

**CITY OF BRENTWOOD, MISSOURI
BOARD OF ALDERMAN MEETING
MAY 4, 2015**

MEETING CALLED TO ORDER

Mayor Chris 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.

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 Frank Albrecht, and Deputy City Clerk Octavia Pittman.

APPROVAL OF AGENDA

Board of Aldermen May 4, 2015

Hearing no changes, unanimous vote in favor was taken for approval.

CONSIDERATION AND APPROVAL OF THE MINUTES

Board of Aldermen Regular Meeting Minutes April 20, 2015

Hearing no changes, Alderman Kramer made a motion to approve the meeting minutes of April 20th as submitted. Motion seconded by Alderman Lochmoeller. **VOICE VOTE TAKEN:** 7 – yes; Saunders – abstain; **MOTION PASSED.**

Board of Aldermen Special Meeting Minutes April 21, 2015

Hearing no changes, Alderman Leahy made a motion to approve the meeting minutes of April 21st as submitted. Motion seconded by Alderwoman Manestar. **VOICE VOTE TAKEN:** 7 – yes; Saunders – abstain; **MOTION PASSED.**

PRESENTATION/RECOGNITION

Clinical Save Award Recognition Ceremony (Fire Chief Jury)

Fire Chief Jury described incidents on January 20, 2015 and March 1, 2015 in which life-saving efforts were performed Brentwood residents. Chief Jury presented with clinical save awards to EMS crews from Brentwood and Richmond Heights, ECDC dispatchers, along with neighboring residents for their involvement.

Alderman Kramer read a proclamation, of which will be forwarding to the National Park Trust showing Brentwood's support.

PROCLAMATION – KIDS TO PARKS DAY (MAY 16, 2015)

WHEREAS, May 16th, 2015 is the fifth Kids to Parks Day organized and launched by the National Park Trust; and

WHEREAS, Kids to Parks Day empowers kids and encourages families to get outdoors and visit America's parks; and

WHEREAS, it is important to introduce a new generation to our nation's parks because of the decline in Park attendance over the last decades; and

WHEREAS, we should encourage children to lead a more active lifestyle to combat the issues of childhood obesity, diabetes mellitus, hypertension and hypercholesterolemia; and

WHEREAS, Kids to Parks Day is open to all children and adults across the country to encourage a large and diverse group of participants; and

WHEREAS, Kids to Parks Day will broaden children's appreciation for nature and the outdoor;

NOW, THEREFORE, I, Mayor Chris Thornton, on behalf of the City of Brentwood, Missouri, do hereby proclaim to participate in Kids to Parks Day. We urge residents of Brentwood to make time May 16th, 2015 to take the children in their lives to a neighborhood, state or national park.

PUBLIC HEARING

A Petition For Conditional Use Permit And Site Plan Approval For A Retail Use At 8515 Manchester Road (21K240142)

Director Wyse announced the request for a conditional use permit at 8515 Manchester Road which seeks to authorize a retail use selling wireless phones and computer repair. All improvements at the site currently are intended to stay in place and no additional building or site modifications are proposed as part of the proposal. As the site is .25 acres in size and zoned "GC" District, a conditional use permit is required to authorize the retail sale use.

The Planning and Zoning Commission reviewed the request and in light of the standards in section 400.670 of the Brentwood Municipal Code which states that the permit would be approved unless it: 1) Will increase traffic hazards or congestion, 2) Will increase fire hazards, 3) Will affect the character of the neighborhood, 4) Will affect the general welfare of the community, 5) Will overtax public utilities, 6) Does not comply with all other applicable provisions of the Zoning Ordinance, 7) Will not contribute to and promote the community welfare and convenience at the specific location, 8) Will cause injury to the value of neighboring property, 9) Does not comply with the Brentwood Comprehensive Plan, 10) Will not provide, if applicable, erosion control and on-site storm water detention in accordance with the standards contained in this chapter, 11) Will not be compatible with the surrounding area and thus will impose a burden or have a negative impact on surrounding or adjacent uses or on community facilities or services.

In accordance with 9), the property is designated as a neighborhood mixed use area in the Comprehensive Plan and these areas are intended to serve both residents and commercial establishments within these areas generally have a trade area of approximately 1 mile in radius. The mixed use area will allow for a variety of retail and service establishments that could include grocery stores, pharmacies, dry cleaners and restaurants. Other businesses that serve the daily needs of nearby residents could include doctor and dentist offices, insurance companies and child care. After review of the request, the commission made a recommendation of approval with the condition that the parking lot be restriped (the petitioner has already completed this task).

Public Comment

Tom Dawson, 2516 Melvin, stated his concern that there was a discussion at the planning and zoning meeting regarding signage and he is not clear as to the agreement. Currently the

site has signs in the windows that does not look orderly and he questioned if they could be removed.

