

**CITY OF BRENTWOOD
BOARD OF ALDERMEN MEETING
AMENDED MINUTES
JUNE 5, 2017**

MEETING CALLED TO ORDER

Mayor Christopher Thornton called the meeting to order at 7:02pm, 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 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, City Attorney Kevin O’Keefe, and Deputy City Clerk Lori Wrobel.

APPROVAL OF AGENDA The agenda was amended by Mayor Thornton to place on hold Presentation/Recognition by acclamation. A motion was made by Alderman Leahy. The motion was seconded by Alderman Dimmt.

CONSIDERATION AND APPROVAL OF MINUTES

May 5, 2017

A motion was made by Alderman Leahy to approve the minutes, it was seconded by Alderman Plufka. A unanimous vote was taken in favor of this motion.

PRESENTATION/RECOGNITION – Placed on Hold

- a) Recognition of Officers Nick Lang and Ben Drexl – John J. McAtee Award- by the Mental Health American of Eastern Missouri
- b) Recognition of Officers Ben Drexl and Nick Lang – Life Saving Event
- c) Recognition of Firefighter Robert Flamion – Promotion to Lieutenant
- d) Recognition of Officers Todd Lambert and Matt Morgan - Promotion to Corporal

PROCLAMATION

[Monarch Pledge](#) – Raise awareness about the decline of the monarch butterfly and the species’ need for habitat. Monday June 5th is now Proclaimed Monarch Pledge Day by Mayor Thornton. All citizens are encouraged to create a healthy habitat for the Monarch butterflies.

PUBLIC HEARING

- a) **CDBG FY 2018** - **The City of Brentwood will hold a Public Hearing to discuss the estimated allocation of \$20,000 in Community Development Block Grant (CDBG) funds which will become available after January 1, 2018.** Director Lisa Koerkenmeier reported there are currently 14 residents on a waiting list. The city uses the funds to help citizens make improvements to their homes with 5,000.00 grants. In years past the board has waived permit fees for residents making these improvements. The request was made to continue this practice.

Alderman Leahy inquired in into the possibility that one person could receive funds from both the **PACE** and **CDBG**.

b) Case #17-01 – A Public Hearing to Consider Rezoning from “LID” Light Industrial District to “UD” Urban Development District for Property Located at 1693, 1695 and 1705 S. Hanley Road. The applicants are EQH-Brentwood, LLC and APA Adoption Center. Parcel 1- 1693 and 1695 S. Hanley Road and Parcel 2- 1705 S. Hanley Road.

Director Lisa Koerkenmeier stated EQH-Brentwood, LLC owns 1693 and 1695 S. Hanley Road. The APA owns 1705 S. Hanley Road. All are zoned LID. UD encourages mixed use and is in the best interest of the city. The rezoning request is in line with our comprehensive zoning objective. Co-Petitioning should be encouraged to rezone, redevelop and improve properties. Both bills deal with the rezoning of properties from LID to UD.

Public Comment:

David Ziglar, APA board member (1705 S Hanley) stated the APA has been at the present location since 1947 and has recently completed over a million dollar renovation. The purpose of rezoning is to ensure the APA has a compliant by right use within the city. Current zoning does not adequately describe the property use. They are currently grandfathered in under an animal boarding use; this does not cover the scope of services the APA offers. They presently adopt between 3-4000 animals per year, treat nearly 10,000 animals in the clinic and offer educational services. The goal is to stay in Brentwood and continue to help the community. The APA has also planted Milk Weed to create a healthy habitat for the Monarch butterflies.

c) Case #17-02 – A Public Hearing to Consider A Conditional Use Permit and Site Plan Review for a Hotel at 1693 and 1695 D. Hanley Road. The applicant is EQH-Brentwood LLC. Director Koerkenmeier stated these public hearings are all connected or related to each other. She stated EQH-Brentwood, LLC owns 1693 and 1695 S. Hanley Rd and if zoned UD, hotels are permitted by conditional use in the UD district. They have submitted the required site plan and conditional use permit for approval. The proposed is an extended stay hotel with 128 units, a 76,796 square feet floor area, 4 level covered parking, 143 parking spaces, and an indoor pool. Access is off of Hanley through an access easement using the office building located on Hanley. Together with the developer and the office building property owner we have acceptable planning traffic alternatives from the traffic study provided by Lee Cannon. The developer is responsible for improving the access easement to ensure smooth traffic flow.

