

**CITY OF BRENTWOOD, MISSOURI
BOARD OF ALDERMAN MEETING
AUGUST 17, 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	Alderdwoman Manestar	Present
Alderman Kramer	Present	Alderdwoman 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 August 17, 2015

Mayor Thornton announced that Bill #5981 has been amended and requested that it is reordered on the agenda and set for the 1st and 2nd reading. He also requested that Bill #5998 is removed from the agenda to allow staff more time to prepare for adoption. Motion was made by Alderman Leahy and seconded by Alderman Plufka approve the agenda with the amendments stated. Unanimous vote in favor taken; **MOTION PASSED.**

CONSIDERATION AND APPROVAL OF THE MINUTES

Board of Aldermen Regular Meeting Minutes July 20, 2015

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

PRESENTATION/RECOGNITION

Recognition – National Night Out Block Party Hosts

Police Chief Fitzgerald announced the success of this years' National Night Out event on August 4th, in which there were 10 volunteers signed up to host block parties; a change from previous events held at area pools. Each party was well attended with approximately 50-70 guests. Event organizer Det. Craig Eisenbeis presented each volunteer with a certificate in recognition of their continued community support and volunteerism: Mary White—8700 Radley Ct; Louise Charboneau—8800 Madge; Shirley Giebel—2015 Spanish; Kathy Sauer—8530 Eulalie; Elaine Reed--8700 Garden CT.; Joyce Langguth—2629 Cecelia; Caroline (Sue) Harris—8735 White; Eugene Taylor—2721 Collier; Marla Logan—8100 Fawn; Ed Wright—20 Stardford.

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.)

None

UNFINISHED BUSINESS

None

BILLS TO BE GIVEN A FIRST 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

Removed from agenda.

BILLS TO BE GIVEN A SECOND READING ONLY

Bill No. 5987 – An Ordinance Authorizing The Mayor And/Or City Administrator To Enter Into And Execute An Agreement With Schowalter & Jabouri, P.C., To Provide Audit And Accounting Services For The City Of Brentwood For Fiscal Year Ending 2015; Providing For The Repeal Of All Conflicting Ordinances; And Providing For The Effective Date Of This Ordinance

Attorney Albrecht read Bill #5987 by title only. Alderman Kramer provided the synopsis, “This bill is for an ordinance amending Section 110.270 of the code of ordinances of the city of Brentwood by amending Section 110.270(a) pertaining to appointment of standing committees and Section 110.270(b) pertaining to membership requirements for standing committees which includes Public Safety, Public Works, and Ways and Means. The motion at the May 18, 2015 Board of Aldermen was to hold the bill until the July Board of Aldermen Meeting”

Perfection Of Bills

Motion was made by Alderwoman Saunders and seconded by Alderman Leahy to perfect Bill #5987 into ordinance form. **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.**

BILL #5987 IS HEREBY APPROVED BY THE BOARD OF ALDERMEN AND UPON SIGNATURE BY THE MAYOR BECOME ORDINANCE #4644

Bill No. 5988 – An Ordinance Authorizing The Mayor And/Or City Administrator To Execute An Agreement Between The City Of Brentwood, Missouri And Sign-A-Rama For The Park Signage Phase II Project; And Providing For The Effective Date Of This Ordinance

Attorney Albrecht read Bill #5988 by title only. Alderman Kramer provided the synopsis, “This bill is for an ordinance authorizing the mayor and/or city administrator to enter into and execute an agreement between the City of Brentwood and Schowalter & Jabouri, P.C. for accounting and auditing services for fiscal year ending 2015. The Ways and Means Committee reviewed the request and recommends approval”.

