

**CITY OF BRENTWOOD
BOARD OF ALDERMEN MEETING
NOVEMBER 2, 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	Present	Alderman Leahy	Present
Alderman Lochmoeller	Present	Alderwoman Manestar	Present
Alderman Kramer	Present	Alderwoman Saunders	Present
Mayor Thornton	Present		

Members present constituted a quorum. Also present were City Clerk/Administrator Bola Akande, City Attorney Helmut Starr (in the absence of Kevin O’Keefe), City Treasurer Greg Reynders and Deputy City Clerk Octavia Pittman.

APPROVAL OF AGENDA

Board Of Aldermen November 2, 2015

Motion was made by Alderman Leahy and seconded by Alderman Kramer to amend the agenda, moving Item 12A to 10D. A discussion was held regarding the request to hold one reading of the bill as the other related bills are on hold at the attorney’s request until December and it is his understanding that MSD will not go out to bid until January 2016. It was also explained the MSD is looking to continue progressing with the project; they have an extensive procurement process and would like to award the subsequent bid in January. **ROLL CALL:** Alderman Kramer – no; Alderman Leahy – yes; Alderman Lochmoeller – yes; Alderwoman Manestar – no; Alderman Plufka – no; Alderwoman Saunders – no; Alderman Slusser – no; Alderman Toohey – no; **MOTION FAILED.**

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

CONSIDERATION AND APPROVAL OF MINUTES

Board of Aldermen Regular Meeting Minutes October 5, 2015

Motion was made by Alderman Leahy and seconded by Alderman Slusser to approve the meeting minutes as submitted. Unanimous vote in favor taken; **MOTION PASSED.**

Board of Aldermen Regular Meeting Minutes October 19, 2015

Motion was made by Alderman Slusser and seconded by Alderman Plufka to approve the meeting minutes as submitted. Unanimous vote in favor taken; **MOTION PASSED.**

PRESENTATION/RECOGNITION

Backstoppers Donation – Police Chief Fitzgerald announced the success of the annual Backstoppers BBQ held on October 3rd; raising \$3,651. Detective Eisenbeis and Captain Kerr presented the donation to Ron Battel; whom expressed his appreciation for continued support.

PUBLIC HEARING

None

BIDS

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.)

Mark Wilson, Hatton, addressed the board with comments of being disappointed at the boards' previous action to censure Alderwoman Saunders. He added his believed that Saunders actions were not injurious to the city and that the board needs to dedicate its time and commitment in a more positive manner.

Aldermanic Response

Alderwoman Saunders replied with comments of the importance of residents remaining committed and involved. She shared her challenges as an elected official and added that she works diligently to service the residents but will make attempts to proceed more cautiously.

UNFINISHED BUSINESS

None

BILLS TO BE GIVEN A FIRST READING ONLY

Bill No. 6019 – An Ordinance Establishing A Pay Classification System For All Full-Time City Of Brentwood Employee Positions And Establishing An Accompanying Pay Classification System For Fiscal Year 2016 And Related Matters, Which Are Contingent Upon The Annual Budget Appropriation; And Providing For The Effective Date Of This Ordinance

Attorney Starr read Bill #6019 by title only. Alderman Kramer provided the synopsis, "This bill would establish a system to classify all full-time employees working for the City of Brentwood and establishes compensation for such classifications for 2016. A compensation study was previously approved by the Board of Aldermen and completed by Higbee and Associates, LLC. This study compared Brentwood to 14 comparator cities and recommended the city take a market approach to employee compensation. This bill implements a market based approach to compensation".

Mayor Thornton explained that the bill was originally put forth in a form designed to implement all of the recommendations by Higbee and Associates through the compensation study. The city attorney believed that it is the not the best way to implement those recommendations and recommended separating the employee compensation from benefits. This bill deals primarily with compensation and another bill will be presented to amend the employee handbook as it relates to benefits.

Questions by Aldermen

Attorney Hey stated their opinion that as there are ongoing negotiations with the union, we do not want to adopt any terms or conditions affecting their employment without the union's permission. Meetings are anticipated with the union next week to continue to engage in good faith bargaining and to inform the union of the city's position.

