

MINUTES OF THE REGULAR BOARD OF ALDERMEN MEETING

City Hall
Council Chambers

April 16, 2007
7:00 p.m.

The Mayor led with the Pledge of Allegiance.

ROLL CALL

PRESENT: Mayor Kelly, Alderwoman Clements, Alderman Marshall, Alderman Leahy, Alderwoman Krewson, Alderman Kramer, Alderman Robertson, Alderman Wynn, Alderman Cross.

City Attorney Albrecht, City Clerk/Administrator Seemayer, Director of Planning and Development Dailey and Executive Secretary Williams.

ABSENT: City Treasurer Reynders.

Mayor Kelly asked for a moment of prayer for the families of the students of the Virginia Tech tragedy.

CONSIDERATION AND APPROVAL OF THE AGENDA OF THE REGULAR BOARD OF ALDERMEN MEETING OF APRIL 16, 2007

Mayor Kelly requested that the agenda be amended by adding a presentation of a GFOA Certificate of Excellence in Financial Reporting after the Proclamation for Arbor Day.

Motion was made by Alderman Leahy, second by Alderman Robertson to approve and adopt the Agenda of the Regular Board of Aldermen Meeting of April 16, 2007 as amended. All in favor none opposed.

CONSIDERATION AND APPROVAL OF THE MINUTES OF THE REGULAR BOARD OF ALDERMEN MEETING OF APRIL 2, 2007

Motion was made by Alderman Leahy, second by Alderman Marshall to approve and adopt the Minutes of the Regular Board of Aldermen Meeting of April 2, 2007 as presented. All in favor none opposed.

PROCLAMATION – ARBOR DAY

Mayor Kelly stated as part of the Tree City USA the City has to pass a proclamation every year designating Arbor Day in the City of Brentwood.

Motion was made by Alderwoman Clements, second by Alderman Marshall to accept the proclamation for Arbor Day by acclamation.

Mayor Kelly stated that the City would be holding its annual Arbor Day celebration on Thursday, April 19th at Oak Tree and Hanley Parks and everyone is invited.

GFOA Certificate of Excellence

Mayor Kelly presented a Certificate of Achievement of Excellence in Financial Reporting to Susan Zimmer and Karen Mosby of the Accounting Department. Mayor Kelly stated that the City has received this award for seven years and a lot of that is due to the dedication of Susan Zimmer, Karen Mosby and the entire accounting staff.

Mayor Kelly stated that Susan Zimmer would be retiring next Friday. She has been the Finance Officer for the City of Brentwood for a number of years. She was honored at the GFOA monthly meeting last Wednesday and has served as a past president in 1995 – 1996 of that association. She has been very active in it, which has helped her perform her duties to the highest standards. The Mayor thanked Susan Zimmer for her service to the city and wished her well on her retirement. He stated that Karen Mosby would be the new Finance Officer.

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

Harold Ostergaard – 2314 Patton came before the Board and voiced his opposition to Bill No. 5380 which would change the term of office for the mayor's position from two to four years. He stated that there has to be some accountability. The citizens of this community need to have the option of saying aye or nay every two years. As a resident of Brentwood he would like to encourage the Board to keep the term at two years.

Janet Truss – 2825 Suburban Tracks came before the Board and voiced concern about the bill that will change the meetings from twice to once a month and getting things approved in a timely manner. She also opposed changing the mayor's term.

Richard Kloeckner – 2850 Lawndell came before the Board and voiced opposition to Bill No. 5348 which is to decrease the number of Board meetings. He pointed out that if the schedule for the meetings were to change residents would have a difficult time figuring out when the meetings will be held. He also mentioned that the times committee meetings are held are not convenient for him and that more of the public would like to participate in the meetings, but due to the time constraints they are not able to. He is also opposed to changing the mayor's term to four years.

