

**CITY OF BRENTWOOD, MISSOURI  
BOARD OF ALDERMAN MEETING  
JULY 21, 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	Absent	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 July 21, 2014**

A discussion was held in regards the Mayor's decision to amend the agenda removing Bill #5896 and Mayor Kelly commented that the Bill was removed when he learned that there would not be a full board in attendance. Alderman Leahy reiterated with a motion that it be added back on the agenda for discussion. Attorney Albrecht responded to questions that it is his belief that if it was not posted on the agenda being presented to the public it cannot be added; passing the bill would be invalid. He added that other items can be added to an agenda for possible, however, not legislation.

Alderman Wynn made a motion to approve the agenda as presented. Motion seconded by Alderman Harper. **ROLL CALL:** Alderman Harper – yes; Alderman Wynn – yes; Alderman Robertson – absent; Alderman Kramer – yes; Alderman Toohey – yes; Alderman Leahy – no; Alderdwoman Manestar – yes; Alderdwoman Saunders – yes; **MOTION PASSED.**

**CONSIDERATION AND APPROVAL OF THE MINUTES**

**Board of Aldermen Regular Meeting Minutes June 16, 2014**

Alderman Kramer made a motion to approve the meeting minutes as submitted. Motion seconded by Alderdwoman Manestar. **VOICE VOTE TAKEN:** 6-yes; Alderdwoman Saunders-abstain; **MOTION PASSED.**

**PRESENTATION/RECOGNITION**

**Backstoppers Donation**

Police Chief Fitzgerald announced the Backstoppers BBQ held on Saturday, June 7<sup>th</sup>, organized by Police Officer Craig Eisenbeis and Fire Captain Rick Kerr. Proceeds of this event, in the amount of \$3,264.89, were presented to Chief Ron Battelle of the Backstoppers who offered words of appreciation on Backstoppers behalf.

**Proclamation – Sophia Rivera**

Alderman Harper presented a proclamation prepared by Mayor Kelly to Sophia Rivera acknowledging her achievements as an athlete, student and young leader. Sophia, along with her father and brother were in attendance to accept and offer their appreciation.

**PUBLIC HEARING**

**A Petition For A Conditional Use Permit To Operate A Personal Service Establishment For Health And Beauty Uses At 2928 S. Brentwood Blvd.**

Mayor Kelly opened the public hearing at 7:15pm

Director Wyse announced the petition by Annie Bathani for a conditional use permit to operate a personal service establishment for health and beauty uses at 2928 S. Brentwood Blvd. The site is zoned "GC" and is less than .5 acre in size. The plan submitted proposes no changes to the site located on the east side of Brentwood Blvd, south of Manchester, north of the railroad. Planning and Zoning recommends approval (6-0) of the site development plan/conditional use permit as presented. There were no further questions or comments from the Board or public.

Mayor Kelly closed the public hearing at 7:18pm.

**A Petition For A Conditional Use Permit To Operate A Drive-Thru Fast Food Restaurant At 8106 Manchester Road.**

Mayor Kelly opened the public hearing at 7:18pm.

Director Wyse announced the petition by Tyson Martinez for a conditional use permit to operate a drive thru fast food restaurant (Fort Taco) at 8106 Manchester Road; former Rally's. The request is to reestablish a fast food restaurant on this site and will operate very similar to the previous use. Planning and Zoning reviewed and after it was announced that there are no plans to use the walk up window, the condition was added to remove the slide window that could service people on the north side of the building and replace with a standard window. It was also noted that additional planting would be required to bring the site in to compliance. Planning and Zoning recommended approval (6-0). There were no further questions or comments from the public.

Mayor Kelly closed the public hearing at 7:20pm.