Also as requested, Mrs. Higbee explained that in performing the study, they considered the salary ranges (maximum and minimum) of the comparator cities. Brentwood has a significant number of employees that are currently paid above the maximums. There are currently 19 employees below the average. Given the culture of the city, it is recommended to use the greater of the current range maximum for that classification or the 75th percentile or the average of the market for implementation; freezing those salaries currently above whatever philosophy chosen until the market catches up. The bill presented chooses the 75th percentile as compared to comparator cities. She added that typically, there are only a few cities that would have a percentage of outliers on both ends of the salary range, a percentage of those paid below the minimum as well as a percentage of those paid above the maximum. A discussion was held regarding options of a tier salary system, which is not believed to last longer than one or two years and the recommendation which is believed to have the least amount of compression. It is also recommended that the salary analysis is conducted every two years. Mrs. Higbee reiterated that it is her opinion that this bill is the best course of action to move forward; the best transition to a market based system. As requested, Fire Chief Jury also commented that without a step program, there is no incentive for fire fighters to complete with other departments or to hire and retained quality employees.

Bill No 6020 – 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 Rick Vaughn; And Providing For The Effective Date Of This Ordinance

Attorney Starr read Bill #6020 by title only. Aldermen Kramer provided the synopsis, “this bill is for an ordinance authorizing the Mayor and/or City Administrator to enter into and execute an agreement by and between City of Brentwood and Rick Vaughn to perform video recording, audio recording and broadcast services for the City. This contract outlines the manner in which services will be provided; including the hourly compensation, substitute contractors in the event of scheduling conflicts and also provides protection for the city in the event that services are terminated. The Communications Committee has reviewed and recommends approval”.

Presentation by Administrator Akande

It was realized that a contract was not in place with the last vendor. It is the direction of the board and best practices to have an agreement with all vendors. This agreement would accomplish this goal.

Questions by Aldermen

It was clarified that this is a professional service and the city did not go out for bid. Upon request by the city, all meetings will be recorded; however the contract only lists those that are currently being recorded. Mayor Thornton also clarified that he made a request to tape more meetings; all board and committee meetings for increased transparency and resident convenience to watch on youtube and BTV. A request for proposal is being drafted and based on vendor recommendation will be brought back to the board.

Bill No. 6021 – An Ordinance Granting Approval Of A Comprehensive Sign Plan To Hilliker Corporation Which Permits Under The Provisions Of Title IV, Chapter 400 Of The Brentwood Code Of Ordinances The Development Of That Site; Providing The Conditions Of Such Development; And Providing For The Effective Date Of This Ordinance

Attorney Starr read Bill #6021 by title only. Alderman Kramer provided the synopsis, “this proposal establishes a new set of signage for the property located at 2001 S. Hanley Rd. The property is over 3.5 acres in size and there are two buildings with up to 25 tenants on the site. The proposed Comprehensive Sign Plan seeks to gain visibility for these tenants who have no visibility or limited visibility due to topography and other site constraints. The Planning and Zoning Commission has reviewed the request and recommends approval”.

Presentation by Planning Director Wyse

The applicant is proposing a Comprehensive Sign Plan for the subject site located on the west side of Hanley Rd., south of Hanley Station at 2001 S. Hanley Rd. The site is 3.56 acres in size and is zoned "LID" Light Industrial District. The proposal includes new signage to increase the awareness of motorist to the presence of the businesses within the plaza. In addition to signage to brand the buildings with the address, the proposal includes tenant directory panels on the north and south side of the property.

The proposed signs are compatible with the theme, visual quality, and overall character of the surrounding area – Staff is of the opinion that branding of the center through new signage for the building (i.e. Hanley Plaza and 2001 S. Hanley signage) is a positive way of providing information to travelers. The proposal seeks to use the existing infrastructure to work the sign into the development (i.e. placing signs on the retaining wall). The signs are internally illuminated with the black panels with white cut outs. This will highlight the text of the signage at night, without using other intrusive colors. The Planning and Zoning has reviewed and recommends approval.

Questions by Aldermen

Mr. Nuernberger (P&Z Member) was present and clarified that he voted in opposition to the request because he believed that there currently too many signs; but he had no major issue with the overall plan.