Public Comment:

Greg Mullinax, EQH Brentwood, owner of 1693 and 1695 S Hanley Rd. addressed the Board. He requested approval on the property development. He has worked through the process with P & Z. He shared the background as owner, operator and franchisee of the Hotel project. His business has been located in Brentwood since 1999. He has developed 15 Hilton or Marriot hotels. He cited longevity in that his company still owns the hotel opened in 1995.

This site is underutilized and desirable due to market demand, scarcity and unmet need. He cited several similar successful properties and how they speak for the market strength. Marriot has offered a 25 year license. The building has been vacant since February. Mr. Mullinax shared many positive points of the extended stay hotel. He defined extended stay as mainly for 5 nights or longer. He shared projected rates of approximately 3000.00 for a thirty night stay. All rooms will be suites with kitchens, custom closets, and gathering areas for guests. Daily hot breakfast, a business center, a gym and a pool are other amenities. Mr. Mullinax shared his opinion of reputation, quality standards and profitability of the Marriot name. He again requested consideration this project.

d) Case #17-05 – A Public Hearing To Consider A Petition To Amend Section 400.1400 Urban Development District, “Facilities Used For Animal Rescue, Shelter, And Adoption,

Including The Provision of Related Services For Those Animals Such As Veterinary Care, Boarding And Other Related Services.”

Director Koerkenmeier stated the adoption center isn't clearly a permitted use in the light industrial district. Their last request to add as a permitted use in the UD district stated the following: With respect to any lot or parcel of property that does not abut properties zoned any lot A, B, AR, R, MR; facilities used for animal rescue, shelter and adoption and other related services. Rezoning will be considered first, then the text amendment. Without rezoning the APA operates under a legal non-conforming use. Alderman Plufka asked, if the APA use is not compliant and only grandfathered in to the LID district, why amending the LID was not considered? He asked if the pet adoption aspect is the only non-compliance. Director Koerkenmeier stated that amending the LID may still be considered, however, the petitioners have requested rezoning to UD. She stated that veterinarian services are usually found in commercial areas. Alderman Dimmit asked under the LID and UD designation, as it stands now, would the use be non-compliant? Director Koerkenmeier stated this was correct. Alderman Dimmit asked, if zoned UD, would adding the text amendment make it compliant and permitted by right? Director Koerkenmeier Confirmed; the user is grandfathered in under either scenario. Alderman Dimmit asked why the need to change the ordinance? Director Koerkenmeier stated that UD with text amended better describes the use and creates a level of comfort while the legal nonconforming use is not ideal. Alderman Lochmoeller asked if we start changing zoning, could not other establishments misuse this? He asked why not under conditional uses? Director Koerkenmeier shared zoning factors that are less compliant include services that create pedestrian traffic. Mayor Thornton informed the Board that all petitions for zoning change must come before the Board of Alderman unless the applicant elects to withdraw. This specific request is this is what the applicant proposed.

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.)

David Ziglar, APA board member came forward to inform the Board of the outcome from the last P & Z meeting, this rezoning project was approved 7/5. Director Koerkenmeier added this was for the rezoning and not the text amendment.

UNFINISHED BUSINESS

None

1. BILLS TO BE GIVEN A FIRST READING ONLY

- a) **Bill No. 6131** – 1st Reading Only - Rezoning from “LID” Light Industrial District to “UD” Urban Development District for Property Located at 1693 and 1695 S. Hanley Road. - An Ordinance Amending The Zoning Map Of The City Of Brentwood To Rezone Certain Property Numbered 1693 and 1695 S. Hanley Road From “LID” Light Industrial District To “UD” Urban Development And Establishing The Effective Date Of This Ordinance.

This bill calls for the rezoning of 1693 and 1695 S Hanley Road from LID to UD to allow owners EQH Brentwood to construct a 7 story hotel with a parking garage on this 1.42 acre joint parcel of land. P & Z has reviewed this and voted unanimously in favor of rezoning.

