

**CITY OF BRENTWOOD
BOARD OF ALDERMEN
RESCHEDULED REGULAR MEETING
SEPTEMBER 24, 2015**

MEETING CALLED TO ORDER

Mayor Christopher Thornton 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 Plufka	Present	Alderman Toohey	Present
Alderman Slusser	Absent	Alderman Leahy	Present
Alderman Lochmoeller	Present	Alderwoman Manestar	Absent
Alderman Kramer	Present	Alderwoman Saunders	Absent
Mayor Thornton	Present		

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

APPROVAL OF AGENDA

Board Of Aldermen September 24, 2015

Motion was made by Alderman Leahy and seconded by Alderman Toohey to postpone Bills #6003 and #6004 until December 21st allowing a 90 day review of the citizens per state statute. Unanimous vote in favor taken; **MOTION PASSED.**

Motion was made by Alderman Leahy and seconded by Alderman Plufka to approve the amended agenda. Unanimous vote in favor taken; **MOTION PASSED.**

CONSIDERATION AND APPROVAL OF MINUTES

Board of Aldermen Regular Meeting Minutes September 8, 2015

Hearing no objections, the minutes were unanimously approved.

PRESENTATION/RECOGNITION

Certificate of Excellence – Jim Nahmensen, Public Works Superintendent

Presentation was made in recognition in the Best Management of Road Salt Usage in 2014/2015 To Support The Phase II Stormwater Management Plan

PUBLIC HEARING

Establishing the 2015 Rate of Tax Levy

The proposed 2015 tax rates for the police and firemen pension, general fund, debt service and the library were duly posted and available for public review. There were no comments from the public.

BIDS

Bid Results – Demolition of City Property

Presenter: Ben von Harz, Project Manager

Staff has issued an RFP for the demolition of 8318 Manchester Road (a city-owned building). The bid opening was held on August 25th with receipt of 4 bids; Spirtas Wrecking (\$68,480.00), Advanced Environmental Services (\$77,777.00), JTL Landscaping (\$78,204.80), J&T Associates (\$39,000). After review of the bid documents and specifications, contractors and references, Staff, along with the Public Works Committee, recommended the city pursue Spirtas Wrecking.

Bid Results – Recycle Truck

Presenter: Jim Nahmensen, Public Works Superintendent

The City has been awarded a grant from the Saint Louis-Jefferson Solid Waste Management District in the amount of \$75,000 of which will supplement the purchase of a recycle truck. Staff has issued an RFP. The bid opening was held on August 25th with receipt of 10 bids from 4 vendors;

Key Equipment 2016 Mack Leach \$208,825.00
 2017 Mack Leach \$212,079.00
 2016 Crane Carrier Leach \$236,070.00

Truck Component Services

 2016 Mack Wayne \$211,571.00

Elliot Equipment Co. 2016 Mack Cobra \$209,063.00 – Includes \$800 for delivery charge
 2017 Mack Cobra \$212,317.00
 2016 Crane Carrier Cobra \$237,109.00

Armor Equipment 2016 Mack Heil \$214,848.00
 2017 Mack Heil \$218,102.00
 2016 Crane Carrier Heil \$243,580.00

Staff, along with the Public Works Committee, recommend the purchase from Key Equipment in the amount of \$208,825 for the 2016 Mack truck, they were the low and best bid.

Bid Results – Lawn Care Service

Presenter: Ben von Harz, Project Manager

Staff issued an RFP grass cutting, shrubbery cutting, and tree trimming services at vacant / abandoned properties, occupied properties and City owned properties, due to the large volume that the public works crews have to cut on a weekly basis. The bids were publicly opened on August 4, 2015 with receipt of 2 bids; Taylor Made Landscape LLC (\$65 p/h for grass & \$85 p/h tree and shrub) and Bragees Lawn & Landscape Co. (\$35 p/h both services). Staff along with the Public Works Committee recommended the City sign an agreement with Bragees Lawn & Landscape who is also a located within city limits. It was clarified that we reached out to other companies who have not responded due to the lack of frequency of job orders and it is believed that this may have impacted the amount of overall responses.