BILLS TO BE GIVEN A SECOND READING ONLY

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. 6022 – 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 Metropolitan St. Louis Sewer District; And Providing For The Effective Date Of This Ordinance

Attorney Starr read Bill #6022 by title only. Alderman Kramer provided the synopsis, "the City of Brentwood and the Metropolitan Sewer District (MSD) prepared an agreement and easement for work associated with Project Clear. The project will have impacts on the City and the agreement is based on discussions dating back to discussions at the Public Works Committee in October of 2013. Furthermore, the Board of Aldermen had multiple discussions on the Project Clear Project. The City, working jointly with MSD based on discussions at multiple meetings with the Board of Aldermen and impacted residents invited to a Town Hall type meeting have negotiated an agreement that seeks to protect the interest of Citizens and the City".

Presentation by Planning Director Wyse

Staff has been working with MSD since October 2013 on the specifications of Project Clear. The agreement presented specifies key points dealing with DC2/DC3 trunk line that run from NormWest Park through to the City of Ladue. Within the project, MSD is anticipated to reconfigure field grounds, modify parking, conduct land acquisitions and provide

reimbursements of loss of revenue and programming changes. MSD has also included an extension of work hours to minimize the impact to a local business as requested.

Questions by Aldermen

Given MSD timeframe, staff is looking in to alternate location to host the summer concert series. MSD Representative also explained that the contractors are responsible for safety and discussed the process to determine the method used which includes safety and cost prohibitive measures. A discussion was held and Alderman Leahy commented that there are plans to tunnel under the railroad, state and county roads and suggested that as the equipment is available he should be able to tunnel the length of Russel.

Perfection of Bills

Attorney Starr read Bill #6022 by title only. Motion was made by Alderman Slusser and seconded by Alderwoman Saunders. Alderman Leahy added that the residents in which he represent are excited about the project. **ROLL CALL:** Alderman Kramer – yes; Alderman Leahy – no; Alderman Lochmoeller – yes; Alderwoman Manestar – yes; Alderman Plufka – yes; Alderwoman Saunders – yes; Alderman Slusser – yes; Alderman Toohey – yes; **MOTION PASSED.**

BILL #6022 IS HEREBY PASSED BY THE BOARD OF ALDERMEN AND UPON SIGNATURE BY THE MAYOR WILL BECOME ORDINANCE #4672

Bill No 6023 – An Ordinance Granting Approval Of An Amended Comprehensive Sign Plan To Chick-Fil-A, Inc. Which Permits Under The Provisions Of Title IV, Chapter 400 Of The Brentwood Code Of Ordinances The Development Of That Site; Providing The Conditions Of Such Development; And Providing For The Effective Date Of This Ordinance

Attorney Starr read Bill #6023 by title only. Alderman Kramer provided the synopsis, “Chick-fi-A was approved for a Comprehensive Sign Plan in January of 2015 with approval of their conditional use permit and site plan approval. As the project was constructed, the owner found the western elevation would provide better visibility than the southern elevation. As such, the proposal relocates the previously approved sign from the southern elevation to the western elevation. No new signs are included, there are no increases to sign size, and only the location of the wall sign is proposed to change. The Planning and Zoning Commission has reviewed the request and recommends approval”.

Presentation by Planning Director Wyse announced the previous approval for 3 wall signs. While under construction, representatives noted a request to relocate the sign on the southern façade to the west façade; which required them to come back through the process.

Questions by Aldermen

Clarity was provided of building directions. Alderman also announced their experience with the location and noted that their operations are exceptional.

Perfection of Bills

Attorney Starr read Bill #6023 by title only. Motion was made by Alderman Leahy and seconded by Alderman Slusser. **ROLL CALL:** Alderman Kramer – yes; Alderman Leahy – no; Alderman Lochmoeller – yes; Alderwoman Manestar – yes; Alderman Plufka – yes; Alderwoman Saunders – yes; Alderman Slusser – yes; Alderman Toohey – yes; **MOTION PASSED.**

BILL #6023 IS HEREBY PASSED BY THE BOARD OF ALDERMEN AND UPON SIGNATURE BY THE MAYOR WILL BECOME ORDINANCE #4673

RESOLUTIONS

Resolution No 1042 – A Resolution Of The City Of Brentwood, Missouri, To Support The St. Louis Audubon Society’s Bring Conservation Home Program