BIDS

Bid Results – Brentwood Community Complex Bid Packet

Administrator Akande announced that the Parks and Recreation Department is seeking approval to choose contractors for four work packages for the renovations at the recreation complex. Brian Nuehring (SM Wilson Project Manager) stated that bids were accepted on April 20th and announced the recommended contractor and bid amounts:

WP #13 – Ice Rink Amenities, Dasher Boards & Benches: Becker Arena Products
9\$218,000)

WP #22 – Site Demolition & Grading: Spiritas Wrecking (\$64,380)

WP #22 – Food Service Equipment/Appliances: Ford Food Service Equipment (\$2881)

WP #24 – Landscaping: Ideal Landscape (\$48,275)

After questions from the Board he explained that the base value bid for Becker Arena was \$190,610 and there were 8 alternate items that they also bid on: Nylon netting on backer boards, impact obscuring cap rail on dasher boards, seamless glass, arena panels, anodized finished supports, anodized finished on aluminum panels, time keepers table, and players box conversion ability for sled hockey; the total of the alternates comes to \$1,338 for a total bid of \$218,000. He explained that bids were publicly advertised in multiple locations as well as sending out personal invitations to bid; however the site demolition and food service bid packages only had one response. He also clarified that there are 2 additional bids to be released (signage and furniture) but the project is currently below the approved projected cost by \$28,244.

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

Louise Charboneau, 8833 Madge, noted a correction to Bill #5967 from scones to sconces and suggested that the Board wait before approving any additional retail establishments until Houseal Lavigne presents their findings of the comprehensive plan. She also stated her hope that the institutional memory of the senior board members is considered when making committee appointments.

INTRODUCTIONS, READINGS, AND PASSAGE OF BILLS AND RESOLUTIONS

Motion was made by Alderman Kramer and seconded by Alderman Toohey to remove Bill #5966 and Bill #5967 from hold. Unanimous vote in favor taken; **MOTION PASSED.**

After request to clarify if Bills #5966 and #5967 have been read, Alderwoman Saunders made a motion for a short recess to research meeting records at 7:40 p.m. Motion seconded by Alderman Plufka. Unanimous vote in favor taken; **MOTION PASSED.**

The meeting reconvened and it was determined that the Bills had not been read. Mayor Thornton announced, for opportunity to review, readings of bills will be staggered to two meetings unless there is an emergency, beginning with bill #5975. Alderman Kramer made a motion for the 1st and 2nd readings of Bills #5966, #5967 as amended, #5974 and 1st reading of Bill #5975. Motion seconded by Alderman Leahy. Unanimous vote in favor taken; **MOTION PASSED.**

Bill #5966 – An Ordinance Amending The Zoning Map Of The City Of Brentwood To Rezone Certain Property Numbered 290 Hanley Industrial Ct. From “LID” Light

Industrial District To “PD” Planned Development Overlay District And Establishing The Effective Date Of This Ordinance

Attorney Albrecht read Bill #5966 by title only. Alderman Kramer provided the synopsis, “This bill is for an ordinance changing the zoning of 290 Hanley Industrial Ct. from “LID” Light Industrial District to “PD” Planned Development Overlay District. The Planning and Zoning Commission reviewed the request and recommended approval of the request by a vote of 5-0.

Director Wyse explained that the request is for a change in zoning for 290 Hanley Industrial Court from LID to PD District. This bill is in conjunction with Bill #5967 and a public hearing was held on April 6th. At that time there were questions primarily with respect to how the project as a whole would impact the existing tenant, specifically parking. Those issues predominantly come up in Bill #5967.

Attorney Albrecht read Bill #5966 by title only. Alderman Leahy made a motion to perfect Bill #5966 into ordinance form. Motion seconded by Alderman Toohey. Discussions were held and Director Wyse clarified that the property manager and existing tenant has been contacted but were unable to attend; they have reviewed the existing plans in regards to the issue raised at the last meeting of parking and have since stated that they are supportive of the new plan and welcome their new neighbors. The proposed change presented is the change from Light Industrial to PD district. There was also some discussion at the Planning and Zoning Commission about research and development allowances within the PD district but that has not come out of Planning and Zoning yet. Retail use within the Light Industrial district is limited to 25% of any user and doesn’t allow a strict retail user even with a conditional use permit. **ROLL CALL:** Alderman Slusser – yes; Alderman Lochmoeller – yes; Alderman Kramer – yes; Alderman Toohey – yes; Alderman Leahy – yes; Alderwoman Manestar – yes; Alderwoman Saunders – yes; Alderman Plufka – yes. **MOTION PASSED.**

