

**CITY OF BRENTWOOD  
BOARD OF ALDERMEN MEETING  
JANUARY 17, 2017**

**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	Absent	Alderman O'Neill	Present
Alderman Wegge	Present	Alderman Leahy	Present
Alderman Lochmoeller	Present	Alderman Sims	Present
Alderman Kramer	Present	Alderman Dimmitt	Present
Mayor Thornton	Present		

Members present constituted a quorum. Also present were City Administrator Bola Akande, Attorney Katherine Henry, Finance Director Karen Shaw, Director of Public Works Dan Gummertsheimer, Director of Parks and Recreation Eric Gruenenfelder, Fire Chief Terry Kurten, Police Chief Dan Fitzgerald and City Clerk Dusty Hosna.

**APPROVAL OF AGENDA**

**Board of Alderman January 17, 2017**

The agenda was approved by acclamation.

**CONSIDERATION AND APPROVAL OF MINUTES**

**PRESENTATION/RECOGNITION**

**Retirement of Sgt. Tom Zurhide**

Dan Fitzgerald announced the retirement of Sgt. Tom Zurhide after 22 years of service with the Brentwood Police Department. He mentioned that Officer Zurhide's experience was very beneficial to the department and that he will be missed.

**Compensation Classification Report**

Lynda Higbee, President of Higbee Associates presented the Compensation Classification Report. She stated that job descriptions were completed and comparator cities were surveyed for the compensation of similar positions. She mentioned that 90% of positions matched to comparator descriptions and that 25 classifications were above comparator average range maximums, 14 were below and 11 were equal to the market range. She displayed a bar graph chart that displayed the classifications and employee pay range against the market average.

She explained that Brentwood employee benefits were, for the most part, in line with those of the comparator cities. She explained that the city was asked to develop a compensation philosophy and that a market based philosophy was chosen. Mayor Thornton stated that a compensation philosophy offers continuity to future elected officials.

Higbee stated that a recommendation was made to the city to develop a compensation philosophy, discontinue longevity increases, stop giving base building increases to those above

maximum range, prioritize increases and to monitor employee contribution for health and dental insurance.

Mayor Thornton explained that city's compensation philosophy must be rational and connected to data. He also mentioned that it must be sustainable.

Higbee then explained the 75<sup>th</sup> percentile for compensation and the 12 step classification plan. She then discussed the recommended grade changes and adjustments. She discussed the 7 step program and recommended adjustments to the scale. Discussion was held on the step classification plan. Mayor Thornton explained that the step plans would not result in any employees losing pay. Alderwoman O'Neill expressed satisfaction with the power point presentation.

**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.)

**Gary Hassenflu, Metro on Manchester**, Stated that there is a gap in financing and asked for a 70% tax abatement for a 10 year period. He explained that with this, they would donate the land for a pedestrian bridge that would connect to the Metro Link stop. Mayor Thornton explained that the Board of Aldermen would need to authorize staff to proceed with a formalized redevelopment agreement with some basic terms.

Alderman Wegge asked Mr. Hassenflu if he felt the pedestrian bridge would add value to his property or be a burden. Hassenflu explained that if he had to participate in funding the bridge it would be a burden, but this project would most benefit the community. Alderman Lochmoeller mentioned that he suggested the pedestrian bridge to link a pathway with the development and the Metro Link Station.

Alderman Dimmitt mentioned a PGAV study that was performed and asked why PGAV was hired. Hassenflu stated that the study was to demonstrate blighting for the purpose of tax abatement and that they were hired in September of 2016. Alderman Dimmitt asked Mr. Hassenflu if he was concerned with the blighted area before the study and if it was after the approval of zoning and a conditional use permit that PGAV was attained. Hassenflu explained that he has always been concerned with the blighting and that PGAV was attained after receiving the permits. Alderman Dimmitt asked about the financial tables that were included in the report and the assessed value of the lots listed. He mentioned that the assessed values of the lots were mentioned later in the report at a different value. Hassenflu explained that this is due to clerical error. Alderman Dimmitt mentioned that there is confusion in the report.