Director Gruenenfelder announced that the Parks and Recreation Department is seeking approval to partner with the St. Louis Audubon Society to offer the Bring Conservation Home program in the City of Brentwood. The program provides on-site assistance to homeowners in the greater St. Louis area for the restoration of native plant and animal habitat. The program will offer advice in landscaping with environmentally healthy and sustainable native plant species, the removal of invasive plant species such as bush honeysuckle, water conservation and other stewardship practices that promote healthy habitat for birds and other native wildlife. The program costs \$25 for Audubon members and \$50 for non-members. Once the fee is paid, a representative from the Bring Conservation Home program will perform a landscape assessment and provide a written report with simple steps to improve its habitat value. A follow-up visit will be performed upon request, and with compliance to the initial recommendations, the resident will be awarded either a silver, gold or platinum level of achievement. Public Works Committee recommends approval. Alderman Leahy announced his experienced and asked the board to join him in supporting the St. Louis Audubon Society.

WHEREAS, Landscaping with native plants to restore habitat is essential for our native birds, butterflies and each other and we believe that a variety of landscapes add diversity and value to the quality of life in the City of Brentwood; and

WHEREAS, the City recognizes that landowners' are interested in having managed native and non-native invasive landscapes and encourages the preservation, restoration, and management of native plant communities and wildlife habitats within City limits; and

WHEREAS, the City acknowledges the need to enjoy and benefit from the variety, beauty and practical values of natural landscapes as viable and desirable alternatives to other conventional modes of landscaping that are created and sustained in condition of ecological stability in good health and vigor in compliance with Brentwood Municipal Codes, as opposed to one of impairment and decline. It is not the City's intent to allow vegetated areas to be unmanaged or overgrown in ways that may adversely affect human health or safety; and

WHEREAS, the City supports the Bring Conservation Home Program, which is an urban land habitat restoration assistance and certification program coordinated by the St. Louis Audubon Society. The Certification Program supports the restoration of native plant and animal habitat on urban properties by encouraging sustainable plantings, removal of invasive plant species and promotion of healthy habitat for birds, pollinators, and native wildlife; and

WHEREAS, the City supports the goal of the Bring Conservation Home Certification Program to address native and non-native invasive plants, water conservation and stewardship practices for the benefit of birds, butterflies, and other animals and people; and

WHEREAS, the City understands that the program is voluntary, property owner paid-for-certification program for small, private landowners in the St. Louis area; and

WHEREAS, there are no costs to the City of Brentwood and Brentwood residents voluntarily participating in the program will receive the service for a reduced fee of \$25 (normally \$50). The fee covers the landowner's participation and one year support from the St. Louis Audubon Society. The fee includes one initial site assessment and consultation visit plus one optional follow-up certification visit; and

WHEREAS, the City will publicize the program to Brentwood residents through the website, city newsletters, and other media outlets as space allows.

NOW, THEREFORE, BE IT RESOLVED that the St. Louis Audubon Society's Bring Conservation Home Program be endorsed through this resolution by the City of Brentwood, Missouri, with the understanding that this endorsement commits the City of Brentwood to take

responsibly for marketing the availability of the Bring Conservation Home to its residents. In addition, Brentwood landowners within city limits will be eligible to participate in the program for a reduced fee.

Motion was made by Alderman Leahy and seconded by Alderman Toohey to adopt Resolution #1042. **ROLL CALL:** Alderman Kramer – yes; Alderman Leahy – yes; Alderman Lochmoeller – yes; Alderwoman Manestar – yes; Alderman Plufka – yes; Alderwoman Saunders – yes; Alderman Slusser – yes; Alderman Toohey – yes; **MOTION PASSED.**

ACCOUNTS AGAINST THE CITY

Alderman Slusser presented the warrant in the amount of \$810,067.28 and made a motion for approval. Motion seconded by Alderman Leahy. As requested, it was clarified that World Wide Technology line is over budget as last year the city purchased similar tablets for the fire department and the budgeted cost was based on the previous year. We are still scheduled to purchase 3 more tablets but the actual cost has gone up. Unanimous vote was taken in favor; **MOTION PASSED.**

REPORT OF COMMITTEES AND DEPARTMENT HEADS

Mayor Thornton offered comments in regards to Brentwood Blvd. and the story published in 40South News announcing that Brentwood Blvd would not be paved until 2016. The article alluded that the city may have acknowledged or agreed to County's timeline of 2016 which is untrue. The city has worked diligently with county but had no knowledge or complicity of extending their deadlines. The project on Litzsinger continues to pace with the expectation that it should be completed by the end of the year.