Perfection Of Bills

Motion was made by Alderman Leahy and seconded by Alderwoman Saunders to perfect Bill #5988 into ordinance form. **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.**

BILL #5988 IS HEREBY APPROVED BY THE BOARD OF ALDERMEN AND UPON SIGNATURE BY THE MAYOR WILL BECOME ORDINANCE #4645

Bill No. 5989 – An Ordinance Authorizing The Mayor And/Or City Administrator To Enter Into And Execute A Subscription Services Agreement Between The City Of Brentwood, Missouri And MyGOV LLC; And Providing For The Effective Date Of This Ordinance

Attorney Albrecht read Bill #5989 by title only. Alderman Kramer provided the synopsis, “This bill is for an ordinance authorizing the mayor and/or city administration to enter into an agreement between the City of Brentwood and Sign-A-Rama for the Park Signage Phase II Project. The project includes fabrication of the 43 park signs located in Brentwood Park, Norm West Park, Oak Tree Park and Lee Wynn Trail. The Public Works Committee has reviewed the request and recommends approval”.

It was clarified that this program will allow staff to enter internal and external work orders.

Perfection Of Bills

Motion was made by Alderman Slusser and seconded by Alderwoman Saunders to perfect Bill #5989 into ordinance form. **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.**

BILL #5989 IS HEREBY APPROVED BY THE BOARD OF ALDERMEN AND UPON SIGNATURE BY THE MAYOR WILL BECOME ORDINANCE #4646

Bill No. 5991 – An Ordinance Granting Site Plan Approval To Meridian Medical Technologies For A Building Addition At Property Numbered 2555 Hermelin Dr. 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 #5991 by title only. Alderman Kramer provided the synopsis, “This bill is for an ordinance granting site plan approval to Meridian Medical Technologies for a building addition at 2555 Hermelin Dr. The 3,435 square foot addition will allow for locker rooms and break area for the building. The Planning and Zoning Commission has reviewed the request and recommends approval”.

Perfection Of Bills

Motion was made by Alderman Slusser and seconded by Alderwoman Manestar to perfect Bill #5991 into ordinance form. Alderman Leahy requested the status of his previous request to go back to the sound engineer to determine the noise disturbance at alternate elevations. A discussion was held and Director Wyse reported the sound engineer’s response that there is not believed to be an issue. **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.**

BILL #5991 IS HEREBY APPROVED BY THE BOARD OF ALDERMEN AND UPON SIGNATURE BY THE MAYOR WILL BECOME ORDINANCE #4647

Bill No. 5992 – An Ordinance Granting Site Plan Approval To Smoothie King For Site Plan Approval For Outdoor Seating At Property Numbered 1413 S. Hanley 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 #5992 by title only. Alderman Kramer provided the synopsis, "This bill is for an ordinance granting site plan approval for outdoor seating at Smoothie King, located within the Meridian development at 1413 South Hanley Road. The Planning and Zoning Commission has reviewed the request and recommends approval".

Perfection Of Bills

Motion was made by Alderman Slusser and seconded by Alderman Lochmoeller to perfect Bill #5992 into ordinance form. **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.**

BILL #5992 IS HEREBY APPROVED BY THE BOARD OF ALDERMEN AND UPON SIGNATURE BY THE MAYOR WILL BECOME ORDINANCE #4648

Bill No. 5993 – 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 Planning Design Studio To Perform On-Call Landscape Architecture Services; And Providing For The Effective Date Of This Ordinance

Attorney Albrecht read Bill #5993 by title only. Alderman Kramer provided the synopsis, "This bill is for an ordinance authorizing the mayor and/or city administrator to enter into and execute an agreement between the City of Brentwood and Planning Design Studio to perform on-call landscape architecture services. The Public Works Committee has reviewed the request and recommends approval".

Perfection Of Bills

Motion was made by Alderman Slusser and seconded by Alderman Leahy to perfect Bill #5993 into ordinance form. **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.**

BILL #5993 IS HEREBY APPROVED BY THE BOARD OF ALDERMEN AND UPON SIGNATURE BY THE MAYOR WILL BECOME ORDINANCE #4649

Bill No. 5994 – An Ordinance Amending Title III Of The Revised Code Of Ordinances Of The City Of Brentwood, Missouri By Adding A New Schedule XIV, Table XIV-A, Passenger Curb Loading Zone; 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 Albrecht read Bill #5994 by title only. Alderman Kramer provided the synopsis, "This bill is for an ordinance amending Title III of the Revised Code of Ordinances of the City of Brentwood, Missouri by adding a New Schedule XIV. In summary, the ordinance designates the east side of Woodsey Dr. as a Passenger Curb Loading Zone that would be for the exclusive use of vehicles only during loading and unloading activities. The Public Safety Committee has reviewed the request and recommends approval".