Mayor Thornton disclosed that Bragee LLC is a client but he has not participation in the preparation of the response to the RFP or the selection of the bid.

Bid Results – New Fire Hose

Presenter: Ted Jury, Fire Chief

On June 1st, an RFP was issued for a new fire hose which includes 1700 feet of 1 ¾ in. tack line, 900 of 2 ½ in. tack line, 1000 of 3 in supply line and 1200 of 5 in. supply line. The opening was held on June 15th with 4 bids received from Leo Ellebracht Co (\$18,081/\$22,306 with options), Sentinel Emergency Solutions (\$15,822/\$19,703.50 with options), Schuhmacher Fire Equipment (\$15,460/\$19,247 with options), and G&T Industrial Supply (\$18,400.43/\$22,754 with options). Sentinel Emergency Solutions was selected as the preferred bidder based on the quality of the product provided.

HEARING OF ANY MATTER OF PUBLIC INTEREST UPON REQUEST OF ANY PERSON PRESENT (Each person addressing the board shall give his/her name, address and organization or firm represented, if any. He/she shall speak for a period not to exceed three (3) minutes; though additional time may be granted by the presiding officer of the board.)

Louise Charboneau, 883 Madge, addressed the Board with suggestions regarding the property tax notice. She asked that the previous year rates are included to use as a comparison. She also commented that an “operational deconfliction” has been exhibited by some of the board members when scheduling the second special meeting establishing a sustainable approach to compensation for the employees. She offered additional comments of it being a difficult task but a fiduciary responsibility; she suggested a moratorium on wage increases or possibly a cost of living adjustment in line with the federal government rate.

Karen Meyer, 8726 Pine, thanked the public works department for keeping the streets safe during winter months.

Aldermanic Response

None

UNFINISHED BUSINESS

Alderman Leahy made a motion to recommend that the city attorney research the veto action taken on 9/8/15 and the supplemental attempt to override the veto; that action is in conflict with RSMo 79.140(4). Motion seconded by Alderman Kramer. Alderman Leahy clarified that RSMo 79.140 establishes that the mayor has the right to veto any bill that comes before the body but it also establishes that it should be done upon presentation. If he waits until the next meeting, objections must be entered in writing (which they were) and entered into the record (which they are) but the bill still becomes law without the mayor’s signature. The attempt to override the veto by a $\frac{3}{4}$ super majority vote was an error of action. The motion and vote failed to override the veto, so the bill is vetoed. His understanding is that it being presented at the next meeting and the bill becomes law without signature. He has conducted some research but has not found any case law to help clarify. He added his finding that UMSL conducted a presentation in 2008 to this effect and it has been shared with Attorney O’Keefe in hopes to gain some insight. After questions from Aldermen, Leahy explained that the concern is not that the veto was not timely but that there 2 ways of vetoing a bill explained in RSMo 79.140. but it does not have to be done instantaneously. **ROLL CALL:** Alderman Kramer – yes; Alderman Leahy – yes; Alderman Lochmoeller – yes; Alderwoman Manestar – yes; Alderman Plufka – no; Alderwoman Saunders – yes; Alderman Slusser – yes; Alderman Toohey – yes; **MOTION PASSED.**

BILLS TO BE GIVEN A FIRST READING ONLY

Bill No. 6013 – An Ordinance Of The City Of Brentwood, Missouri, Authorizing The Mayor And/Or City Administrator To Enter Into And Execute An Agreement Between The City Of Brentwood, Missouri And Building Works, Inc.; And Providing For The Effective Date Of This Ordinance

Attorney Karr read Bill #6013 by title only. Alderman Kramer provided the synopsis, This bill is for an ordinance authorizing the mayor and/or city administrator to execute a contract for electronic data management for the recent Recreation Center Renovation. This service will provide a comprehensive digital filing system for all of the information generated during the construction process. The Public Works Committee recommends approval”.