Karen Smith – 8930 Harrison came before the Board to voice her opposition to the bill that would change the mayor's term from two years to four years. She stated that the City of Brentwood is a fourth class city and fourth-class cities do not have referendums. Municipalities that have four-year terms have referendums and the ability to recall and petition issues to be placed on the ballot. Brentwood residents do not have that capability, so she is concerned about moving from a two-year term to a four-year term for

any of the elected offices in Brentwood. She also opposes decreasing the amount of times the Board meets from twice a month to once a month. She asked the Board not to consider voting to increase the mayor's term or decrease the BOA meeting schedule.

Kathryn Jepsen – 8828 Powell came before the Board and stated that the Architectural Review Board is doing a good job to ensure that the infill housing that Brentwood is experiencing is fitting in well with the neighborhoods. She stated that while the barrier down Brentwood Boulevard opposite Starbuck's entrance is terribly unsightly it is a necessity. Mrs. Jepsen asked what it would take to get all the Board of Aldermen handouts available on the website before the meetings. Mrs. Jepsen stated that she opposes Bill No. 5380 which changes the mayor's term to four years and Bill No. 5348, which changes the twice a month BOA meetings to once a month.

Jane Gilcrest – 2616 Porter came before the Board and stated that the mayor's term should stay at two years. She is fine with the aldermen meetings changing to once a month.

Terry Neihoff – 2834 Lawndell came before the Board and stated that he does not see how reducing the number of meetings and extending the mayor's term serves him.

INTRODUCTIONS, READINGS AND PASSAGE OF BILLS AND RESOLUTIONS

Motion was made by Alderwoman Clements, second by Alderwoman Krewson to remove Bill No. 5348 from hold. Roll call: Alderwoman Clements, yes; Alderman Marshall, yes; Alderman Leahy, yes; Alderwoman Krewson, yes; Alderman Kramer, yes; Alderman Robertson, yes; Alderman Wynn, yes; Alderman Cross, yes.

First and Second Readings of Bills

Motion was made by Alderman Cross, second by Alderman Robertson to give Bills No. 5348, 5377, 5378, 5379 and 5380 first and second readings. All in favor none opposed.

Bill No. 5348 – Board of Aldermen Meetings

City Attorney Albrecht gave Bill No. 5348, AN ORDINANCE AMENDING CHAPTER 2 OF THE REVISED CODE OF ORDINANCES OF THE CITY OF BRENTWOOD, MISSOURI, BY DELETING SECTION 2-41 IN ITS ENTIRETY AND ENACTING IN LIEU THEREOF A NEW SECTION 2-41; AND ADDING A NEW SECTION 2-42 (c); AS IT RELATES TO BOARD OF ALDERMEN MEETINGS; PROVIDING FOR THE CURRENT MAINTENANCE OF THIS CODE; PROVIDING THE EFFECTIVE DATE OF THIS ORDINANCE; AND PROVIDING FOR THE REPEAL OF ALL CONFLICTING ORDINANCES, its first and second readings.

Alderwoman Clements thanked everyone that came to voice their opinions. She stated that two of the people that spoke are in her ward. She has not heard anything negative

until tonight from those two people. She has only heard positive, nothing negative, about going to one meeting a month and she has spoken to many of her constituents.

Alderman Wynn stated that he is just starting his ninth term. It was back in 1977 when he first ran for alderman. In those years he has seen them decrease meetings. He never felt overburdened or overworked. Two meetings are not that much when you think about the responsibilities they have. Sure there are nights when they have very few things on the agenda and there are nights when they do not even need to meet, but if there is only one person sitting in the audience that person has a right to be there and to hear his government speak and to find out what they are about. To say they are raising their pay and at the same time lowering the number of meetings, it does not look good. He would oppose it.

Alderman Kramer stated that his concern on Bill No. 5348 is not so much allowing them to speak to the people, but giving the people the most opportunity to speak to them and to be heard as often as possible. It is important to error on the side of too many times to speak to them rather than perhaps not enough.