Perfection Of Bills

Motion was made by Alderman Leahy and seconded by Alderman Toohey to perfect Bill #5994 into ordinance form. After questions from Alderman Leahy of special street markings, it was clarified that the request had been made to erect notification signs. **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.**

BILL #5994 IS HEREBY APPROVED BY THE BOARD OF ALDERMEN AND UPON SIGNATURE BY THE MAYOR WILL BECOME ORDINANCE #4650

BILLS TO BE GIVEN A FIRST AND SECOND READING

Bill No. 5981, amended – An Ordinance Amending Section 110.270 Of The Code Of Ordinances Of The City Of Brentwood, Missouri By Deleting Sections 110.270 (A) Appointment, And Section 110.270 (B) Members – Number And Requirements, In Their Entirety, And Replacing Them With A New Section 110.270 (A) Appointment, And Section 110.270 (B) Members – Number And Requirements, In Their Entirety, 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

Mayor Thornton clarified that Bill #5981 had been read by title once. After which it was amended, and pursuant to state statute the Bill must be read twice before adopting and thus 2 readings will be conducted.

Attorney Albrecht conducted the 1st and 2nd readings of Bill #5981 by title only. Alderman Kramer provided the synopsis, “This bill is for an ordinance amending Section 110.270 of the code of ordinances of the city of Brentwood by amending Section 110.270(a) pertaining to appointment of standing committees and Section 110.270(b) pertaining to membership requirements for standing committees which includes Public Safety, Public Works, and Ways and Means. The motion at the May 18, 2015 Board of Aldermen was to hold the bill until the July Board of Aldermen Meeting”.

Perfection of Bills

Motion was made by Alderman Slusser and seconded by Alderman Leahy to perfect Bill #5981 as amended into ordinance form. Alderman Leahy clarified 2 issues that were raised since the bill was originally introduced. 1) the city attorney raised the issue of the president of the board of aldermen making a final selection, that section was changed to make it that it comes back to the board for a final vote of approval. 2) how this bill may or may not be affected by case law within the state of Missouri; he explained an example of a 4th class city that took an elected city position through ordinance form and changed it to an appointed city position. Since it is a city position, the mayor by state statute is required to appoint that person. The city changed their ordinance to allow the board to select the person to fill the position. When challenged, the courts ruled that the city could not usurp what the state statute had not given authority to do. He added that this bill is not taking an elected or appointed position and making it a board of aldermen position, it is tasking the board to assignments to serve on the legislative committee as done by state representatives and the senate. He added his belief that there is no violation, in fact, we would be complying with state statute that states unless otherwise set by ordinance, appointments shall be made by the mayor of the city. In the appointment process this year, we lost some continuity and consistency in our committees and this bill accomplishes the task of avoiding this. He later added that creating committees without ward representation may skew opinions.

Alderman Slusser stated his opposition that it be a requirement that one member from each ward to serve on a committee. Although each one can provide incredible insight, the city would be losing out if they are required to appoint someone to a board that they are not suited for.

Alderman Plufka commented that the case of Carter vs. Pagedale was correctly stated, however, there were other important parts to this law. Namely, a 4th class city is created by RSMo 79 and the legislature is clear that they will not provide a power that is not explicitly expressed within Chapter 79; you cannot create them on your own or by ordinance. If challenged this bill would fail; 1) the committees are not legislative, they are a recommending body to the full board and the comparison to the federal system is not applicable. 2) we have cut the mayor out of the appointment process which violates section 110 of chapter 79 that states the mayor will provide for the operation of the city. 3) there was another point within the case that states when there is doubt as to whether a power has been conferred, it must be construed has not having been granted. Some of the sections in chapter 79 suggest that there might be the power

of the board of aldermen to appoint; it is not explicit anywhere, and that tenant of statutory construction suggests that if it is not there, you are not allowed to create it by inference. 4) there is one section that concerns the power of the president of the board of aldermen; stating that the president does not have any power except to act as the mayor temporarily in the event of his or her incapacity. Nowhere in the section does it confer any other powers; giving any powers to appoint will violate chapter 79. He added that it is odd to consider a bill to become ordinance at a time when the board is spending much time and effort about being more accountable and to become closer to those we are representing.