**BIDS**

**Fire Alarm Communicator & Monitoring System in the Police Department**

Administrator Akande announced that the fire alarm system at the police department communicated with in house dispatchers, however, does not communicate outside the building. Quotes were obtained from vendors to allow this communication with ECDC. Hackett Security proposed \$576.45 to install a communicator and \$30 monthly monitoring service, Alarm 24 Security proposed \$900 to install the communicator and \$55 monthly monitoring service, and Philibert Security, who also monitors other city facilities, quoted the installation of the communicator as \$468 and \$34.95 monthly monitoring service. Philibert, however, is not licensed to maintain the GE proprietary fire alarm system that is currently in the police department, they would need to replace the equipment at a cost of \$6047.00. Following the recommendation by staff, the Public Safety Committee forwards a positive recommendation to contract with Hackett Security for the installation of the fire system communicator and the monitor system.

**Panic Alarm System in City Hall**

Administrator Akande announced that as ECDC now monitors the meetings in the Council Chambers but there is need for added security in city hall with the addition of panic alarms; 2 in the council chambers, portable alarms for both the court clerk and the city administrator and a stationary alarm at the planning desk. Quotes were received for the installation of equipment that communicates directly with ECDC from Philibert in the amount of \$1726.00 and Tech Electronics for \$2151.00. Following staff's recommendation, the Public Safety

Committee forwards a positive recommendation to contract with Philibert. This cost is reimbursable through the ECC grant.

**Cleaning Chemicals and Paper Products**

Administrator Akande announced that we were looking for greater efficiency by going with one vendor to provide cleaning chemicals and paper products to all city facilities and buildings. A review was conducted of the state contract and there was no vendor listed; however, we are a member of US Communities Government Purchasing Alliance and there was one vendor on the list (Cintas), who provided the low and best cost. We also obtained additional quotes from New Systems and State Chemical.

**Printing of the City Newsletter**

Administrator Akande announced that we did not have an existing contract with the current vendor (Messenger Printing) and they were in the process of being taken over which was increasing our cost. After bringing this the attention of the Ways & Means Committee, a RFP was issued including the recommendation to change to 4 quarterly issues. The city received 8 bids with the lowest being received from Formax Printing Solutions at a cost of \$1,037.64 per issue (8 pages); saving the city approximately \$5,000 next year.

**Police Department Tasers**

Administrator Akande announced that Police Chief Fitzgerald presented the request to purchase new tasers for the department to the Public Safety Committee; 10 are needed to equip officers at different events. They have recommended funding out of savings in the capital improvement budget resulting from the ECC grant on the dispatch consolidation. The vendor is not on the state contract; however, they are only vendor that manufactures.

**Radio Communications Solution**

Administrator Akande announced that Police Chief Fitzgerald reported to the Public Safety Committee that the department was experiencing communication issues with the radios/portable walkie talkies and the city issued shoulder microphone. They met with the St. Louis County emergency communications Commission and their preferred vendor (Wireless USA) and they have come up with a solution costing \$7,254.50. This expense is also eligible for reimbursement by ECC.

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

**Gary Bierman, 9071 W. Swan Circle,** offered comments of the proposed upcoming construction along Eager Road. He stated his concerns are parking, on site space for staging of trucks and access and added that it is best to have rules and regulations negotiated ahead of time and be part of the construction documents. He stated that their site plenty of room for the onsite full day parking for tradesmen and staff, staging of delivery and cleaning. Without negotiation it is possible to find these issues as a nuisance.

**Pat Ebeling,** also added that they can use McKutcheon Road and asked that Wrenwood west of OB Clarks is designated as residential.

**Lynn Morgan, 9156 Robinwood Ct,** suggested they create a construction lane on the green space (coming from Magna Bank).

**Cecilia Nagle, Eager,** offered comments of the proposed development; pointing out that we own both sides of Eager and able to stop them. Architects also previously gave Richmond Heights \$10,000 to help fix the road and did not contribute to Brentwood.

**Denise Soebbing, 2612 Porter**, requested a list of trees that needed removal and learned that there was a tree audit. The last Public Works meeting discussing this was cancelled and has not been rescheduled. The tree audit was conducted via grant, however, was not shared with the public and states that 70% of the trees need attention. She presented pictures taken throughout the city as examples and asked that the report is accelerated to the Board of Aldermen and is addressed right away.