Motion was made by Alderwoman Clements, second by Alderman Cross to approve and adopt Bill No. 5348. Roll call: Alderwoman Clements, yes; Alderman Marshall, yes; Alderman Leahy, no; Alderwoman Krewson, no; Alderman Kramer, no; Alderman Robertson, no; Alderman Wynn, no; Alderman Cross, no.

Bill No. 5348 failed.

Bill No. 5377 – Agreement with City of Rock Hill

City Attorney Albrecht gave Bill No. 5377, AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT ON BEHALF OF THE CITY OF BRENTWOOD, MISSOURI FOR DISPATCH AND HOLDING SERVICE TO BE PROVIDED TO THE CITY OF ROCK HILL FOR POLICE, FIRE AND AMBULANCE CALLS BY THE CITY OF BRENTWOOD, MISSOURI, its first and second readings.

Alderman Leahy stated that the \$15.00 fee does not include any medical “fit for confinement” charges that may be required. He asked what are the City’s capabilities.

City Administrator Seemayer stated that those are the responsibility of the City of Rock Hill. If a prisoner has to be transported to a hospital for any medical reasons the City of Rock Hill is responsible for those separately of this contract. Upon arrival, if the prisoner claims that they need medical treatment they would be transported or while the prisoner is incarcerated they were to harm themselves, then Rock Hill would be responsible for those expenses as well.

Alderman Leahy asked how would the communication be established with Rock Hill about timeliness of getting someone treated in a normal manner if it happened within Brentwood's stay.

City Administrator Seemayer stated that the City of Brentwood dispatches for Rock Hill and people are monitored at all times while they are in the prison, so if there is any sign of needs the City would immediately call in Brentwood's medical personnel and then they would make a determination on whether the prisoner needed to be transported. They would be transferred through Abbott Ambulance and Rock Hill would be responsible for whatever charges their prisoner incurs.

Alderman Leahy asked if there is a Rock Hill prisoner incarcerated in Brentwood for less than the 48 hour period and they need medical attention Brentwood would call Rock Hill and they would send an Abbott Ambulance in for medical attention and then transport if necessary to a hospital.

City Administrator Seemayer responded that was correct, but it also depends on the call. If emergency treatment is needed Brentwood would respond.

Alderman Kramer read a synopsis of Bill No. 5377 as a Bill that authorizes the Mayor to enter into an agreement with the City of Rock Hill for dispatching service. The agreement terminates on March 31st, 2008. The annual fee charged by Brentwood for dispatching for Rock Hill will be \$50,000.

Motion was made by Alderwoman Clements, second by Alderman Cross to approve and adopt Bill No. 5377. Roll call: Alderwoman Clements, yes; Alderman Marshall, yes; Alderman Leahy, yes; Alderwoman Krewson, yes; Alderman Kramer, yes; Alderman Robertson, yes; Alderman Wynn, yes; Alderman Cross, yes.

The Mayor thereupon declared Bill No. 5377 duly passed and signed same into approval thereof. Said Bill was given Ordinance No. 4068.

Bill No. 5378 – Subdivision of 8905 Russell Avenue

City Attorney Albrecht gave Bill No. 5378, AN ORDINANCE APPROVING A PLAT FOR SUBDIVISION OF A PARCEL LOCATED AT 8905 RUSSELL AVE. INTO TWO (2) LOTS AND ESTABLISHING THE EFFECTIVE DATE OF THIS ORDINANCE, its first and second readings.

Alderman Leahy stated that the Board of Aldermen addressed subdividing this property and the adjacent property at the November 17th, 2003 meeting. He is not sure that the plat map they have been given shows or reflects that subdivision first before they get into this subdivision.

Mark Ditch – Buescher Ditch & Associates came before the Board and stated that he is representing the owner of said property. He believes that the plat Alderman Leahy is referring to is an old plat. Mr. Ditch asked if that was for the five lots.