Alderwoman Saunders stated her agreement with chapter 79 and the legal ramifications. She stated that we need to move away from a 4th class city; we have the population and revenue to become a 3rd class or home rule city. This would open the city up to all state statutes and to not limit the city to chapter 79. This would also ensure that employee appointments are conducted via a hiring process versus an appointment process and would also remove the appearance of politics from the process. She later asked why Alderman Leahy would bring this forward at this time. He replied that he never thought he had enough support to get it going.

Alderman Lochmoeller inquired of section 79.230; what exactly is an officer as reference. He also stated that he does not see any reference to committees. Attorney Albrecht replied that he would have to review but it could primarily mean the city administrator, the city attorney, city prosecutor. When looking at the whole legislative scheme, the mayor is the chief operating officer and the city administrator is in charge of the day to day affairs. Any reference in the statutes to the Mayor is singular, to him/her while references to the board are made in plural to the collective body. There are no committee provided for specifically by statute but they are authorized as an advisory body to assist the board

Alderman Kramer commented that there is a history behind the bill and the way the former mayors made appointments; the unchallenged tradition of selecting members and asking the board to back them up has caused a concentration of power. When dealing with a democratic society and a legislative branch that is empowered to represent the people and that representation is any way dis-represented by way of the lack of diversity, an attempt to control an agenda, or to sway opinions to collect votes or to make certain legislation happen that otherwise would not; we now have an opportunity to lesson that concentration. He added that diverse representation is extremely important; giving everyone a chance. Bill #5981 does not give the president of the board any power; only to read the submission of the board members that have nominated themselves for a committee and makes sure there is diversity; this is done until everyone agrees and then it is brought to open session. There is more good than harm with this bill. The current may feel challenged but it was only done that way in the past because of tradition. Discuss continued regarding additional comments from aldermen and votes were taken. **ROLL CALL:** Alderman Kramer – yes; Alderman Leahy – yes; Alderman Lochmoeller – yes; Alderwoman Manestar – yes; Alderman Plufka – no; Alderwoman Saunders – yes; Alderman Slusser – no; Alderman Toohey – no; **MOTION PASSED.**

BILL #5981 IS HEREBY APPROVED BY THE BOARD OF ALDERMEN AND UPON SIGNATURE BY THE MAYOR WILL BECOME ORDINANCE #4651

Bill No. 5997 – An Ordinance Readopting Ordinance No. 3153, Reaffirming Section 135.210 Of Chapter 135 Of The Revised Code Of Ordinances Of The City Of Brentwood; 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 #5997 by title only. Alderman Kramer provided the synopsis, “This bill readopts Ordinance No. 3153 which approved the City’s Personal & Financial Disclosure Policy as required by State Law. This Bill is adopted annually by cities with an operating budget over one million dollars and sets forth rules and policies for disclosing personal and financial information for elected officials and the City Clerk/Administrator. This ordinance

reaffirms Section 135.210 of Chapter 135 of the Revised Code of Ordinances of the City of Brentwood, Missouri”.

Presentation By Staff

Administrator Akande announced that the city is required to adopt the ordinance annually by September 15th and provide it to the Missouri Ethics Commission. In addition, cities who have an operating budget of over one million dollars are also required to adopt this ordinance.