Presentation By Eric Gruenfelder, Director of Parks

Building Works is a company that provides electronic data management for buildings that allows the City to have all the information related to its projects on a hard drive and easily accessible at all times. The DataSphere will contain all the information generated during the construction process, will generate a report from the software database that allows different views of the building information, allows the access of detailed information needed to perform maintenance on the building and houses and links all the information assembled during construction to contain: Architectural Drawings, Contracts, Submittals, Request For Information, Change Orders, All pertinent communication during the construction process, All operation and equipment manuals, Reports generated during construction. Building Works has proposed a cost of \$5,200.00 for each facility and is a sole provider of this service. This item was presented to the Public Works Committee who voted unanimously in support.

Questions By Aldermen

After questions from Alderman Lochmoeller, it was clarified that in the event of an emergency, public safety will be able to access the information.

BILLS TO BE GIVEN A SECOND READING ONLY

Bill No. 5998 – An Ordinance Amending Title III, Chapter 300 Of The Revised Code Of Ordinances Of The City Of Brentwood, Missouri By Adding To Schedule III, Table III-A, No Parking At Any Time; 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.

Attorney Karr read Bill #5998 by title only. Alderman Kramer provided the synopsis, “this bill is for an ordinance that prohibits parking on the East side of Swim Club Lane and on the West side on Swim Club Lane within 33' of the intersection with Rosalie Avenue. Public Safety Committee recommends unanimous approval”.

Perfection of Bills

Alderman Leahy made a motion to perfect Bill #5998 into ordinance from. Motion seconded by Alderman Lochmoeller. **ROLL CALL:** Alderman Kramer – yes; Alderman Leahy – yes; Alderman Lochmoeller – yes; Alderwoman Manestar – absent; Alderman Plufka – yes; Alderwoman Saunders – absent; Alderman Slusser – absent; Alderman Toohey – yes; **MOTION PASSED.**

BILL #5998 IS HEREBY PASSED BY THE BOARD OF ALDERMEN AND UPON SIGNATURE BY THE MAYOR BECOMES ORDINANCE #4659

Bill No. 6002 – An Ordinance Amending Title III Of The Revised Code Of Ordinances Of The City Of Brentwood, Missouri, By Amending Schedule XII, Table XII-C Relating To Areas Designated As “Slow-Children” Street; Providing For The Effective Date Of This Ordinance; Providing For The Repeal Of All Conflicting Ordinances

Attorney Karr read Bill #6002 by title only. Alderman Kramer provided the synopsis, “This bill is for an ordinance to repeal and amend Schedule XII-C of the Brentwood Municipal Code so that the schedule properly reflects all the locations where the new high visibility Slow Children signs, with an image of a child running, have been placed. A total of 59 signs were changed to the High Visibility “Slow Children” (child running image) signs. Public Safety Committee recommends unanimous approval”.

Perfection of Bills

Alderman Leahy made a motion to perfect Bill #6002 into ordinance from. Motion seconded by Alderman Toohey. **ROLL CALL:** Alderman Kramer – yes; Alderman Leahy – yes; Alderman Lochmoeller – yes; Alderwoman Manestar – absent; Alderman Plufka – yes; Alderwoman Saunders – absent; Alderman Slusser – absent; Alderman Toohey – yes; **MOTION PASSED.**

BILL #6002 IS HEREBY PASSED BY THE BOARD OF ALDERMEN AND UPON SIGNATURE BY THE MAYOR BECOMES ORDINANCE #4660

Bill No. 6003 – An Ordinance Amending Chapter 500 Of The Revised Code Of Ordinances For The City Of Brentwood By Creating Article XVI: The Explosives Code; 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

This Bill is on hold until December 21, 2015

Bill No. 6004 – An Ordinance Amending The Scope Of Services Of Existing Contractual Agreement With County Of Saint Louis, Missouri For Code Enforcement Services