BILL #5966 IS HEREBY PASSED AND NOW BECOMES ORDINANCE #4628

Bill #5967 (Amended) – An Ordinance Granting Approval Of A Site Development Plan And Conditional Use Permit To Ironman Sound Studios For A Warehouse And Outdoor Storage For Miriam Switching Post At Property Numbered 290 Hanley Industrial Ct. 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 Albrecht read Bill #5967 by title only. Alderman Kramer provided the synopsis, “This bill is for an ordinance granting site plan approval for building and site modifications to incorporate a new tenant space along Strassner Dr. The Conditional Use Permit authorizes the existing warehouse use to continue to operate as a legal, conforming use. Additionally, the Conditional Use Permit authorizes outdoor storage on the east side of the building in conjunction with the new retail tenant, with screening as indicated on the site plan. The Planning and Zoning Commission has reviewed the request and recommends approval by a vote of 4-1”. Attorney Albrecht read Bill #5967 by title only.

Director Wyse explained that the Bill has been amended, the only change is to reflected the amended site plan and date submitted. Parking has been removed along loading areas, the site still meets the city’s minimum parking requirements and the existing tenant has conveyed to city staff that they are supportive of the plan.

Alderman Leahy made a motion to accept the amendment to Bill #5967. Motion seconded by Alderman Toohey. Motion was made by Alderman Plufka to amend the amended bill by replacing scones with sconces. Motion seconded by Alderman Slusser. Unanimous vote in favor taken; **MOTION PASSED.** Having no further discussion regarding the amendment, unanimous vote in favor was taken; **MOTION PASSED.**

Alderman Leahy made a motion to amend bill #5967 by adding in section 2 (d) that no outdoor storage container shall be used on the property. Motion seconded by Alderman Toohey. Unanimous vote in favor taken; **MOTION PASSED.**

ROLL CALL: Alderman Toohey – yes; Alderman Leahy – yes; Alderwoman Manestar – yes; Alderwoman Saunders – yes; Alderman Plufka – yes; Alderman Slusser – yes; Alderman Lochmoeller – yes; Alderman Kramer – yes; **MOTION PASSED.**

BILL #5967 IS HEREBY PASSED AND NOW BECOMES ORDINANCE #4629

Bill #5974 – An Ordinance Granting Approval Of A Site Development Plan And Conditional Use Permit To ABC Wireless For Retail Use At Property Numbered Manchester Rd. 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 Albrecht read Bill #5974 by title only. Alderman Kramer provided the synopsis, “This bill is for an ordinance granting site plan approval to operate a retail use at property numbered 8515 Manchester Road. No improvements are proposed to the site to accommodate the new user who is moving into an existing space. The subject site is located on the north side of Manchester Road and is zoned “GC” General Commercial District. Under the “GC” District regulations, the site is classified as a Class “A” property (under ½ acre). Class A properties require a conditional use permit to authorize retail sales on the site. The Planning and Zoning Commission has reviewed the request and recommends approval by a vote of 9-0 with the condition that the parking lot be restriped”. Attorney Albrecht read Bill #5974 by title only.

Alderwoman Saunders made a motion to perfect Bill #5974 into ordinance form. Motion seconded by Alderman Toohey. Director Wyse explained that signage on this property is regulated under the city’s zoning ordinance; it is not a part of this application and is handled separately. The applicant did say that they would be removing the existing window signage and looking for permanent options for the site. Discussions have been held with the applicant in regards to signage but it is still forthcoming.

ROLL CALL: Alderman Slusser – yes; Alderman Lochmoeller – yes; Alderman Kramer – yes; Alderman Toohey – yes; Alderman Leahy – yes; Alderwoman Manestar – yes; Alderwoman Saunders – yes; Alderman Plufka – yes; **MOTION PASSED.**

BILL #5974 IS HEREBY PASSED AND NOW BECOMES ORDINANCE #4630

Bill #5975 – An Ordinance Amending Section 500.140 Of The Code Of Ordinances Of The City Of Brentwood, Missouri By Repealing Section 500.140 As It Relates To Contractors Licensing And Adopting A New Section 500.140; Providing For The Current Maintenance Of This Code; Providing For The Repeal Of All Conflicting Ordinances; And, Providing For The Effective Date Of This Ordinance

Attorney Albrecht read Bill #5975 by title only. Alderman Kramer provided the synopsis, “This bill is for an ordinance amending Section 500.140 of the Municipal Code of the City of Brentwood to clarify that contractors with an existing business license from the City of Brentwood are exempt from paying the contractor’s licensing fee. This requirement has not historically been applied to contractors within the City of Brentwood. The proposed amendment would clarify the requirement. Two Brentwood contractors have been charged the license fee this year. If the amendment is approved, the fees will be reimbursed to the contractors”.

Director Wyse explained that the city is looking to codify the existing practice that has been in place for some time. With staff turnover and the need to review the policy in the code, it has been discovered that two contractors are being charged contractor’s licensing fees that have never been charged before. Staff’s recommendation is to include an exemption for businesses with contractors with an existing business license within the city, that they don’t pay the licensing fee for the contractor’s license; this would provide a more fair environment to charge only once.