Questions By Aldermen

None

Perfection of Bills

Attorney Albrecht read Bill #5997 by title only. Motion was made by Alderman Leahy and seconded by Alderman Slusser to perfect Bill #5997 into ordinance form. **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.**

BILL #5997 IS HEREBY APPROVED BY THE BOARD OF ALDERMEN AND UPON SIGNATURE BY THE MAYOR WILL BECOME ORDINANCE #4652

Bill No. 5999 – An Ordinance Amending Title I Chapter 110 Of The Revised Code Of Ordinances Of The City Of Brentwood, Missouri, By Deleting Section 110.150 In Its Entirety, And By Adding In Lieu Thereof A New Section 110.150 To Provide For The Regular Meetings Of The Board Of Alderman; Providing For The Maintenance Of This Code; Providing For The Effective Date Of This Ordinance; And Providing For The Repeal Of All Conflicting Ordinance

Attorney Albrecht read Bill #5999 by title only. Alderman Kramer provided the synopsis, “This bill is for an ordinance amending Title I Chapter 110 of the Revised Code of Ordinances of the City of Brentwood, Missouri by deleting Section 110.150 in its entirety, and by adding in lieu thereof a new section 110.150 to provide for the regular meetings of the Board of Aldermen. With the passage of this bill, in the event that any regular meeting of the Board of Alderman shall fall upon a legal holiday, such meeting shall be held at 7:00 P.M. on the next day which is neither a Saturday, Sunday or a legal holiday. All regular meetings of the Board of Alderman shall be held in City Hall or at such other publicly accessible location located in the City of Brentwood that is sufficient to accommodate the anticipated attendance of the meeting”.

Presentation By Staff

Administrator Akande announced that this item was brought by Mayor Thornton. In his review of the city code, he pointed out that the city had regularly and perennially cancelled regularly scheduled meetings in the months of September through May; due to holidays. This would allow, in those months that a holiday falls on the Monday in which would have had a regularly scheduled meeting, to hold that meeting on the very next business day.

Questions By Aldermen

Alderwoman Saunders stated her appreciation for the item being brought forward; adding that it is a good idea.

Perfection of Bills

Attorney Albrecht read Bill #5999 by title only. Motion was made by Alderman Leahy and seconded by Alderwoman Saunders to perfect Bill #5999 into ordinance form. **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 – no; **MOTION PASSED.**

BILL #5999 IS HEREBY APPROVED BY THE BOARD OF ALDERMEN AND UPON SIGNATURE BY THE MAYOR WILL BECOME ORDINANCE #4653

Bill No. 6000 – An Ordinance Amending Ordinance 4629 Adopted May 4, 2015 For Site Plan Approval 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 #6000 by title only. Alderman Kramer provided the synopsis, “This bill is for an ordinance amending Ordinance No. 4629 adopted May 4, 2015 for site plan approval for Miriam Switching Post at property numbered 290 Hanley Industrial Court, 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”.

Presentation By Staff

Director Wyse stated that the applicant had a site plan approved in May of 2015 for building and site improvements. As part of the site plan approval in May of 2015, the property was required to bury or relocate an existing utility pole that conflicted with the proposed storefront. As the construction progress has begun, the new storefront was shifted slightly west and the pole is no longer directly in front of the windows. As such, the applicant is requesting this condition be amended.

The existing pole was recommended to be buried or relocated. The conversation centered on the conflict between pole and the site entrance (i.e. new storefront) and aesthetic impacts. With a shift in the storefront, the pole is no longer directly in front of the storefront and the concern has been eliminated. The Planning and Zoning Commission reviewed and approved the request at the August 12th, 2015 meeting.

Questions By Aldermen

Alderswoman Saunders questioned if the telephone pole needs to be screened with landscaping and the applicant indicated that they would not have an issue with making those changes.

Perfection of Bills

Attorney Albrecht read Bill #6000 by title only. Motion was made by Alderman Leahy and seconded by Alderman Slusser to perfect Bill #6000 into ordinance form.