**Joe Harding, 8881 Flamingo Court**, commented on bills proposed to address the Eager Road development; the cost included to tow the oversized vehicles, who would be enforcing the violation of overflow traffic on to High School, and the fine should be increased to deter people. He added that the sign on High School is weathered.

**Karen Smith, Harrison**, commented that the original agenda is still posted on the website.

**Susan Ryan, Pine Ave**, offered comments of staff immediately removing fallen branches and announced her appreciation for taking the time to complete an inventory of trees.

Alderman Kramer responded to public comments agreeing that the signage on High School is weathered. He also added that there are two different types of truck violation signs that will be seen; on High School it is for commercial vehicles only and not for trucks over 18,000 lbs.

Alderwoman Saunders commented that she requested the tree inventory report and is very concerned about the dead trees included; they are a liability and should be removed immediately. It is not included in the budget but we need to start addressing. She worries that the 17% reserves is not much and we don't have the staff to take on these huge projects; the experience, the safety standards/OSHA to remove the trees; we need regular maintenance that we haven't been doing and how are we going to get there; the street bond obligation was paid off early but that money should have rolled over again to continue updating infrastructure. We have aging streets, trees, sidewalks; it's concerning that sidewalks are the responsibility of resident unless there is damage resulting from trees. We must approve the tax rate in Aug/Sept and the library got 5¢ and there is talk about going up 10%. We don't need to spend more money on the library, it should be spent on streets, infrastructure and trees.

#### **INTRODUCTIONS, READINGS, AND PASSAGE OF BILLS AND RESOLUTIONS**

#### **Bill #5891 – An Ordinance Granting Approval Of A Conditional Use Permit And Site Development Plan At Property Numbered 2928 S. Brentwood Blvd. Which Permits Under The Provisions Of Chapter 25 Of The Brentwood City Code The Modification Of That Site; Providing The Conditions To Such Development; Providing For The Enforcement Of This Ordinance; And Establishing The Effective Date Of This Ordinance – 1<sup>st</sup> & 2<sup>nd</sup> Reading**

Attorney Albrecht read bill #5819 by title only. Alderman Kramer provided the synopsis, "This Bill is for ordinance granting approval for a conditional use permit and site plan to operate a business service establishment providing for health and beauty services within an existing building located at 2928 S. Brentwood Blvd. The Planning & Zoning Commission recommends approval of the site development plan / conditional use permit by a vote of 6-0". After questions from Alderman Leahy the amount of members required for a quorum and vote, Director Wyse explained that there was a quorum, the chairman does not vote and the other members were absent. Attorney Albrecht read Bill #5891 by title only. It was also explained that the amount of space needed is reviewed and approved on a case basis. Alderman Kramer made a motion to perfect Bill #5891 into ordinance form. Motion seconded by Alderman Wynn.

**ROLL CALL:** Alderman Harper – yes; Alderman Wynn – yes; Alderman Robertson – absent; Alderman Kramer – yes; Alderman Toohey – yes; Alderman Leahy – yes; Alderwoman Manestar – yes; Alderwoman Saunders – yes; **MOTION PASSED.**

**BILL #5891 IS HEREBY PASSED AND NOW BECOMES ORDINANCE #4555.**

**Bill #5892 – An Ordinance Granting Approval Of A Conditional Use Permit And Site Development Plan For Exterior Renovation Of An Existing Building And Related Site Improvements At Property Numbered 8106 Manchester Road Which Permits Under The Provisions Of Chapter 25 Of The Brentwood City Code The Modification Of That Site; Providing The Conditions To Such Development; Providing For The Enforcement Of This Ordinance; And Establishing The Effective Date Of This Ordinance – 1<sup>st</sup> & 2<sup>nd</sup> Reading**