Alderman Kramer asked if a resolution needed to be passed at this time. Mayor Thornton explained that the Board of Aldermen needs to decide if they would like to direct staff to pursue a redevelopment agreement with Gary Hassenflu. Administrator Akande mentioned that she spoke to Mark Grimm, the city's bond council, and his opinion was that the city could use the blight study that has already been performed on this property and that the tax impact

statement had already been completed and that the city could also use that. Mr. Hassenflu mentioned that PVAG is all about objectivity and performed the computations. Alderman Kramer asked if the tax abatement was needed for financial reasons or if they wanted it because other developments were receiving abatements. Hassenflu stated that they would need this abatement due to the structural costs and the overall costs of building this structure in a flood plain. Alderman Kramer asked if he would move forward with this project if he did not receive the tax abatement. Hassenflu stated that he would not. Alderman Kramer asked if the school district had been consulted on the topic. Mayor Thornton mentioned that he spoke to Chairmen Rabenburg and that they felt that situations like this in the past have been good for the school district and that the chairmen feels the school board would support the abatement. Alderman Kramer mentioned the benefits of this project being completed and the willingness of Mr. Hassenflu to work with the city. Mayor Thornton explained the 70% tax abatement that is being proposed.

Alderman Leahy asked if his group has closed on the property in which Mr. Hassenflu stated that they had not. Alderman Leahy then mentioned that MSD said the area of land that Mr. Hassenflu is donating to the city for a pedestrian bridge is not able to be built on. He clarified with Mr. Hassenflu that his group is offering land for a bridge in exchange for around \$445,000 in tax abatement and that his group was not willing to build the bridge and that the city would be responsible for doing so. Mr. Hassenflu mentioned funding options for building this bridge. Alderman Leahy stated that he was concerned that MSD and the Corp of Engineers said that nothing could be built in the area of the proposed bridge. Administrator Akande mentioned that staff could confirm with MSD that the land could be built on. Discussion was held on the public right of way in the area and the ability to build on the land. Mayor Thornton explained that a parking lot was not able to be built on the land but a pedestrian bridge was not excluded.

Alderman Leahy mentioned that he is not in favor in authorizing a tax abatement on this project. He feels that the project is a bad decision for the City of Brentwood and the school district.

Hassenflu mentioned that the project will bring in new people to the area that will be spending their money in Brentwood and that a tax abatement is very popular in another cities.

**Louise Charboneau, 8833 Madge,** mentioned that Officer Zurhide will be missed. She stated that the area that Mr. Hassenflu is considering for development is a flood plain and that she would rather it stay a flood plain. She stated that the 6 story project might be a problem to surrounding residents and that traffic will overflow near the property. She mentioned that it was logical to get the foot bridge but the cost of the bridge should be shared by Mr. Hassenflu. She spoke about Mr. Hassenflu's other development projects.

**Mike Horton, Camden Dr,** mentioned a project that Mr. Hassenflu's company had in Independence, Missouri. He stated that Mr. Hassenflu purchased a property for redevelopment and was fined multiple times because the property was falling into disrepair. He spoke about a hotel in Arkansas that Mr. Hassenflu purchased for redevelopment and had again received fines for not doing anything to the property. The property was eventually tore down. He mentioned that Mr. Hassenflu's company also purchased the Lemp Brewery and did nothing with it, eventually selling it. He stated that he believes Mr. Hassenflu's project will not be developed and the city will be forced to buy back the property for \$834,000.

**John Nuerenberger,** wanted to ensure that the proper steps were taken by Mr. Hassenflu in bringing this tax abatement request to the Board of Aldermen.

**Karen Smith, Harrison,** stated that this project was approved by Planning and Zoning and the Board of Aldermen with no request for a tax abatement and was unclear why Mr. Hassenflu

was now asking for a tax abatement. She stated that Mr. Hassenflu should contribute to the cost of the pedestrian bridge. She also stated that the city may want to consider doing its own blighting report.

**Carl Karlen**, stated that he believes Mr. Hassenflu's project will be a net cost to the city. He stated that that the project was good use of the sight and that he did not support the tax abatement. He was concerned that property values would suffer. He would like for the city to negotiate the tax abatement.

**Aldermanic Response**

Alderman Leahy asked if a procedural step may have been overlooked and if the 353 Corporation was involved. Mayor Thornton mentioned that the 353 Corporation can declare blighting and negotiate a tax abatement. He said that no steps have been skipped.

Alderman Kramer stated that in a previous development, the 353 Corporation had prior information on the blighting and tax abatement request and that this request is coming in afterwards.