A motion was made by Alderswoman Saunders and seconded by Alderman Lochmoeller to amend Bill #6000 to read that the telephone pole on the north side of the building is screened with landscaping if possible. **ROLL CALL:** Alderman Kramer – yes; Alderman Leahy – no; Alderman Lochmoeller – yes; Alderswoman Manestar – yes; Alderman Plufka – yes; Alderswoman Saunders – yes; Alderman Slusser – yes; Alderman Toohey – yes; **MOTION PASSED.**

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

BILL #6000 IS HEREBY APPROVED BY THE BOARD OF ALDERMEN AND UPON SIGNATURE BY THE MAYOR WILL BECOME ORDINANCE #4654

RESOLUTION

Resolution No. 1038 – A Resolution Providing For The Consumption Of Beer, Wine And Liquors, As Provided For In Section 600.040 Of The Brentwood Municipal Code

Director Gruenenfelder announced that resolution provides the consumption of beer, wine, and liquors, at the recreation complex for 2 events; the complex advance preview event on September 4th from 6 p.m. – 9 p.m. and an after-hours event with the Chamber of Commerce on October 8th. Alderman Kramer provided the synopsis, “This resolution is for the

consumption of beer and wine, 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 – i.e., Boards & Commissions Advance Preview of the Brentwood Community Center Complex and Brentwood Chamber of Commerce After Hours Event.” Motion was made by Alderman Leahy and seconded by Alderwoman Saunders to adopt Resolution #1038. Unanimous vote in favor taken: **MOTION PASSED.**

ACCOUNTS AGAINST THE CITY

Alderman Slusser announced his review of the warrant list in the amount of \$113,440.09 and made a motion for approval. Alderman Kramer seconded the motion. Unanimous vote in favor taken; **MOTION PASSED.**

REPORT OF COMMITTEES AND DEPARTMENT HEADS

Mayor Thornton recognized Attorney Frank Albrecht for his capacity as city attorney for more than 14 years and presented him with a proclamation.

***WHEREAS**, the City of Brentwood, Missouri is enhanced by the efforts of devoted professionals dedicated to preserving and improving the quality of life of the community and dedicated to protecting individuals, families and children; and*

***WHEREAS**, City Attorney Franklin H. Albrecht has, over the past ten years, exhibited exemplary performance, dedication and commitment to the City of Brentwood; and*

***WHEREAS**, City Attorney Franklin H. Albrecht is a graduate of De Smet Jesuit High School. He received his Bachelor of Arts Degree in Business Administration from St. Louis University and his Juris Doctorate Degree from St. Louis University School of Law. Attorney Albrecht was admitted to the practice of law in 1983; and*

***WHEREAS**, City Attorney Franklin H. Albrecht is a member of the Missouri Bar Association, the American Bar Association, the Bar Association of Metropolitan St. Louis, the Lawyers Association of St. Louis, and the Missouri Municipal Attorneys Association; and*

***WHEREAS**, City Attorney Franklin H. Albrecht has been a resident of the City of Brentwood since 1990 with his wife Christine and three children whom all attended Saint Mary Magdalen Catholic School; and*

***WHEREAS**, City Attorney Franklin H. Albrecht is recognized as an educated leader and organizer and has distinguished himself as a person committed to the City of Brentwood.*

***NOW, THEREFORE**, I, Chris Thornton, by the virtue of authority vested in me as Mayor of the City of Brentwood, Missouri, do hereby recognize Franklin H. Albrecht for his leadership and contribution to the Brentwood Community.*

Public Safety Committee, Alderman Plufka announced the next meeting to be held on August 20th.

Public Works Committee, Alderman Toohey reported actions at the last meeting; we have gone out for bids for the replacement of the Magic Bus and a new Recycle Truck.

Director of Planning & Development

None

Ways and Means Committee, Alderman Slusser reported actions at the last meeting: a citizen budget forum was held allowing citizens to give their ideas for the 2016 budget as well as members of the committee. Going forward the committee will continue budget preparation. A discussion will be held at the next meeting of the real estate tax rate for the upcoming year.

City Attorney Albrecht had no report.

City Clerk/Administrator Akande had no report.

Excise Commissioner

Temporary Liquor License – Immerse by Atlas

Alderman Manestar reported the special use permit application from Immerse to host a launch party on September 17th, serving appetizers, beer and wine and requests a temporary liquor license.

Temporary Liquor License – Saint Mary Magdalen Parish

St. Mary Magdalen is having a community building event on September 25th; food trucks will be on hand and they will have a booth to sell alcoholic and non-alcoholic beverages and requests a temporary liquor license.