Attorney Albrecht read Bill #5892 by title only. Alderman Kramer provided the synopsis, “this Bill is for ordinance granting approval for a conditional use permit and site plan to operate a drive-thru fast food restaurant within an existing building located at 8106 Manchester Rd. (this is the former Rally’s location). The Planning & Zoning Commission recommends approval of the site development plan / conditional use permit by a vote of 6-0 with the condition that the dumpster enclosure be repaired and that the existing sliding window on the front of the building be replaced. It was also noted that additional landscaping will need to be installed on the site to comply with the plan submitted by the applicant”. After questions, it was explained that the signage plan will follow the standard procedures. Attorney Albrecht read Bill #5892 by title only. After additional questions Martinez explained that the anticipated timeline for opening is 7 weeks, no margaritas will be sold, and the property is not located within the regulatory flood plan. Alderman Kramer made a motion to perfect Bill #5892 into ordinance form. Motion seconded by Alderman Harper. **ROLL CALL:** Alderman Harper – yes; Alderman Wynn – yes; Alderman Robertson – absent; Alderman Kramer – yes; Alderman Toohey – yes; Alderman Leahy – yes; Alderwoman Manestar – yes; Alderwoman Saunders – yes; **MOTION PASSED.**

***BILL #5892 IS HEREBY PASSED AND NOW BECOMES ORDINANCE \$4556***

**Bill #5893 – An Ordinance Authorizing The Mayor And/Or City Administrator To Enter Into And Execute A Facility Solutions Agreement With Cintas Corporation; And Providing For The Effective Date Of This Ordinance – 1<sup>st</sup> & 2<sup>nd</sup> Reading**

Attorney Albrecht read Bill #5893 by title only. Alderman Kramer provided the synopsis, “this Bill is for an ordinance authorizing the mayor and/or city administrator to execute a facilities service agreement between the City of Brentwood and Cintas for cleaning chemicals and paper products city-wide”. Attorney Albrecht read Bill #5893 by title only. Alderman Wynn made a motion to perfect Bill #5893 into ordinance form. Motion seconded by Alderman Harper. **ROLL CALL:** Alderman Harper – yes; Alderman Wynn – yes; Alderman Robertson – absent; Alderman Kramer – yes; Alderman Toohey – yes; Alderman Leahy – yes; Alderwoman Manestar – yes; Alderwoman Saunders – yes; **MOTION PASSED.**

***BILL #5893 IS HEREBY PASSED AND NOW BECOMES ORDINANCE #4557***

**Bill #5894 – An Ordinance Authorizing The Mayor And/Or City Administrator To Execute A Professional Services Agreement On Behalf Of The City Of Brentwood, Missouri With Higbee Associates, For Comprehensive Compensation Consulting; And Providing For The Effective Date Of This Ordinance – 1<sup>st</sup> & 2<sup>nd</sup> Reading**

Attorney Albrecht read Bill #5894 by title only. Alderman Kramer provided the synopsis, “this Bill is for an ordinance authorizing the mayor and/or city administrator to execute a professional services agreement with Higbee Associates for comprehensive compensation consulting at a cost of \$29,650. Funding is in the FY 14 Budget. The study can be completed in three months provided the City is able to have all the necessary authorization and approval in place for them to start working with staff no later than July 21<sup>st</sup>. It is anticipated a report would be provided to the City by the first or second week of September”. Alderwoman Saunders commented that it is important to use correct and comparable data to make decisions regarding salaries to be responsible with resident’s tax dollars adding that it was previously relayed that the information from Better Together was unreliable. In disagreement it was stated that the information was “unreliable”, it is not completely comparable. Alderman Toohey questioned the inclusion of benefits, of which they are. And Alderman Kramer

announced satisfaction with the knowledge and professionalism of the firm and his overall support to use this information as a benchmark going forward. Attorney Albrecht read Bill #5894 by title only. Alderman Kramer made a motion to perfect Bill #5894 into ordinance form. Motion seconded by Alderwoman Saunders. **ROLL CALL:** Alderman Harper – yes; Alderman Wynn – no; Alderman Robertson – absent; Alderman Kramer – yes; Alderman Toohey – yes; Alderman Leahy – yes; Alderwoman Manestar – yes; Alderwoman Saunders – yes; **MOTION PASSED.**