This Bill is on hold until December 21, 2015

BILLS TO BE GIVEN A FIRST AND SECOND READING

Bill No. 6008 – An Ordinance To Confirm, Ratify And Approve The Rate Of Tax To Be Assessed And Collected For Each One Hundred Dollars (\$100) Of Assessed Valuation For The Year 2015 For: (A) General Municipal Purposes; (B) To Provide The Annual Contribution To The City Of Brentwood’s Police And Firemen’s Retirement Fund; (C) To Pay Principal And Interest As The Same Matures On Indebtedness Of The City Of Brentwood Evidenced By Bonds; (D) To Pay For The Maintenance Of The Public Library Providing For The Effective Date Of This Ordinance; And Providing For The Repeal Of All Conflicting Ordinances

Attorney Karr read Bill #6008 by title only. Alderman Kramer provided the synopsis, “Annually, the City of Brentwood is required by State Statute to hold a public hearing prior to establishing the tax rate on real and personal property by October 1. This ordinance is to confirm, ratify and approve the rate of tax to be assessed and collected for each one hundred dollars (\$100) of assessed valuation for the year 2015 for: (a) general municipal purposes; (b) to provide the annual contribution to the city of Brentwood’s police and firemen’s retirement fund; (c) to pay principal and interest as the same matures on indebtedness of the city of Brentwood evidenced by bonds; (d) to pay for the maintenance of the public library. The City of Brentwood assesses no residential ad valorem taxes. The Ways and Means Committee recommends approval of the 2015 property tax rate”.

Presentation By Bola Akande, City Clerk/Administrator

The proposed 2015 tax rates are based upon current information. Once property taxes are calculated, based on the assessed value of ones home as determined by St. louis County. Taxing districts are able to set tax rates based on \$100 of the property valuation. The proposed residential tax rate (\$.5910), commercial tax rate (\$.8420), and the personal property tax rate (\$.8210) for the general fund, library fund, pension fund, and the debt service tax (the city is not assessing this tax again this year). The assessed valuation from 2014 to 2015 has increased by, residential – 2.65%, commercial – 4.13% and personal property 4.85%. The Ways and Means Committee has reviewed and recommends approval by the Board.

Questions By Aldermen

In response to citizen comments, it was clarified that the proposal for 2015 does reflect a change from the previous year. Primarily due to the Hancock Amendment, municipalities are able to increase their estimated revenue by calculation and the increase should be no greater than the consumer price index. The total tax rate for 2015 decreases. Comments were also offered in regards to the city being fortunate to have a low tax rates and the bulk of the rate comes from the school district. Brentwood School District is also scheduled to have their rate hearing September 29th.

Perfection of Bills

Attorney Karr read Bill #6008 by title only. Alderman Leahy made a motion to perfect Bill #6008 by title only. Motion seconded by Alderman Plufka. **ROLL CALL:** Alderman Kramer – yes; Alderman Leahy – yes; Alderman Lochmoeller – yes; Alderwoman Manestar – absent;

Alderman Plufka – yes; Alderwoman Saunders – absent; Alderman Slusser – absent; Alderman Toohey – yes; **MOTION PASSED.**

BILL #6008 IS HEREBY PASSED BY THE BOARD OF ALDERMEN AND UPON SIGNATURE BY THE MAYOR BECOMES ORDINANCE 4661

Bill No. 6009 – An Ordinance Of The City Of Brentwood, Missouri, Authorizing The Mayor And/Or City Administrator To Enter Into And Execute An Agreement Between The City Of Brentwood, Missouri And Spirtas Wrecking Company; And Providing For The Effective Date Of This Ordinance

Attorney Karr read Bill #6009 by title only. Alderman Kramer provided the synopsis, “This bill is for an ordinance authorizing the mayor and/or city administrator to execute a contract for the demolition of the city owned building at 8318 Manchester Rd. This building, next door to the Public Works building, is owned by the City of Brentwood. A separate contract for third party monitoring of hazardous material abatement was previously approved by the City. Public Works Committee recommends accepting the bid from Spirtas Wrecking”.