Alderman Saunders made a motion to approve the special use permits Immerse by Atlas and St. Mary Magdalen for the dates and events specified. Motion seconded by Alderman Toohey. Alderman Leahy asked if our codes sets a limitation of events allowed per year and Attorney Albrecht replied that he believes not. **ROLL CALL:** Alderman Kramer – yes; Alderman Leahy – yes; Alderman Lochmoeller – yes; Alderman Manestar – yes; Alderman Plufka – yes; Alderman Saunders – yes; Alderman Slusser – yes; Alderman Toohey – yes; **MOTION PASSED.**

Library, Alderman Manestar reported that the next meeting will be held on September 1st at 6:30pm.

Municipal League – no report.

Historical Society – no report.

ANNOUNCEMENTS

Alderman Leahy announced the Ward 3 meeting August 25th at 7pm; all are invited.

Alderman Saunders announced that the Ward 1 meeting was originally scheduled for September 8th but will be canceled in lieu of the Board of Alderman meeting. (Alderman Leahy reported his absence).

Mayor Thornton reported the death of retired Assistant Fire Chief Joseph Bratcher; he was employed with the city for 34 years, retiring in 2000. Visitation will be held from 3PM – 9PM, Thursday August 20th, 2015 at Kutis Funeral Home, Affton Chapel 10151 Gravois Road. Funeral Services will be held at 9:15AM, Friday August 21st, 2015 at Kutis Funeral Home, Affton Chapel, 10151 Gravois Road, departing for a 10AM mass at St. Mary Magdalen Catholic Church in Brentwood, Mo. Interment at Polk Cemetery, Ellington, Mo.

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)

Louise Charboneau, 8833 Madge, thanked Chief Fitzgerald and Det. Eisenbias for their leadership on the National Night Out. She also thanked Aldermen Kramer and Leahy for their hard work on bill #5981; also Aldermen Saunders, Manestar and Lochmoeller for their yea votes. She added that this is in no way any judgement against the Mayor but she believes all the people should be represented all the time.

Aldermanic Response

None

CLOSED MEETING

Alderswoman Saunders made a motion to enter into executive session at 8:29 p.m. to discuss personnel pursuant to RSMO 610.021(3). Motion seconded by Alderman Leahy. **ROLL CALL:** Alderman Kramer – yes; Alderman Leahy – yes; Alderman Lochmoeller – yes; Alderswoman Manestar – yes; Alderman Plufka – yes; Alderswoman Saunders – yes; Alderman Slusser – yes; Alderman Toohey – yes; **MOTION PASSED.**

Mayor Thornton called the closed session to order at 8:35 p.m. with the following members present: Alderman Kramer, Alderman Lochmoeller, Alderswoman Manestar, Alderman Plufka, Alderswoman Saunders, Alderman Slusser, Alderman Leahy and Alderman Toohey. Also present were City Administrator Akande, City Attorney Albrecht, Fire Chief Jury, Attorney Brian Hey and Deputy City Clerk Pittman.

Personnel – RSMO 610.021(3) Hiring, firing, disciplining or promoting of particular employees by a public governmental body when personal information about the employee is discussed or recorded

Alderman Leahy made a motion to close the executive session and reconvene to open session at 8:54 p.m. Motion seconded by Alderman Plufka. **ROLL CALL:** Alderman Kramer – yes; Alderman Leahy – yes; Alderman Lochmoeller – yes; Alderswoman Manestar – yes; Alderman Plufka – yes; Alderswoman Saunders – yes; Alderman Slusser – yes; Alderman Toohey – yes; **MOTION PASSED.**

ADJOURNMENT

Motion was made by Alderman Leahy and seconded by Alderswoman Saunders to adjourn the meeting at 8:55 p.m. Unanimous vote in favor taken; **MOTION PASSED.**

Approved as submitted on the 8th, day of September, 2015.

Attest:

Christopher A. Thornton, Mayor

Bola Akande, City Clerk/Administrator