***BILL #5894 IS HEREBY PASSED AND NOW BECOMES ORDINANCE #4558***

**Bill #5895 – 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 Hackett Security Inc; And Providing For The Effective Date Of This Ordinance – 1<sup>st</sup> & 2<sup>nd</sup> Reading**

Attorney Albrecht read Bill #5895 by title only. Alderman Kramer provided the synopsis, “this Bill is for an ordinance authorizing the mayor and/or city administrator to execute a fire alarm communicator and monitoring agreement for the Police Department building between the City of Brentwood and Hackett Security, Inc. for the installation of a fire alarm communicator and monitoring service”. Attorney Albrecht read Bill #5895 by title only. Alderman Wynn made a motion to perfect Bill #5895 into ordinance form. Motion seconded by Alderwoman Saunders. **ROLL CALL:** Alderman Harper – yes; Alderman Wynn – yes; Alderman Robertson – absent; Alderman Kramer – yes; Alderman Toohey – yes; Alderman Leahy – yes; Alderwoman Manestar – yes; Alderwoman Saunders – yes; **MOTION PASSED.**

***BILL #5895 IS HEREBY PASSED AND NOW BECOMES ORDINANCE #4559***

**Bill #5897 – An Ordinance Amending Chapter 14 Of The Revised Code Of Ordinances Of The City Of Brentwood, Missouri, By Amending Section 14-1007 Relating To Commercial Vehicles And Motor Buses; Providing For The Effective Date Of This Ordinance; Providing For The Repeal Of All Conflicting Ordinances – 1<sup>st</sup> & 2<sup>nd</sup> Reading**

Attorney Albrecht read Bill #5897 by title only. Alderman Kramer provided the synopsis, “this bill is for an ordinance that would amend section 14-1007, Schedule G by prohibiting commercial vehicles and motor buses on Eager Road eastbound, from Wrenwood Lane to Bobolink Place; and Wrenwood Lane, from S. Brentwood Boulevard to Eager Road. Alderman Kramer is the bill’s sponsor. In the introductory paragraph of this schedule, it states that commercial vehicles and motor buses are prohibited from operating on the following streets except where necessary for the picking up or delivery of merchandise or providing on those streets”. Mayor Kelly questioned the rationale or goal and stated the underlying idea is to stop the commercial vehicles from getting to and helping bring supplies to the project for Richmond Heights but they are still going to be able to use the streets because they are making a local delivery. Alderman Kramer replied that this is partly a housekeeping mechanism and partly new information. Ordinances have been sometimes historically passed as a catalyst and in this case the catalyst has been almost 10 years in the making with the proposed development (Richmond Heights apartment complex). In past years, when it was originally demolished there was much grief about the traffic, noise, debris and overall nuisance level. When it is approved, they are mandated by Richmond Heights to drive their construction traffic down Eager Road which is divided between Brentwood and Richmond Heights. A meeting was held with the developer and property owners, after which attendees requested to bring forth for the Board’s consideration the proposal to bring Eager Rd east bound from Chafford Woods to Bobolink Place and Wrenwood Lane from 8801 to Eager Rd and High School Drive not already covered by the commercial vehicle restriction, more into parity with other residential streets. This protection should have been in place already. The developer was not in opposition of the proposal and there is no emergency as he is not set to start until October. Mayor Kelly suggested that it’s not appropriate to cut off access to Eager Road but it is simple to erect no construction traffic signs and have penalties at High School and Wrenwood access; encouraging all the traffic to use Eager Road or McKutcheon. He added his understanding that just because these are passed doesn’t mean they couldn’t go that way because we are making

local deliveries. Discussion continued regarding the code and available access options within the City of Richmond Heights and Alderman Kramer made a motion to postpone Bills #5897 and #5898 and send to Committee for further review. Motion seconded by Alderwoman Saunders. Alderman Kramer commented that previously Richmond Heights has stated that their development takes precedence and that they will send traffic down Eager because it is closer to the highway; alternatives will not be discussed until a restriction is put in place. Unanimous vote in favor taken; **MOTION PASSED**