Resolution #1031 – A Resolution Providing For The Consumption Of Beer, Wine And Liquors, As Provided For In Section 600.040 Of The Brentwood Municipal Code

Alderman Kramer provided the synopsis, this resolution is for the consumption of beer, wine and liquors, as provided for in section 600.040 of the Brentwood municipal code that allows the board of alderman to approve consumption of intoxicating liquors on special occasions. The Public Works Committee has reviewed the request and recommends approval by a vote of 3-0. The Brentwood Parks & Recreation has scheduled the following events in which approval is being requested:

- The Music on the Menu Concert Series (co-hosted with West Community Credit Union) at Brentwood Park on June 5th, July 3rd, and August 7th; from 5:30 p.m. – 9:30 p.m. each evening.
- The Dinner and a Movie Series at Brentwood Park on May 16th, August 22nd, and September 12th; from 6:00 p.m. – 10:00 p.m. each evening.
- Brentwood’s Annual Maddenfest at Brentwood Park on Friday, September 18th, 2015; 5:00 p.m. – 10:00 p.m. and Saturday, September 19th, 2015; 12:00 p.m. – 10:00 p.m.
- Veterans Day Observance on Wednesday, November 11th, 2015 at Brentwood City Hall.
- Annual Holiday Open House on Monday, December 14th, 2015 at the Brentwood Recreation Complex

Hearing no objections, unanimous vote in favor was taken for approval of Resolution #1031.

ACCOUNTS AGAINST THE CITY

Alderman Kramer announced the warrant list dated May 4, 2015 in the amount of \$56,899.41 and made a motion for approval. Motion seconded by Alderman Leahy. Unanimous vote in favor taken; **MOTION PASSED.**

REPORTS OF COMMITTEES AND DEPARTMENT HEADS

Mayor Thornton expressed appreciation to the first responders recognized earlier.

Board and Committee Appointments were previously distributed to Aldermen; vote was taken for approval: Kramer – no; Alderman Toohey – yes; Alderman Leahy – no; Alderwoman Manestar – no; Alderwoman Saunders – no; Alderman Plufka – yes; Alderman Slusser – yes; Alderman Lochmoeller – no; **APPOINTMENTS FAILED.**

Public Safety Committee, there was no report.

Public Works Committee, there was no report.

Director of Planning & Development, there was no report.

Ways and Means Committee, the next meeting is scheduled for May 12th at 6:30pm.

City Attorney Albrecht had no report.

City Clerk/Administrator Akande

NIMS – Fire Chief Jury addressed the Board in regards to the National Incident Management System and the need for elected officials to all be trained. In 2014 the Board passed a resolution making NIMS the official incident management system for the city. A requirement is for elected officials to take course 100 and 700; without each official having taken the course, FEMA could deny the city federal funds during an emergency.

Excise Commissioner Report

None

Library, there was no report.

Municipal League, there was no report.

Historical Society, there was no report.

Closed Meeting

None

UNFINISHED BUSINESS

None

NEW BUSINESS

Alderman Leahy distributed a list of suggestions for the committees within the Brentwood Code.

Alderman Leahy made a motion that the NIMS training be accomplished by the 9 elected officials by the June 1, 2015, and that certificates of completion are submitted by that date.

MOTION DIES FOR LACK OF SECOND.

Alderwoman Saunders commented that it is the intention of Ward I Aldermen to continue holding Ward I meetings but the date and time will be set after committees have been assigned and their meeting schedule is set. Mayor Thornton announced that the committees will continue as appointed at the times established previously, without the members that are not present.

Alderman Leahy announced the Ward III meeting on May 26th at 7 p.m. He also announced a reminder of the National Day of Prayer on May 7th.

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

Susan Ryan Pine, addressed the board questioning the committee appointments that were denied by the Board of Aldermen. She added that it is disappointing and doesn't feel like a cooperative effort after the first meeting of the new board.

Fire Chief Jury, announced the Fire Department's annual open house on May 9th; there will be tours of the fire house along with hot dogs.

Karen Meyer 8726 Pine, welcomed the Miriam Shop and added that she works in a small retail shop near another location. She commented that all needs to be aware of the appearance of their trash receptacles; they may need more.

Alderwoman Saunders requested an opportunity to address the board regarding the way meetings are being run and Mayor Thornton replied that it is not in order at this time.

ADJOURNMENT

Motion was made by Alderman Leahy and seconded by Alderman Toohey to adjourn the meeting at 8:49 p.m. Unanimous vote in favor taken; **MOTION PASSED.**

Approved on the 18th day of May, 2015.

Attest:

Chris Thornton, Mayor

Bola Akande, City Clerk/Administrator