The director confirmed the height restrictions have been amended since the last P & Z meeting. Alderman Leahy asked why these 3 parcels were seeking rezoning together. Director Koerkenmeier explained these parcels are the only few remaining LID in the immediate area. Alderman Leahy asked about the timeline to connect this with the Metro Link? Director

Koerkenmeier suggested there be a designated strip on the site plan. The timeline is still unknown. Mayor Thornton believes this plan will require a push from the city.

- b) **Bill No. 6132 – 1st Reading Only – Rezoning from “LID” Light Industrial District to “UD” Urban Development District for Property Located at 1705 S. Hanley Road.** - An Ordinance Amending The Zoning Map Of The City Of Brentwood To Rezone Certain Property Numbered 1705 S. Hanley Road From “LID” Light Industrial District To “UD” Urban Development And Establishing The Effective Date Of This Ordinance. Seeking to rezone the APA located at 1705 S. Hanley Rd for LID to UD. 1.38 acres in size with no planned expansion, changes will require plan submission. The P & Z voted with 7/6.

Questions By Aldermen:

Director Koerkenmeier agreed the current property use is more suited for UD than LID. She clarified LID is more for office buildings and some manufacturing. Director Koerkenmeier informed the board the lack of a site plan, and the text amendment played a significant role in the P Alderman Dimmit stated that the site plan and rezoning have always been required together. Mayor Thornton sated that zoning and site plans have been required together, perhaps by ordinance, but that notion is questionable. Attorney O’Keefe stated a legal description is required by ordinance. Alderman Kramer stated that changing zoning without a site plan has been performed previously by the city. LID is diminishing. Mayor Thornton stated UD is in line with the comprehensive plan. Attorney O’Keefe stated there is no requirement by ordinance for a site plan in zoning to UD.

- c) **Bill No. 6133 – 1st Reading Only - Site Plan and Conditional Use Permit to EQH-Brentwood LLC at Property Numbered 1693 and 1695 S. Hanley Road, Brentwood, MO** – An Ordinance Granting Approval Of A Site Development Plan And Conditional Use Permit To EQH-Brentwood, LLC For Development Of A Seven-Story Hotel At Property Numbered 1693 And 1695 S. Hanley Road Under The Provisions Of Title IV, Chapter 400 Of The Brentwood Code Of Ordinances; Providing The Conditions Of Such Development; And Providing For The Effective Date Of This Ordinance.

Alderman Leahy questioned traffic and safety after the hotel is constructed. Mayor Thornton agreed, but expects an alternate route. Alderwoman O’Neill questioned the driveway, drop off location and safety. The developers gave a presentation.

Alderman Lochmoeller requested lobby drawings. Alderman Kramer inquired about market saturation.

- d) **Bill No. 6134 – 1st Reading Only - Petition to Amend Section 400.1400 Urban Development (B) – To Add As A Permitted Use in the UD District, Facilities used for Animal Rescue, Shelter, And Adoption, Including The Provision of Related Services For Those Animals Such As Veterinary Care, Boarding And Other Related Services.** – An Ordinance Amending Section 400.1400 Relating To Permitted Uses In The Urban Development Zoning District; And Establishing The Effective Date Of This Ordinance. The Board of Aldermen Rationale is forthcoming.

Alderman Dimmit asked the reasons for the P & Z vote. Was legal non-conforming use an issue or the proposed language for the text amendment, is there anything the petitioner is not currently doing? Alderman Lochmoeller is concerned in using more UD, and opening the door for other possibilities in residential areas.

2. BILLS TO BE GIVEN A SECOND READING ONLY

- a) **Bill No. 6130 – 2nd Reading Only - Agreement with Arcturis to provide the Conceptual Plan for Streetscape Elements to be Incorporated into the Manchester Road- Route 100 Enhancement to the MoDOT Project** – An Ordinance Approving And Authorizing Execution Of Service Agreements With Arcturis.

Alderman Kramer shared this agreement is for landscape architecture services our city in conjunction with MODOT to create enhancements on Manchester from Lindbergh to Big Bend Blvd. Creating improvements including a civic identity along Manchester Rd. through the city.

A motion was made by Alderman Lochmoeller and seconded by Alderman Leahy to adopt Bill No. 6130 into ordinance form.

ROLL CALL:

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

BILL NUMBER 6130 IS HEREBY PASSED BY THE BOARD OF ALDERMEN AND UPON SIGNATURE BY THE MAYOR BECOMES ORDINANCE NUMBER 4778.