Presentation By Ben von Harz, Project Manager

It was added that a survey was performed in which hazardous materials were identified and as a part of the bidding and demolition process, the company is required to also conduct a 3rd party abatement of hazardous materials. The cost for Spirtas is \$68,480 and will over run the budget. Public Works has approximately \$20,000 in savings from other projects to cover this overture.

Questions By Aldermen

In response to Alderman Leahy, the project is estimated to take 30-60 days. The abatement is approximately 4 days, the building will be demolish right after, and the property will be graded; it is not expected to encroach on MSD right of way. The immediate plan for the area is to serve as a parking lot for public works employees.

Perfection of Bills

Attorney Karr read Bill #6009 by title only. Alderman Leahy made a motion to perfect Bill #6009 into ordinance form. Motion seconded by Alderman Plufka. **ROLL CALL:** Alderman Kramer – yes; Alderman Leahy – yes; Alderman Lochmoeller – yes; Alderwoman Manestar – absent; Alderman Plufka – yes; Alderwoman Saunders – absent; Alderman Slusser – absent; Alderman Toohey – yes; **MOTION PASSED.**

BILL #6009 IS HEREBY PASSED BY THE BOARD OF ALDERMEN AND UPON SIGNATURE BY THE MAYOR BECOMES ORDINANCE #4662

Bill No. 6010 – An Ordinance Of The City Of Brentwood, Missouri, Authorizing The Mayor And/Or City Administrator To Enter Into And Execute An Agreement Between The City Of Brentwood, Missouri And Key Equipment & Supply Company; And Providing For The Effective Date Of This Ordinance

Attorney Karr read Bill #6010 by title only. Alderman Kramer provided the synopsis, “This bill is for an ordinance authorizing the mayor and/or city administrator to execute a contract for the purchase of a new recycling truck. The City previously was awarded a grant for \$75,000 toward the purchase of the truck from the Jefferson Solid Waste Management District, which will cover approximately 35% of the new truck. Total cost of the recycling truck to the City will be \$137,425 when utilizing the grant. Public Works Committee recommends awarding the contract to Key Equipment for the purchase of a new 2016 recycling truck”.

Presentation By Jim Nahmensen, Public Works Superintendent

There was no additional information.

Questions By Aldermen

None

Perfection of Bills

Attorney Karr read Bill #6010 by title only. Alderman Leahy made a motion to perfect Bill #6010 into ordinance form. Motion seconded by Alderman Toohey. **ROLL CALL:** Alderman Kramer – yes; Alderman Leahy – yes; Alderman Lochmoeller – yes; Alderwoman Manestar – absent; Alderman Plufka – yes; Alderwoman Saunders – absent; Alderman Slusser – absent; Alderman Toohey – yes; **MOTION PASSED.**

BILL #6010 IS HEREBY PASSED BY THE BOARD OF ALDERMEN AND UPON SIGNATURE BY THE MAYOR BECOMES ORDINANCE #4663

Bill No. 6011 – An Ordinance Of The City Of Brentwood, Missouri, Authorizing The Mayor And/Or City Administrator To Enter Into And Execute An Agreement Between The City Of Brentwood, Missouri And Bragees Lawn & Landscape; And Providing For The Effective Date Of This Ordinance

Attorney Karr read Bill #6011 by title only. Alderman Kramer provided the synopsis, “This bill is for an ordinance authorizing the mayor and/or city administrator to execute a contract for grass cutting, shrubbery cutting, and tree trimming services at vacant and abandoned properties, occupied properties, and city owned properties. Public Works Committee recommends approval”.

Presentation By Ben von Harz, Project Manager

There was no additional information.