Public Safety Committee, Alderman Plufka announced the next meeting on 11/19. He reported that discussions would be held regarding travel on McKnight, the crosswalk at Sonora and McKnight as well as the distracted driving ordinance.

Public Works Committee, Alderman Toohey announced the cancellation of the November meeting due to Veteran's Day. The next meeting is scheduled for December 9th.

Director of Planning & Development Wyse had no report.

Ways and Means Committee, Alderman Slusser announced the next meeting on November 5th at 6pm to discuss the conflict of interest policy, a tablet policy for the board and certain staff, and for the FY2016 budget presentation.

City Attorney O'Keefe (Helmut Starr) had no report.

City Clerk/Administrator Akande

Emergency Request and Budget Amendment To Fund New Vehicle For The City Of Brentwood DEA Task Force Officer

The vehicle currently being used by the DEA task force officer is not in serviceable condition and needs to be replaced. The request was made to purchase a new vehicle with the use of the asset forfeiture funds (current balance \$110,000). The vehicle, however, was budgeted for replacement next year. Alderman Slusser made a motion to amend the budget for \$32,000 of the asset forfeiture fund for the purchase of the DEA Vehicle. Motion seconded by Alderman Leahy. Staff will look to purchase from the state contact. **ROLL CALL:** Alderman Kramer – yes; Alderman Leahy – yes; Alderman Lochmoeller – yes; Alderwoman Manestar – yes; Alderman Plufka – yes; Alderwoman Saunders – yes; Alderman Slusser – yes; Alderman Toohey – yes; **MOTION PASSED.**

Excise Commissioner Manestar

None

Library, Alderwoman Manestar announced the next meeting on 11/3. Letters have gone out to citizens requesting their participation on the strategic plan committee with hopes to begin meeting this month. Interviews are also being conducted to replace the board vacancy.

Municipal League, Mayor Thornton had no report.

Historical Society, Chief Fitzgerald had no report.

ANNOUNCEMENTS

Alderman Leahy announced the Ward 3 meeting on Tuesday, November 23rd @ 7pm; all are invited.

Alderwoman Saunders announced the Ward 1 meeting on Tuesday 11/10 at 6:30pm. The Parkside Pocket Park discussion will take place at the recreation center on 11/3 at 6pm. (this meeting will be held to discuss ownership and future plans for the island area on Parkside)

NEW BUSINESS

Alderman Leahy suggested, with the contract pending to increase recordings of board and committee meetings, that the Ways and Means Committee consider if the digital recording of the meetings will be accepted as the official record. Attorney Starr suggested that this topic is researched for legality. It was also questioned if Ways and Means is the proper place to have the discussion. Alderman Leahy made a motion that the board direct the city attorney to research the use of recorded media versus written minutes for board and committee meetings. Motion seconded by Alderman Toohey. **ROLL CALL:** Alderman Kramer – yes; Alderman Leahy – yes; Alderman Lochmoeller – yes; Alderwoman Manestar – no; Alderman Plufka – no; Alderwoman Saunders – no; Alderman Slusser – no; Alderman Toohey – yes; Mayor Thornton – no; **MOTION FAILED.**

Alderman Kramer acknowledged that the Public Works Committee will consider the need of a storage container policy. He noted that the city currently has a retailer that seems unfazed by the penalty provisions within the code. Members discussed potential alternate options and Attorney Starr explained that the city may already be at the maximum penalty. It was asked to consider if citation could be issued per day, per container, or declared as a nuisance and removed. Review on the topic will continue.

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

None

ADJOURNMENT

Motion was made by Alderman Leahy and seconded by Alderman Slusser to adjourn the meeting at 9:05 p.m.

Approved as submitted on the 16th day of November, 2015.

Attest:

Christopher A. Thornton, Mayor

Bola Akande, City Clerk/Administrator