Mayor Thornton mentioned that the bulk of the money that would be abated would be money that was going to go to the school district. He stated that the school district will not be losing money and that they will continue to collect the same money that they are receiving on the empty piece of property. He stated that Chairman of the School Board indicated support for this tax abatement because of the increased revenues after 10 years. He also stated that the School District is interested in increasing the enrollment and is not concerned with overloading the school district.

**UNFINISHED BUSINESS**

**None**

**BILLS TO BE GIVEN A FIRST READING ONLY**

**None**

**BILLS TO BE GIVEN A SECOND READING ONLY**

**None**

**BILLS TO BE GIVEN A FIRST AND SECOND READING**

**None**

**RESOLUTIONS**

**Resolution No. 1066 –Option 1 - Resolution Authorizing the City Staff and Legal Counsel to Negotiate a Redevelopment Agreement with Garrison Development Company Regarding the Proposed Metro on Manchester Apartment Building** – The Developer of the Metro on Manchester Apartment Building, Mr. Gary Hassenflu representing Garrison Development Company is requesting a real property tax abatement of 70% of the incremental assessed value for the apartment building project for a period of 10 years, from 2017-2026. The approximate amount of this real property tax abatement to the Developer would be approximately \$445,000 over 10 years. The Developer is requesting this incentive under the provisions of Chapter 353 of the Revised Statutes of Missouri which must determine this area

blighted. This Resolution would establish the parameters of the Development Agreement, which would be formally presented to the Board of Aldermen for consideration at a future meeting. Furthermore, the Redevelopment Agreement shall not authorize real property tax abatement of greater than 70% for more than 10 years.

**Resolution No. 1066 – Option 2 – Resolution Authorizing the City Staff and Legal Counsel to Negotiate a Redevelopment Agreement with Garrison Development Company Regarding the Proposed Metro on Manchester Apartment Building** – The Developer of the Metro on Manchester Apartment Building, Mr. Gary Hassenflu representing Garrison Development Company is requesting a real property tax abatement of 70% of the incremental assessed value for the apartment building project for a period of 10 years, from 2017-2026. The approximate amount of this real property tax abatement to the Developer would be approximately \$445,000 over 10 years. The Developer is requesting this incentive under the provisions of Chapter 353 of the Revised Statutes of Missouri which must determine this area blighted. This Resolution would establish the parameters of the Development Agreement, which would be formally presented to the Board of Aldermen for consideration at a future meeting. Furthermore, the Redevelopment Agreement shall not authorize real property tax abatement of greater than 70% for more than 10 years. The Redevelopment Agreement shall include a commitment by the Developer to contribute land and the sum of an amount to be determined (\$) toward the cost of a pedestrian bridge improvement.

Mayor Thornton explained that one of the resolutions would direct staff to move forward with the negotiation of the tax abatement without the necessity of the pedestrian bridge. The other ordinance would direct staff to move forward with the negotiation of the tax abatement with the necessity of the pedestrian bridge. He mentioned that the Board of Aldermen could chose on of these ordinances or decide to take no action at all.

Alderman Dimmitt stated that he was in favor of staff moving forward with negotiations and that more information is needed. The resolutions would allow staff to gain further information and that a vote on the tax abatement would come at a later time. He asked if an amendment to the ordinance that would direct staff to have a blight study or the tax impact analysis done instead of relying on the information provided by Mr. Hassenflu. He stated that he would like to hire an outside company to perform a tax impact analysis and blighting study. He mentioned that the Board of Alderman should direct staff to get more information to so that an informed decision can be made.

Mayor Thornton explained that if the Board of Alderman proceeds with a resolution, staff would come back to the Board with a proposed deal.

Alderman Leahy mentioned that property on the other end of the bridge is owned by private owners and was concerned if these owners would allow for a this bridge to be built and that he would vote no on both resolutions.

Discussion was held on the process gathering information to verify the building of a pedestrian bridge and the process of developing a redevelopment agreement.

Alderman Wegge mentioned that the pedestrian bridge would have a tremendous benefit for the city and that it should be considered even if the project is not developed. He stated that he is

in favor of a compromise that would allow this bridge and help the Metro on Manchester development. He asked if there would be an opportunity to connect to the trails in Oak Tree Park and that it would allow for greater accessibility and that this should be considered with resolution option 2.

Alderman Wegge made a motion to adopt Resolution 1066 Option 2. This motion was seconded by Alderman Lochmoeller.