Alderman Leahy responded yes. That was subdivided to five lots and he thought those lines were changed at that time.

Mr. Ditch stated that the plat that was addressed in 2003 was not recorded.

Alderman Leahy stated it was approved by Ordinance No. 3917 on November 17th, 2003. If it has not been recorded will that affect this subdividing, that they stay then with the old boundaries and the Board could just vacate that ordinance?

Mayor Kelly stated that even though the City passes an ordinance like Ordinance No. 3917 it is not legal until it is recorded with St. Louis County.

Mr. Ditch stated that they did not find any record of the subdivision being recorded when they did their survey.

Alderman Leahy asked if they could table the subdivision for 8905 Russell Avenue in order to give the parties time to research it. He does not understand how the current construction could be happening on a property that was subdivided within these full five lots that they have in front of them and then compound it by subdividing that lot giving new boundary lines to two of the five lots that they subdivided earlier. The original subdivision in 2003 established five lots of equal width. He is not sure how his actions were ever approved by the City to get his building permit because they have changed his boundary lines.

Mayor Kelly stated that they have not. The City can approve a lot subdivision but if the property owner does not take it into St. Louis County to be recorded officially it is still the original lot. The house that is being built now is being built on the lot subdivision that the Board has in front of them. Now they are requesting the subdivision of the lot next door.

City Attorney Albrecht stated that he believes State Statute requires that the resubdivision be recorded with the Recorder of Deeds. If you pass a new ordinance you should repeal the existing ordinance.

Alderman Leahy stated that the caution that he brings forward is in the action that they did previously. The two properties in question belonged to Shy and Anderson at the time that they approached the City asking to take the three parcels that they own and subdivide them into five parcels. That would incorporate the property in question. From there they have recently allowed a building to go up on one of the five parcels and he believes the Planning and Zoning Commission is ready to approve the building on the second parcel. If the boundary lines were changed to get all five parcels in place and they subdivide now the one lot into two, with these gentlemen working with other boundary lines, he could

see somebody coming back and saying that there are too many different property lines and that somebody has given permission to do something that realistically adversely affects the borders. He would like to make sure that the applicant is sure of what property lines he is working towards as it relates to all five lots, not just the two, because you do have construction going on that could end up becoming a legal entanglement for everybody.

Mayor Kelly stated that he understands the concern and they do need some clarification. If nothing else the original ordinance that was approved by the City would have to be repealed.

Alderman Leahy stated that he is not sure they could repeal it if they already have a building in place.

Mayor Kelly stated that they built that building based on the original lot that was there that was part of the resubdivision. They are building it on the lot that was put together and then resubdivided according to City ordinance. That lot is still a legal lot. If that was never recorded as the change of the five subdivisions then that remains the existing lot and that is what they are building on.

City Attorney Albrecht stated that the process typically would be after it has been approved by the City, the plat is taken and recorded with the Recorder's office at which time it becomes an official subdivision.

Alderman Leahy stated in redefining the boundary lines of the property you have someone building on one of the new five lots that you now wish to go back to the original four lots. If you are saying that the subdivision never took place you are back to the original four lots to work with and you have an applicant that wants to build a second house. The question is on what property definition is he building on.

Alderman Kramer stated that the way he understands it is that the City would approve the subdivision. There is no time constraint in which the applicant or the petitioner would have to have that recorded by St. Louis County, so until that time the subdivision has been approved, it just hasn't been apportioned on the map and given a locator number, but it is a legal subdivision. That would not change unless a petitioner came forward and wanted to undo that subdivision with the City, the governing authority. Or in such case they wanted to build over it or change the subdivision with another subdivision. In this particular case if Alderman Leahy feels the new subdivision request would somehow commingle with the previous five subdivisions request then perhaps this bill could be approved contingent upon a satisfied recording of those five lots.

Mayor Kelly suggested placing Bill No. 5378 on hold to clarify certain items pertaining to the subdivision.

