 by title only. Alderwoman Saunders made a motion to perfect Bill #5844 into ordinance form. Motion seconded by Alderman Harper. **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 #5844 NOW BECOMES ORDINANCE #4507

Bill #5845 – An Ordinance Authorizing The City Administrator To Enter Into A Temporary Construction Easement Agreement Between The City Of Brentwood And Charlotte Ellis – 1st & 2nd Reading

Attorney Albrecht read Bill #5845 by title only. Attorney Albrecht read Bill #5845 by title only. Alderwoman Saunders made a motion to perfect Bill #5845 into ordinance form. Motion seconded by Alderwoman Manestar. **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 #5845 NOW BECOMES ORDINANCE #4508

Bill #5846 – An Ordinance Authorizing The City Administrator To Enter Into A Temporary Construction Easement Agreement Between The City Of Brentwood And John And Barbara Stretch – 1st & 2nd Reading

Attorney Albrecht read Bill #5846 by title only. Attorney Albrecht read Bill #5846 by title only. Alderwoman Saunders made a motion to perfect Bill #5846 into ordinance form. Motion seconded by Alderwoman Manestar. **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 #5846 NOW BECOMES ORDINANCE #4509

Bill #5847 – An Ordinance Authorizing The City Administrator To Enter Into A Temporary Construction Easement Agreement Between The City Of Brentwood And The Annie Buttry And Roberty Buttry Revocable Trust – 1st & 2nd Reading

Attorney Albrecht read Bill #5847 by title only. Attorney Albrecht read Bill #5847 by title only. Alderwoman Saunders made a motion to perfect Bill #5847 into ordinance form. Motion seconded by Alderwoman Manestar. **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 #5847 NOW BECOMES ORDINANCE #4510

Bill #5848 – An Ordinance Authorizing The City Administrator To Enter Into A Temporary Construction Easement Agreement Between The City Of Brentwood And Grace Litzsinger Property, LLC – 1st & 2nd Reading

Attorney Albrecht read Bill #5848 by title only. Attorney Albrecht read Bill #5848 by title only. Alderwoman Saunders made a motion to perfect Bill #5848 into ordinance form. Motion seconded by Alderwoman Manestar. **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 #5848 NOW BECOMES ORDINANCE #4511

Bill #5849 – An Ordinance Authorizing The City Administrator To Enter Into A Temporary Construction Easement Agreement Between The City Of Brentwood And Grace Brentwood Property, LLC – 1st & 2nd Reading

Attorney Albrecht read Bill #5849 by title only. Attorney Albrecht read Bill #5849 by title only. Alderwoman Saunders made a motion to perfect Bill #5849 into ordinance form. Motion seconded by Alderman Kramer. **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 #5849 NOW BECOMES ORDINANCE #4512

Bill #5850 – An Ordinance Authorizing The City Administrator To Enter Into A Temporary Construction Easement Agreement Between The City Of Brentwood And Grace Litzsinger Property, LLC – 1st & 2nd Reading

Attorney Albrecht read Bill #5850 by title only. Attorney Albrecht read Bill #5850 by title only. Alderwoman Saunders made a motion to perfect Bill #5850 into ordinance form. Motion seconded by Alderwoman Manestar. **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 #5850 NOW BECOMES ORDINANCE #4513

Bill #5851 – An Ordinance Authorizing The City Administrator To Enter Into A Temporary Construction Easement Agreement Between The City Of Brentwood And Youbi And Julie Lee – 1st & 2nd Reading

Attorney Albrecht read Bill #5851 by title only. Attorney Albrecht read Bill #5851 by title only. Alderwoman Saunders made a motion to perfect Bill #5845 into ordinance form. Motion seconded by Alderwoman Manestar. **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 #5851 NOW BECOMES ORDINANCE #4514

Bill #5852 – An Ordinance Authorizing The City Administrator To Enter Into A Temporary Construction Easement Agreement Between The City Of Brentwood And Grace Brentwood Property, LLC – 1st & 2nd Reading

Attorney Albrecht read Bill #5852 by title only. Attorney Albrecht read Bill #5852 by title only. Alderwoman Saunders made a motion to perfect Bill #5852 into ordinance form. Motion seconded by Alderwoman Manestar. **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 #5852 NOW BECOMES ORDINANCE #4515