ADDENDUM:

Bill No.	Ord. No	Approved by the Board of Aldermen	Signed by the Mayor	Amended Ord. No.
6130	4778	June 5, 2017	June 5, 2017	4776

PERFECTION OF BILL – NEW ACTION:

BILL NUMBER 6130 IS HEREBY PASSED BY THE BOARD OF ALDERMEN AND UPON SIGNATURE BY THE MAYOR BECOMES ORDINANCE NUMBER 4776.

BILLS TO BE GIVEN A FIRST AND SECOND READING

Bill NO. 6135 – 1st and 2nd reading. - Ordinance restricting parking on Swim Club Lane amending titles 3 and 11 of title 3 of the Brentwood Municipal City Code repealing Ordinance 4659 on a related subject.

A motion was made by Alderman Leahy and seconded by Alderman Lochmoeller to adopt Bill No. 6135 into ordinance form.

ROLL CALL:

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

BILL NUMBER 6135 IS HEREBY PASSED BY THE BOARD OF ALDERMEN AND UPON SIGNATURE BY THE MAYOR BECOMES ORDINANCE NUMBER 4779.

RESOLUTIONS

- a. **Resolution No. 1076 – TAP Application Bicycle/Pedestrian Safe Routes and Facilities Study** - A Resolution Authorizing The City Of Brentwood, Missouri, Supporting The Grant

Application To Be Prepared For The FY 2018-2020 Transportation Alternatives Program (Tap) Funds For Brentwood Blvd. Corridor Bicycle/Pedestrian Safe Routes And Facilities Study. Joining group to apply to TAP grant. St. Louis County is also putting in for this grant.

A motion was made by Alderman Leahy and seconded by Alderman Plufka to pass Resolution 1076. A unanimous vote was taken in favor of this Resolution.

Resolution No. 1071 is hereby adopted by the Board of Alderman.

ACCOUNTS AGAINST THE CITY

Alderman Dimmitt announced review of the revised warrant list in the amount of \$140,340.76. The motion was made for approval by Alderman Dimmitt, and seconded by Alderman Leahy.

ROLL CALL:

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

Motion Passes

REPORT OF COMMITTEES AND DEPARTMENT HEADS

Mayor Thornton

1. The Mayor welcomed Lori Wrobel as the new Deputy City Clerk.
2. Mayor Thornton spoke of an Action Plan for the Manchester Redevelopment plan. City Administrator Bola Akande and Mayor Thornton are putting out an RFP for a City Representative to manage and look out for the best interest of the city. This person will work directly for Administrator Akande on the project.
3. Joint Fire Command proposal looks very much in our best interest we are moving forward to proceed with it.
4. Alderman Leahy asked to step down as Chair of the Public Works Committee. Mayor Thornton appointed for consideration Alderman Lochmoeller.
A motion was made by Alderman Leahy to appoint Alderman Lochmoeller as Chair of the Public Works Committee. The motion was seconded by Alderman Plufka.

ROLL CALL:

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

Motion Passes

Remaining appointments will be on addressed at the 6/19/17 Board of Alderman meeting.

5. Great Rivers Greenway Advisory Committee, Planning and Zoning Commission, Architecture Review Board, and Board of Adjustment

Public Safety Committee

Meets 6/15/17 at 5:30

Public Works Committee

Meets 6/14/17 at 5:30

Director of Planning & Development

None

Ways and Means Committee

Meets Thursday 6/8/17

City Attorney Kevin O'Keefe

Will not be at the next meeting, his associate Helmut Starr will be in attendance.

City Administrator

None

Excise Commissioner

None

Library Board

None

Municipal League

None

ANNOUNCEMENTS

There will be a special meeting for the Board of Alderman and the School Board on June 7th.

NEW BUSINESS

None

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

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

None

Aldermanic Response

None

- a. **Legal – RSMo 610.021 (1)**
- b. **Personnel – RSMo 610.021 (3)**

ADJOURNMENT

Motion was made by Alderman Plufka and seconded by Alderman Leahy to adjourn the regular meeting at 9: 03 pm. Unanimous vote in favor taken; **MOTION PASSED**

Attest:

Christopher A. Thornton, Mayor

Bola Akande, City Clerk/Administrator