Motion was made by Alderman Robertson, second by Alderman Kramer to place Bill No. 5378 on hold. Roll call: Alderwoman Clements, yes; Alderman Marshall, yes; Alderman

Leahy, yes; Alderwoman Krewson, yes; Alderman Kramer, yes; Alderman Robertson, yes; Alderman Wynn, yes; Alderman Cross, yes.

Bill No. 5379 – Lease Agreement with Southern Sno

City Attorney Albrecht gave Bill No. 5379, AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A LEASE AGREEMENT ON BEHALF OF THE CITY OF BRENTWOOD, MISSOURI, WITH RAYMOND A. DAVIS AND KAREN S. DAVIS D/B/A SOUTHERN SNO, OF 8817 POWELL AVENUE, BRENTWOOD, MISSOURI 63144 FOR RENTING THE CONCESSION STAND IN BRENTWOOD PARK; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE, its first and second readings.

Alderman Kramer read a synopsis of Bill No. 5379 as a Bill that establishes a contract between the City of Brentwood and Karen Davis, doing business as Southern Sno for the purpose of leasing the City concession stand in Brentwood Park. The monthly rent shall be \$125 and the length of the contract shall be April 20th, 2007 through November 1st 2007. Hours of operation shall coincide with events in the park.

Alderman Marshall asked if it will be in addition to the Strassner location and does the City have a multi-year contract with Southern Sno at the Strassner location.

City Administrator Seemayer responded yes. The City is leasing the concession stand on a trial basis, which is just through the summer.

Alderman Marshall asked if alcohol would be allowed.

City Administrator Seemayer stated that Mrs. Davis is not requesting to sell alcohol. It is provided for in the Code, but it is not part of the arrangement. The concession stand will not be opened during Brentwood Days because vendors will be using the area outside of the building.

Alderman Leahy stated that page 1, section 1 of the agreement establishes that the City is renting out the concession stand. Page 2, first paragraph under “Indemnification and Insurance”, establishes that they should repair and restore the area in which the trailer was installed. That should be corrected to read that they would repair the concession stand itself.

Alderman Cross asked if the concession stand would be opened for the concerts in the park.

City Administrator Seemayer responded yes.

Mayor Kelly stated that the Davis family does an outstanding job at Memorial Park. The City gets nothing but compliments and they provide a great service in the park.

Motion was made by Alderman Leahy, second by Alderman Wynn to approve and adopt Bill No. 5379 as amended. Roll call: Alderwoman Clements, yes; Alderman Marshall, yes; Alderman Leahy, yes; Alderwoman Krewson, yes; Alderman Kramer, yes; Alderman Robertson, yes; Alderman Wynn, yes; Alderman Cross, yes.

The Mayor thereupon declared Bill No. 5379 duly passed and signed same into approval thereof. Said Bill was given Ordinance No. 4069.

Bill No. 5380 – Mayor’s Term

City Attorney Albrecht gave Bill No. 5380, AN ORDINANCE AMENDING CHAPTER 8 OF THE REVISED CODE OF ORDINANCES OF THE CITY OF BRENTWOOD, MISSOURI BY DELETING SECTION 8-2 IN ITS ENTIRETY AND ENACTING IN LIEU THEREOF A NEW SECTION 8-2, AS IT RELATES TO ELECTION OF OFFICERS GENERALLY; 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, its first and second readings.

Alderman Kramer stated that the synopsis is posted on the website to clarify the bills. There is a correction to the synopsis for Bill No. 5380. When they discussed Bill No. 5380 in the committee meeting they agreed to bring the Bill forward but not recommend its approval.

Alderman Kramer read a synopsis of Bill No. 5380 as a Bill that would change the term of office for the Mayor’s position from two years to four years. The effective date for this change would occur after the April 2009 general election. The Ways & Means Committee has reviewed this Bill.