Discussion was held on the grade and possible bridge on the intersection near the pedestrian bridge.

Alderwoman O'Neill asked if the resolution would allow for the tax abatement to be negotiated for less than 70%. City Attorney Katherine Henry stated that this resolution would allow for that negotiation.

Alderman Leahy asked if the negotiation of gross terms, in regards to the tax abatement, would be stated clearly. Administrator Akande stated that this would happen as part of the negotiations.

**ROLL CALL:**

Alderman Dimmitt - Yes	Alderwoman O'Neill - No
Alderman Kramer - Yes	Alderman Plufka - Absent
Alderman Leahy - No	Alderwoman Sims - Yes
Alderman Lochmoeller - Yes	Alderman Wegge - Yes

**Resolution No. 1066 – Option 2 is hereby adopted by the Board of Alderman.**

**ACCOUNTS AGAINST THE CITY**

Alderman Dimmitt announced review of the warrant list in the amount of \$183,250.57 and made a **motion** for approval. Alderman Leahy seconded the motion.

**ROLL CALL:**

Alderman Dimmitt - Yes	Alderwoman O'Neill - Yes
Alderman Kramer - Yes	Alderman Plufka - Absent
Alderman Leahy - Yes	Alderwoman Sims - Yes
Alderman Lochmoeller - Yes	Alderman Wegge - Yes

**Motion Passes**

**REPORT OF COMMITTEES AND DEPARTMENT HEADS**

**Mayor Thornton** stated that the discussion on the Metro on Manchester has been very productive and that it is an example of how discussion should take place

**Public Safety Committee**, Alderman Plufka was absent. Administrator Akande mentioned that there will be a Public Safety Committee Meeting on Thursday, January 19<sup>th</sup>.

**Public Works Committee**, Alderman Leahy announced that the next meeting of the committee is February 8<sup>th</sup> at 4:30 pm.

**Director of Planning & Development**, Director Koerkenmeier was absent.

**Ways and Means Committee**, Alderman Dimmitt reported that there will be a Ways & Means Committee Meeting on February 2<sup>nd</sup> at 6:00pm.

**City Attorney Kevin O'Keefe**, City Attorney Katherine Henry mentioned that the 353 Corporation is a very public process and information will be brought before the public.

**City Administrator** had no report.

**Excise Commissioner** Alderman Dimmitt had no report.

**Library Board**, Alderwoman O'Neill had no report.

**Municipal League**, Mayor Thornton had no report.

**Historical Society** Chief Fitzgerald had no report.

### **ANNOUNCEMENTS**

Alderman Leahy announced that the Ward 3 meeting will take place on January 31<sup>st</sup> at 7:00pm in the Council Chambers. He mentioned that Thursday, February 2<sup>nd</sup>, the American Red Cross will be holding a blood drive in honor of Lilly LaMartina and Christopher Leahy at the Recreation Center.

Alderwoman O'Neill mentioned that a Neighborhood Watch Meeting for Ward 4 on Wednesday January 25<sup>th</sup> and that the Ward 4 meeting will take place on January 31<sup>st</sup> at 6:00pm. Both of these take place at the Brentwood Forest Clubhouse.

### **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**, Stated that the purpose of blighting was to attract a developer and that we already had a developer in place. She also mentioned that land proposed for the Metro on Manchester development could also be used as green space.

### **Aldermanic Response**

Alderman Wegge explained that the list of 2017 trees has been published on several websites.

**None**

### **CLOSED SESSION**

Alderman Leahy made a motion to enter into closed session pursuant to RSMo. 610.021(1)(2)(3) at 8:23pm. Alderman Dimmitt seconded the motion.

**ROLL CALL:**

Alderman Dimmitt - Yes  
Alderman Kramer - Yes  
Alderman Leahy - Yes  
Alderman Lochmoeller - Yes

Alderwoman O'Neill - Yes  
Alderman Plufka - Absent  
Alderwoman Sims - Yes  
Alderman Wegge - Yes

**Motion Passes**

**ADJOURNMENT**

Motion was made by Alderman Wegge and seconded by Alderwoman Sims to adjourn the executive session and the regular meeting at 9:51pm. Unanimous vote in favor taken; **MOTION PASSED**

Attest:

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Christopher A. Thornton, Mayor

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Bola Akande, City Clerk/Administrator