Questions By Aldermen

None

Perfection of Bills

Attorney Karr read Bill #6011 by title only. Alderman Kramer made a motion to perfect Bill #6011 into ordinance form. Motion seconded by Alderman Leahy. **ROLL CALL:** Alderman Kramer – yes; Alderman Leahy – yes; Alderman Lochmoeller – yes; Alderwoman Manestar – absent; Alderman Plufka – yes; Alderwoman Saunders – absent; Alderman Slusser – absent; Alderman Toohey – yes; **MOTION PASSED.**

BILL #6011 IS HEREBY PASSED BY THE BOARD OF ALDERMEN AND UPON SIGNATURE BY THE MAYOR BECOMES ORDINANCE #4664

Bill No. 6012 – An Ordinance Of The City Of Brentwood, Missouri, Authorizing The Mayor And/Or City Administrator To Enter Into And Execute A Consultant Services Agreement Between The City Of Brentwood, Missouri And Ronna Alaniz, C.P.A.; And Providing For The Effective Date Of This Ordinance

Attorney Karr read Bill #6010 by title only. Alderman Kramer provided the synopsis, “This bill is for an ordinance authorizing the mayor and/or city administrator to execute a contract professional accounting services”.

Presentation By Bola Akande, City Clerk/Administrator

The Finance Director has recently resigned and was instrumental in many of the city’s practices. Through peer administrators, Ronna Alaniz was given high recommendations as one that serve on an interim basis for 20-25 hours per week (this could be increased to 30).

Questions By Aldermen

It was clarified that she is not interested in taking on the position full time.

Perfection of Bills

Attorney Karr read Bill #6012 by title only. Alderman Toohey made a motion to perfect Bill #6012 into ordinance form. Motion seconded by Alderman Plufka. **ROLL CALL:** Alderman Kramer – yes; Alderman Leahy – yes; Alderman Lochmoeller – yes; Alderwoman Manestar –

absent; Alderman Plufka – yes; Alderwoman Saunders – absent; Alderman Slusser – absent; Alderman Toohey – yes; **MOTION PASSED.**

BILL #6012 IS HEREBY PASSED BY THE BOARD OF ALDERMEN AND UPON SIGNATURE BY THE MAYOR BECOMES ORDINANCE #4665

Bill No. 6014 – An Ordinance Of The City Of Brentwood, Missouri, Authorizing The Mayor And/Or City Administrator To Enter Into And Execute An Agreement Between The City Of Brentwood, Missouri And R.V. Wagner Inc.; And Providing For The Effective Date Of This Ordinance

Attorney Karr read Bill #6014 by title only. Alderman Kramer provided the synopsis, “This bill is for an ordinance authorizing the mayor and/or city administrator to execute a contract for the repair of a retaining wall between Hanley Industrial Ct. The existing wall was found to be unsafe during an adjacent project being completed and emergency repairs are necessary”.

Presentation By Justin Wyse, Planning Development Director

The Brentwood Pointe Transportation Development District recently began a pedestrian improvement project which includes a new ADA route providing a more direct link between MetroLink and the Brentwood Pointe development. As construction began the contractor noticed the existing wall began to sway and has stopped on the project; a temporary access route has been established until repairs can be made to provide a safe environment. The City’s inspector (Horner and Shifrin) had two structural engineers assess the wall and a retaining wall engineer from Rosch visited the site. All agreed the wall was unsafe in it’s current condition. The proposed scope of the repair is based on the input from the structural engineers and all have agreed with the proposed solution. The cost for the repair is \$28,200. Funding for the project will come from savings in the Public Works Department budget. Due to the emergent need of the repair, the project was not put out for bid. Horner and Shifrin has reviewed the bid and believes it to be a fair price for the repair.

Questions By Aldermen

It was clarified for Alderman Lochmoeller that RV Wagner is the contractor that was awarded the project from the TDD. It was also explained that in conjunction with the effort of the Brentwood Pointe Transportation Development District’s efforts to carry out the Hanley Industrial Drive Extension Transportation Project, a perpetual easement was granted by Dierbergs Brentwood, LLC to the Brentwood Pointe TDD for roadway and improvements in October of 2001. One of the projects funded by the TDD was installation of the retaining wall between the MetroLink line and Hanley Industrial Ct. This easement was transferred to the City of Brentwood in November of 2002. Investigations are also being conducted to determine if there was any neglect in the initial design and construction.