Alderman Wynn stated that he grew up in Overland and went to high school there. They had gotten themselves in a hole and they had a way out by recalling their mayor. Brentwood will not have that. You never submit a bill for consideration because of a person. You put it in because of the position or the length of time, so this is not speaking against anybody. He would like to think that in the years ahead Brentwood would still have the kind of government it has now. It puts it a little in jeopardy when you start lengthening the term.

Alderman Leahy stated that for 88 years the City of Brentwood has been able to survive with the two-year terms. At the same token the entire purpose of not only the mayor’s office, but also the aldermen’s is that they constantly stand in the checks and balances and the balance is where the voters decide if they are doing the job they want them to do or not. To take away their rights to make that decision, whether it is for the mayor’s office or aldermen’s office would be doing a disservice for the community that they have pledged to serve. The beauty is to keep the citizens involved in that discussion also and keep them in the voting booths in order to evaluate how well they do. He knows it is expensive to run elections, but it is part of the choice they made when they decided to get

into the political office. To save them an election every now and then is not worth the value to the harm that they will do to the citizens. He would love to see this bill not go forward.

Motion was made by Alderman Wynn, second by Alderman Marshall to approve and adopt Bill No. 5380. Roll call: Alderwoman Clements, yes; Alderman Marshall, yes; Alderman Leahy, no; Alderwoman Krewson, no; Alderman Kramer, no; Alderman Robertson, no; Alderman Wynn, no; Alderman Cross, yes.

Bill No. 5380 failed.

Mayor Kelly stated that changing the mayor's term was brought up about four years ago. Prior to that there was a bill before the Board in February to change the mayor's term to four years. That was his first year in office. At the time the bill was before the Board, the votes were there to pass it. He was the only one on the ballot and he asked the Board at that time not to vote on the bill, to postpone it until after the election because he did not want people thinking it was being done for him. Following that in June it came up again and some residents attended the meeting to express their opinions about the four-year term. It was taken off the agenda that night. He feels very strongly that the mayor's term should be four years. In order for a mayor to initiate the policies and carry out the duties of the mayor he needs four years to implement anything. He understands and respects everyone's opinions on their concerns about a four-year term but the benefits, from his standpoint as an elected official and as a resident, outweigh those concerns. One of the biggest things about the four-year term is that it will encourage more people to run for office. It is very difficult and expensive for anybody to run for mayor of any city. The idea that you are only going to be in office for eighteen months and then have to start running again for your next campaign and incurring the expense, deters people from running for office. Having a four-year term for the chief elected official of the city would be a benefit for the community. Mayor Kelly stated that he had tried to get the former mayor to change the term to four years because he truly believes it is something that will be beneficial to the community. He stated that he appreciated everybody coming up and expressing their opinions. When he knocked on doors as part of his campaign, people were very surprised most of the time to find out that the term is two years. Most fourth-class cities in St. Louis County have four-year terms for the mayor's position. Of the fourth class, third class and charter cities over 80% of them have four-year terms for their mayors. You can always run into a bad apple somewhere, but the checks and balances that the Board of Aldermen has is the power to impeach the mayor. A mayor does not have any authority or any ability to do anything unless he has the cooperation of the Board of Aldermen. Without that, the mayor does absolutely nothing except run the Board meetings. He truly believes that the four-year term would be beneficial to the community and he would have supported it.

ACCOUNTS AGAINST THE CITY

Motion was made by Alderman Marshall, second by Alderwoman Clements to accept the warrant list dated 4/16/07. All in favor none opposed.

REPORTS OF COMMITTEES AND DEPARTMENT HEADS:

Mayor's Report

Mayor Kelly stated that he received a letter from a resident around the Fawn Court and Powell area. The issue of the trash trucks on Hanley Industrial Court is resurfacing. He requested that the Public Works Committee look into increasing the fine. He believes the fine is currently set at \$200.00. He would like to make the fine as high as possible around \$500.00 to \$1,000.00. That is the only way the trash companies are going to get the idea that they cannot come into Hanley Industrial Court when they have a half a load and empty trashcans in the middle of the night.