**Bill #5898 – An Ordinance Amending Chapter 14 Of The Revised Code Of Ordinances Of The City Of Brentwood, Missouri, By Amending Section 14-1013.1 Relating To Trucks And Commercial Vehicles Over Eighteen Thousand Pounds; Providing For The Effective Date Of This Ordinance; Providing For The Repeal Of All Conflicting Ordinances – 1<sup>st</sup> & 2<sup>nd</sup> Reading**

This bill is placed on hold.

**Resolution #1011 – A Resolution Providing For The Consumption Of Beer, Wine And Liquors, As Provided For In Section 3.3.1 Of The Brentwood Municipal Code (OB Clark’s)**  
O’B Clarks Restaurant requests a special use permit to sell beer, wine and liquors at the Brentwood’s Maddenfest Celebration at Brentwood Park.

**Resolution #1012 – A Resolution Providing For The Consumption Of Beer, Wine And Liquors, As Provided For In Section 3.3.1 Of The Brentwood Municipal Code (American Legion Goff-Moll Post 101)**

The American Legion Goff-Moll Post 101 requests a special use permit to sell beer, wine and liquors at the Brentwood’s Maddenfest Celebration at Brentwood Park. Alderman

**Resolution #1013 – A Resolution Providing For The Consumption Of Beer, Wine And Liquors, As Provided For In Section 3.3.1 Of The Brentwood Municipal Code (Optimist Club)**

The Optimist Club of Brentwood requests a special use permit to sell beer, wine and liquors at the Brentwood’s Maddenfest Celebration at Brentwood Park.

Alderman Leahy made a motion to approve Resolutions #1011, #1012, #1013. Motion seconded by Alderwoman Saunders. **ROLL CALL:** Alderman Harper – yes; Alderman Wynn – yes; Alderman Robertson – absent; Alderman Kramer – yes; Alderman Toohey – yes; Alderman Leahy – yes; Alderwoman Manestar – yes; Alderwoman Saunders – yes; **MOTION PASSED.**

**Resolution #1014 – Post Disaster Response**

Alderman Kramer provided the synopsis, “the State Emergency Management Agency (SEMA), following a Community Assistance Visit (CAV), has required the City to address several action items that must be resolved or the City would potentially face sanctions from the National Flood Insurance Program (NFIP). Action Item #4 requires the City to “submit an adopted copy of the administrative procedures to conduct post-disaster assessments.” The post-disaster response procedure has been drafted to meet the requirements of the FEMA and SEMA checklist for items to be included in the procedure.” Alderman Leahy made a motion to approve Resolution #1014. Motion seconded by Alderman Harper. **ROLL CALL:** Alderman Harper – yes; Alderman Wynn – yes; Alderman Robertson – absent; Alderman Kramer – yes; Alderman Toohey – yes; Alderman Leahy – yes; Alderwoman Manestar – yes; Alderwoman Saunders – yes; **MOTION PASSED.**

**ACCOUNTS AGAINST THE CITY**

Alderman Kramer made a motion to approve the warrant list in the amount of \$181,294.86 which includes \$43,022.15 of grant pass throughs. Motion seconded by Alderman Toohey. Unanimous vote in favor taken; **MOTION PASSED.**

**REPORTS OF COMMITTEES AND DEPARTMENT HEADS**

**Mayor Kelly** offered a reminder that the MML Conference will be held this year in St. Charles September 14-17<sup>th</sup>. He also stated that a meeting was held with Sullivan Publications/General Code, and they are requesting the ability to update the code book the last two years of changes at the state level; estimated at \$4-5,000. Alderman Wynn made a motion to allocate funds for payment to proceed with code book updates. Motion seconded by Alderman Leahy. Unanimous vote in favor taken; **MOTION PASSED.**

As requested he also reported that the permits were issued to Einstien Bagels but they are not ready to proceed. Drury is scheduled to open the 2<sup>nd</sup> week of August and Bonefish is schedule in October. Drury is scheduling a ribbon cutting on September 17<sup>th</sup>. Overhead lines for Drury – when they went to St. Louis County to get their permits, there were additions that increased the cost by \$100,000 and they are still working to get that decreased; when they receive the final cost they will request reimbursements under the assistance.