Bill #5853 – An Ordinance Authorizing The City Administrator To Enter Into A Temporary Construction Easement Agreement Between The City Of Brentwood And Grace Brentwood Property, LLC – 1st & 2nd Reading

Attorney Albrecht read Bill #5853 by title only. Attorney Albrecht read Bill #5853 by title only. Alderwoman Saunders made a motion to perfect Bill #5853 into ordinance form. Motion seconded by Alderwoman Manestar. **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 #5853 NOW BECOMES ORDINANCE #4516

Bill #5854 – An Ordinance Authorizing The City Administrator To Enter Into A Temporary Construction Easement Agreement Between The City Of Brentwood And Steven Johnson And Eileen Johnson, H/W – 1st & 2nd Reading

Attorney Albrecht read Bill #5854 by title only. Attorney Albrecht read Bill #5854 by title only. Alderwoman Saunders made a motion to perfect Bill #5854 into ordinance form. Motion

seconded by Alderwoman Manestar. **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 #5854 NOW BECOMES ORDINANCE #4517

Resolution #1003 – A Resolution of the City of Brentwood, Missouri, Adopting A Deck Permit Policy

Alderman Kramer explained that this resolution establishes a policy on the administration of the permit fee table for decks. This policy would allow multiple decks to be reviewed and inspected under one review fee if a determined set of criteria are met. Public Works Committee recommends approval. Alderman Leahy made a motion to approve Resolution #1003. Motion seconded by Alderman Toohey. **VOICE VOTE TAKEN;** 7 – yes, Alderwoman Saunders – no; **MOTION PASSED.**

Resolution #1004 – A Resolution Of The City Of Brentwood, Missouri, Permitting The City Administrator, Or His Or Her Designee, To Issue Temporary Sign Permits To The Brentwood Public Schools, The Brentwood Alumni Associations And The Brentwood Chamber Of Commerce Under Certain Circumstances

Alderman Leahy made a motion to amend the Resolution #1004; Section 1 A – application in writing should be in advance. Motion seconded by Alderman Toohey. Unanimous vote in favor taken; **MOTION PASSED.** Alderman Leahy made a motion to approved Resolution #1004 as amended. Motion seconded by Alderman Toohey. 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 \$182,162.72. Motion seconded by Alderman Leahy. Unanimous vote in favor taken; **MOTION PASSED.**

REPORTS OF COMMITTEES AND DEPARTMENT HEADS

Mayor Kelly expressed appreciation to the board and everyone for the efforts of the dispatch center; that decision was not made lightly.

After request, Alderman Wynn made a motion to cancel the next Board of Aldermen meeting March 17th. Motion seconded by Alderwoman Manestar. Unanimous vote in favor taken; **MOTION PASSED.**

Alderman Leahy made a request that the Board entertain an ordinance to authorize the petition to Brentwood voters the possibility to changing the terms of office from 4 years back to 2 years. A brief discussion was held and staff was asked to prepare the legislation for the November ballot; 2 year terms for all elected officials (Mayor, Aldermen, Judge). Mayor Kelly stated that the interpretation is that to change the term of the Board of Aldermen goes to the residents, however to change the term of the Mayor (per state statute) the Board of Aldermen can make that decision.

Mayor Kelly also provided an update that to reduce the flooding on Manchester, one of the options discussed was to excavate the dirt (at the creek between Webster and the railroad tracks) and lower it to creek level to create a detention area during flooding. Great Rivers Greenway is acquiring the property and is willing to work with us on this being an option. MSD also had a separation project to start in within the next 2 years; the goal is to coordinate the project for funding.

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 March 19th at 5:30 p.m.

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 new report.

Municipal League, Mayor Kelly had no additional report.

Historical Society, Alderman Wynn had no new report.

Closed Meeting, None

UNFINISHED BUSINESS

Alderman Kramer offered comments in regards to bill #5839; there was the belief that the enabling legislation from 1979 covered the deck process and management may not been aware that it was not covered.

NEW BUSINESS

Alderman Leahy announced the Ward 3 meeting; March 25th at 7 p.m. and all are invited.

Alderwoman Saunders announced the Ward 1 meeting; March 11th at 6:30 p.m.

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 9:58 p.m. Motion seconded by Alderman Robertson. Unanimous vote in favor taken; **MOTION PASSED.**

Approved as submitted the 17th day of April, 2014.

Attest:

Mayor Pat Kelly

Bola Akande, City Clerk/Administrator