Mayor Kelly stated that the Board has held executive sessions the last couple of meetings for a real estate matter. The City has a binding contract for the purchase of the CDS building on Manchester Road, the Harry Bush property. They plan to relocate the public works garage in that location. The Strassner Road TDD that was approved by the voters and the Board for a number of projects within the community will help fund a new public works garage. The TDD board has allocated \$1.2 million for the purchase of that property, so the City will be moving forward with that purchase.

Mayor Kelly stated that he serves on an Economic Council for St. Louis County and one of the items that came up in one of the subcommittees was the issue of housing in the inner ring. One of the things they were able to acquire was a study that was done in Kansas City where they were having the same kind of issues in the development of neighborhoods. They came up with guidelines for existing houses and plans they made available to the property owners that they could do specific types of improvements to increase and enlarge their existing houses and still maintain the character of the neighborhood. He will get duplicate copies to the ARB and the Board of Aldermen.

Public Safety Committee

Aldерwoman Clements stated that Jake Erschen would be starting employment with the Brentwood Fire Department on May 1st as the new Firefighter/Paramedic. He was originally with the City of St. Louis as an EMS and then he went to the County Fire Department. Right now he is with Gateway Ambulance and a volunteer in Eureka. He has completed all the necessary requirements.

Mayor Kelly stated the hiring of the new Firefighter/Paramedic would even out the crews on the fire department. Thanks to the Board of Aldermen they have appropriated the funds this year in the budget. It will be a great addition to the fire department.

Public Works Committee – No further report

Director of Planning and Development – No report

Ways and Means Committee – No report

City Attorney – No report

City Clerk/Administrator

Special Use Permit – Brentwood Parks & Rec.

City Administrator Seemayer stated that the Brentwood Parks and Recreation Department is requesting a Special Use Permit to allow residents to bring alcohol into Brentwood Park for the Sounds of Summer Concert Series as well as Brentwood Days. Those dates are May 4th, June 1st, July 6th, August 3rd, September 14th and 15th.

Motion was made by Alderman Marshall, second by Alderman Robertson to grant the Special Use Permit to the Brentwood Parks and Recreation Department for the Sounds of Summer Concert Series. Roll call: Alderwoman Clements, yes; Alderman Marshall, yes; Alderman Leahy, yes; Alderwoman Krewson, yes; Alderman Kramer, yes; Alderman Robertson, yes; Alderman Wynn, yes; Alderman Cross, yes.

Excise Commissioner – No report

Library – No report

Municipal League

Mayor Kelly stated that some legislation before the State of Missouri could greatly affect municipalities in St. Louis County. He suggested that the Board go to the Municipal League's website to get a full list of the bills.

Communication

Alderman Marshall stated that the website is always growing and if there are suggestions to notify him or the City Administrator. The whole idea of the website is to get as much information out to the residents as possible.

Alderman Wynn stated that the streaming video on the website is a great thing. His two sons that live away from St. Louis could watch the meetings on the website.

Insurance Committee – No report

Historical Society – No report

UNFINISHED BUSINESS

Alderman Marshall asked for an update on the Helen Avenue project.

Mayor Kelly stated that he has not heard from MSD. The contract was put out to bid but he has not heard if they are back yet.

Alderman Marshall stated that the Rosalie/Eulalie project is underway. They have closed Rosalie. He apologized to the residents who use the path. He noticed it was closed as well due to the fact that they are working underneath it.

Alderman Marshall asked for an update on the red light camera system.

City Administrator Seemayer stated that the red light company is waiting on St. Louis County for the permits for the installation of the equipment on the poles. The cameras will be located at Brentwood and Manchester, Brentwood southbound at Eager Road, southbound at Rose Avenue, and Hanley and Eager.