In regards to the rec center bond status, staff is working to finalize architectural design professional services agreement; Chiodini was selected and we are awaiting the agreement with hopes in time for the next meeting.

**Public Safety Committee**, Alderman Wynn had no new report.

**Public Works Committee**, Alderman Robertson was not in attendance to report.

**Director of Planning & Development**

**Special Use Permit – 523 Hanley Industrial Court**

Director Wyse announced an application received from Image Technologies requesting an employee/family 20<sup>th</sup> anniversary event on August 28<sup>th</sup>; 5:30-10pm which outdoor music. The petitioner is aware of our noise ordinance. Alderman Leahy made a motion to approve the special use permit for Image Technologies' 20<sup>th</sup> anniversary event. Motion seconded by Alderman Harper. Unanimous vote in favor taken; **MOTION PASSED.**

**Ways and Means Committee**, Alderman Kramer announced the cancellation of the July meeting, the next meeting is prepared. Everyone was encouraged to check the website for the final date.

**City Attorney Albrecht**, Attorney Albrecht had no report.

**City Clerk/Administrator**

**Planning Department Request for Position Reclassification**

Administrator Akande announced that when we have vacancies in the city, an internal evaluation is completed to determine that the position still meets the services required for the department. In doing that for development, upon a code enforcement officer vacancy, the recommendation is being made that we re-class the code enforcement officer and building inspector to Multi-discipline Inspectors. Both will be responsible for code enforcement and building inspections, will be assigned 2 wards each for redundancy, and there is no additional cost in the positions. Ways and Means has reviewed and recommends approval. Alderman Leahy made a motion to approve the position reclassification. Motion seconded by Alderwoman Manestar. Unanimous vote in favor taken; **MOTION PASSED.**

**PARC 2014 Payment**

Administrator Akande announced that every around this time the city receives and invoice from the City of Richmond Heights that reflects the total number of Brentwood residents that purchased membership at the Heights. In the past our staff has jointly audited this invoice, this year however Richmond Heights' computer system crashed which severely affected their software. Compounding this, they discovered that their system had not been backed up since 2012; they lost all their data. They are in the process of restoring and hope to be able to create a usage report to submit an invoice. They have made 4 recommendations: 1) pay the same amount from 2012 (\$54,280), 2) pay an average of the last four years when the city switched from paying a fixed rate (\$55,673), 3) pay the average from the last 3 years (\$54,234), or 4) pay last years amount (\$53,044). Once the data has been restored they will create an invoice and will make adjustments for higher or lower actual costs. Alderwoman Saunders suggested securing a written agreement to ensure the adjustments will be made. Alderman Leahy made a motion to submit the payment equal to the rate in 2013 (\$53,044) subject to review when the final data is provided. Motion seconded by Alderman Wynn. Unanimous vote in favor taken; **MOTION PASSED.**

#### **FY 2015 Annual Budget Calendar**

Administrator Akande announced that at a similar time last year, Ways and Means and the Board of Alderman had a budget workshop session. The session is requested to be scheduled for July 30<sup>th</sup> at 6:30pm, giving the Aldermen and Mayor an opportunity to share with staff goals and priorities for the FY 2015 budget. No opposition was posed.

#### **Excise Commissioner Report**

None

**Library**, Alderman Wynn had no new report.

**Municipal League**, information was previously reported.

**Historical Society**, Alderman Wynn had no new report.

#### **Closed Meeting**

None

#### **UNFINISHED BUSINESS**

Alderwoman Saunders requested an update on the results of the internal control audit and Administrator Akande replied that they are schedule to present at the July 30<sup>th</sup> Ways and Means meeting.