Perfection of Bills

Attorney Karr read Bill #6014 by title only. Alderman Leahy made a motion to perfect Bill #6014 into ordinance form. Motion seconded by Alderman Plufka. Alderman Lochmoeller noted his abstention to the vote as he is related (through marriage) to both the Dierbergs family as well as RV Wagner. A discussion was held regarding the inability to pass this bill because out of five in attendance only four could vote. Mayor Thornton expressed interest in invoking authority granted in the emergency provision of the code (Sec. 115.120) to proceed with the agreement and to formally validate the ordinance at the next meeting.

RESOLUTIONS

Resolution No. 1040 – A Resolution Authorizing The Mayor And/Or City Administrator To Execute A Release Of Reinhold Electric, Inc.

Alderman Kramer provided the synopsis of Resolution #1040, “This resolution authorizes a release of Reinhold Electric for work completed on the electrical system in the fire station. Reinhold Electric completed the original electrical work within the fire station. Subsequently,

various defects were found that were corrected by the contractor. In identifying these defects, the City incurred costs with the discovery of the defects. Reinhold Electric has agreed to reimburse the City's cost upon execution of the release".

Chief Jury explained that the fire department was having unidentified computer issues and at the recommendation of the IT Manager, Kaemerer Electric was asked to investigate the grounding in the fire house. It was then determined that the fire house was not properly grounded. Horner Shifrin (city engineers) was also asked to provide a written report. A meeting was held with Reinhold to review the findings and they agreed the building was not properly grounded and made all of the necessary corrections. The City Inspector Larson and fire chief have inspected to ensure the work is completed, properly. The total cost incurred is \$3,802.75, and Reinhold has reimbursed these costs pending the signed release. After questions from Aldermen, Chief Jury responded that an inspection was conducted to determine if there are any other issues and Inspector Larson was satisfied with the work. It was added that Reinhold handled the situation in the best possible way. Motion was made by Alderman Leahy and seconded by Alderman Lochmoeller to approve Resolution #1040. **ROLL CALL:** Alderman Kramer – yes; Alderman Leahy – yes; Alderman Lochmoeller – yes; Alderwoman Manestar – absent; Alderman Plufka – yes; Alderwoman Saunders – absent; Alderman Slusser – absent; Alderman Toohey – yes; **MOTION PASSED.**

ACCOUNTS AGAINST THE CITY

Alderman Toohey presented the warrant list in the amount of \$2,991,667.32 and made a motion for approval. Motion seconded by Alderman Kramer. Unanimous vote in favor taken; **MOTION PASSED.**

REPORT OF COMMITTEES AND DEPARTMENT HEADS

Mayor Thornton expressed appreciation to the parks and recreation staff for the success of the Maddenfest Celebration the past weekend and commended them for a job well done.

Public Safety Committee, Alderman Plufka announced discussions at the last meeting regarding the no texting while driving amendment. After consulting the city attorney the committee will begin to focus on the careless and imprudent driving ordinance. The next committee meeting is scheduled for 10/15 at 5:30 p.m.

Public Works Committee, Alderman Toohey announced the next committee meeting 10/7 at 4:30 p.m.

Director of Planning & Development

Request for Survey Work – Director Wyse provided an update that at the last Public Works Committee meeting there was a request for some survey projects; along Swim Club Lane and through the southwest portion of the city from Bremerton to Hilldale. There is an under-utilized pedestrian way along this tract of land and it was requested that we contract the on call engineer to research these two areas in hopes to answer some questions that periodically come up. Public Works has reviewed and recommends approval. Alderman Leahy noted that the walkway area is adjacent to his property and he would have a stake in the outcome; therefore he would recuse himself from voting.

Ways and Means Committee, Alderman Toohey announced that the committee is currently working on the budget.

City Attorney Karr had no report.

City Clerk/Administrator Akande had no report.