Alderwoman Saunders asked that we clarify, at the next meeting, the discussion regarding Better Together.

Alderwoman Saunders questioned the boarded site at Hanley and Manchester, if there are code violations, and how long you are allowed to leave a lot in this condition. Director Wyse responded that there is no specific time frame. We've had code enforcement actions routinely and are constantly reviewing. After further questions, it was added that it was previously decided that they can maintain the boarding condition as long as they meet code enforcement.

Alderwoman Saunders also commented that when she spoke in regards to the compensation survey, she was not here when the decision was made in regards to the fire fighters salary (8%) and she would have investigated it more. It might present a problem when we get a compensation study.

Police Chief Fitzgerald announced that the National Night Out Against Crime will be held on August 5<sup>th</sup>, 5:30-8pm at the Brentwood Swim Club.

**NEW BUSINESS**

Alderman Leahy reminded that August 5<sup>th</sup> is the state of Missouri primary election and there are a number of people up for election and a number of ballot issues; everyone was encouraged to get educated and exercise their right to vote.

Alderman Leahy announced the Ward 3 meeting will be Tuesday, July 29<sup>th</sup>, 7pm in the Council Chambers; all are welcomed.

Alderman Kramer requested a point of clarification in regards to Bill #5896. Alderman Leahy responded that the request being made to the board is to evaluate the length of term of office for all elected officials. State statute is not clear on how to take this action. In working with Gina Mittens, the Attorney General's Office, and St. Louis County Election Board, there are 2 ways to approach the issue: ordinance form or place it on the ballot. If going on the ballot it must be passed and submitted to County Election Board by August 26<sup>th</sup>. Having no data, the board is being asked of their opinions of if this is a thing or not and the Attorney General is unsure of how to handle this as well. Attorney Albrecht interjected that after reviewing, he is of the opinion that it cannot go back to the voters, doing this would be a referendum which 4<sup>th</sup> class cities are unable to do. Mayor Kelly also clarified that we are able to do this by ordinance. Action must be taken before opening of filing for the April election in December. Alderman Wynn commented that he was against making the change originally, however, it won by the voters 70-80%; we have to keep this in mind. Alderwoman Saunders commented that she does not understand why it cant be placed on the ballot, it seems that the Board can place it on the ballot via ordinance. Attorney Albrecht explained that the statute makes provisions for going to the voters for authority to increase the term, but it makes no provision for authority to decrease the term. The problem becomes that if it is placed on the ballot, it is a non-binding referendum which is not authorized by 4<sup>th</sup> class cities. There is an Attorney General's opinion that deals with a different provision but similar language (sheriff and marshals election) and the indication is that once approved by the voters the only way to remove is by repeal of the ordinance. Alderwoman Saunders encouraged us to encourage the state to give 4<sup>th</sup> class cities the power or to change the form of government. Its always been discussed for 2 year terms and we should have the discussion of 2 versus 3 because 4 was pushed to save money; its worth the discussion.

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

**Karen Smith**, questioned a map listing how all the streets are label to ensure they are consistent across the board. She also commented that the Richmond Heights development would probably go through; other options for mitigation would be to ask them to hose down Eager Road on a regular basis or use misters to stop the dust.

**Denise Soebbing**, questioned if someone would champion her pictured examples as they are safety issues and potential liabilities. She also expressed appreciation for mention of the boarded building and suggested it be covered with school advertising or game schedules; sprucing it up may make it more attractive to investors.

**ADJOURNMENT**

Alderman Wynn made a motion to adjourn the meeting at 9:09pm. Motion seconded by Alderwoman Manestar. Unanimous vote in favor taken; **MOTION PASSED.**

**Approved as submitted on the 20<sup>th</sup>, day of August, 2014.**

\_\_\_\_\_  
Pat Kelly, Mayor

Attest:

\_\_\_\_\_  
Bola Akande, City Clerk/Administrator