Excise Commissioner

Temporary Liquor License – St. Mary Magdalen

Administrator Akande announced the request from St. Mary Magdalen for a special use permit to conduct an auction night on November 7th; 5pm-12am; serving beer and liquor. Hearing no objections, unanimous vote in favor was taken for approval; **MOTION PASSED.**

Library, Alderwoman Manestar was not in attendance.

Municipal League, Mayor Thornton announced attendance at the MML Conference held in Kansas City. There were very interesting presentation; one also conducted by Attorney O’Keefe regarding SB5. He added that he is happy to share his learnings with other aldermen. He noted a change at the last legislative session that aldermen are now allowed to participate in aldermen meetings via video conferencing; they are now allowed to vote via video conference but you must have video and audio capabilities (i.e. skype or facetime).

Historical Society, Chief Fitzgerald had no report.

ANNOUNCEMENTS

Alderman Leahy announced the Ward III meeting on Tuesday, September 29th at 7 p.m.; all are invited.

Alderman Plufka announced his absence at the W&M meeting on 10/1. He offered comments of enjoying the Maddenfest Parade. Lastly, his pleasure is working with Director Jarvis.

Alderman Kramer announced the deteriorating health of former alderman Leon Golfin; the family has asked for thoughts and prayers.

NEW BUSINESS

None

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

PRESENT (Each person addressing the board shall give his/her name, address and organization or firm represented, if any. He/she shall speak for a period not to exceed three (3) minutes; though additional time may be granted by the presiding officer of the board. Total time allotted for this section shall not exceed 15 minutes)

None

CLOSED MEETING

Legal – RSMO 610.021(1) Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys. However, any minutes, vote or settlement agreement relating to legal actions, causes of action or litigation involving a public governmental body or any agent or entity representing its interests or acting on its behalf or with its authority, including any insurance company acting on behalf of a public government body as its insured, shall be made public upon final disposition of the matter voted upon or upon the signing by the parties of the settlement agreement, unless, prior to final disposition, the settlement agreement is ordered closed by a court after a written finding that the adverse impact to a plaintiff or plaintiffs to the action clearly outweighs the public policy considerations of section [610.011](#), however, the amount of any moneys paid by, or on behalf of, the public governmental body shall be disclosed; provided, however, in matters involving the exercise of the power of eminent domain, the vote shall be announced or become public immediately following the action on the motion to authorize institution of such a legal action. Legal work product shall be considered a closed record.

Alderman Leahy made a motion to enter into closed session at 8:25 p.m. to have confidential communications with the city attorney pursuant to [RSMO 610.021\(1\)](#). Motion seconded by Alderman Plufka. **ROLL CALL:** Alderman Kramer – yes; Alderman Leahy – yes; Alderman

Lochmoeller – yes; Alderwoman Manestar – absent; Alderman Plufka – yes; Alderwoman Saunders – absent; Alderman Slusser – absent; Alderman Toohey – yes; **MOTION PASSED.**

It was also noted that the meeting will adjourn immediately following the closed session.

Mayor Thornton called the closed session to order at 8:30 p.m. with the following members present: Alderman Kramer, Alderman Lochmoeller, Alderman Plufka, Alderman Leahy, and Alderman Toohey. Also present were City Administrator Akande, City Attorney Karr, and Deputy City Clerk Pittman. Alderwoman Manestar, Alderwoman Saunders, and Alderman Slusser were absent.

Legal

Discussions were held with the City Attorney; no action was taken.

Alderman Plufka made a motion to adjourn the closed session and reconvene to open session at 8:53 p.m. Motion seconded by Alderwoman Manestar. **ROLL CALL:** Alderman Kramer – yes; Alderman Leahy – absent; Alderman Lochmoeller – yes; Alderwoman Manestar – yes; Alderman Plufka – yes; Alderwoman Saunders – yes; Alderman Slusser – yes; Alderman Toohey – yes; **MOTION PASSED.**

ADJOURNMENT

By unanimous consent, the meeting adjourned at 9:17 p.m.

Approved as submitted on the 5th day of October, 2015.

Attest:

Christopher A. Thornton, Mayor

Bola Akande, City Clerk/Administrator