Alderman Leahy stated that House Bill 265 establishes that if the State passes this bill the proceeds from the camera enforcements will go to the State educational fund. He asked if that would take away Brentwood's revenue.

City Administrator Seemayer stated that there is also a bill that would end countywide revenue sharing on the one-cent sales tax. It does not appear as though that is going to occur, but if it did the City would rethink its position on it.

Alderman Leahy stated that the dilemma is that the City hired two police officers and are looking to pick up a third employee with the hope of covering those costs through the Ways and Means Committee using the revenue.

City Administrator Seemayer stated that there were a number of things but that would be part of it.

Mayor Kelly stated that the other side of the red light camera violations is that it has to go through Brentwood courts. The violations would still have to be monitored through the municipalities' courts.

Alderman Marshall asked if the State legislation passes does the City have the ability to cancel the contract.

City Administrator Seemayer responded yes. There is a 30 or 45-day notice period.

Bill No. 5378 – Subdivision of 8905 Russell

Alderman Kramer read a synopsis of Bill No. 5378, which authorizes subdividing 8905 Russell Avenue from one "B" residential single family lot into two "B" residential single family lots. This matter was reviewed and approved by the Planning & Zoning Commission.

Mr. Ditch stated that he has the general warranty deeds for three of the four parcels that were in the subdivision to be subdivided. The description reverts to the old descriptions of the old lots and they do not mention anything about the subdivision plat. The property that was owned by Anderson is currently owned by Maryland Investments.

Alderman Leahy asked Mr. Ditch if it would create a hardship if they postponed going forward until they get a full definition of the property lines. The warranty deed of title establishes that he is in a position to sell the property in question but it does not clarify where those real lines now lay with current construction in place.

John Geppert – Chair Planning and Zoning Commission came before the Board and stated that at a time that the City would have approved, through its process, a subdivision for Shy and Anderson, if Shy and Anderson never went about filing it with St. Louis County, so that it never was a redefined property line and then they transferred the property to the new owners, he believes that makes that subdivision mute. He does not think they could go in and file it now regardless. The application that was in front of the Planning and Zoning Commission was an existing platted piece of property that they simply want to divide into two. They are not shifting any lines between those two properties, so they are not moving any lines towards the house that is being built right now. They are creating two legal lots by Code.

Alderman Leahy stated that he agreed, except the City took those lines, divided them, and made five lots out of them.

Mr. Geppert stated that if the subdivided lots were not filed with the County it never took place. Now the property has changed hands. At the time that the ownership changed, that prior approval rendered mute. He believes the Board could act on the subdivision subject to a legal review by the City Attorney as to any complications that prior ordinance would bring.

Director of Planning and Development Dailey came before the Board and stated that when 8925 Russell was reviewed they asked the owner to produce verification from the Recorder of Deeds that it was being built on the original lot of record and that the subdivision plat had not actually been recorded with the Recorder of Deeds.

Motion was made by Alderman Wynn, second by Alderman Robertson to remove Bill No. 5378 from hold. Roll call: Alderwoman Clements, yes; Alderman Marshall, yes; Alderman Leahy, yes; Alderwoman Krewson, yes; Alderman Kramer, yes; Alderman Robertson, yes; Alderman Wynn, yes; Alderman Cross, yes.

Motion was made by Alderman Robertson, second by Alderman Marshall to approve and adopt Bill No. 5378 with the possibility of repeal of the previous ordinance if there is a conflict and the stipulation that Ellen Dailey will verify that this is the lot on record with St. Louis County. Roll call: Alderwoman Clements, yes; Alderman Marshall, yes; Alderman Leahy, no; Alderwoman Krewson, yes; Alderman Kramer, yes; Alderman Robertson, yes; Alderman Wynn, yes; Alderman Cross, yes.

The Mayor thereupon declared Bill No. 5378 duly passed and signed same into approval thereof. Said Bill was given Ordinance No. 4070.

NEW BUSINESS

Alderman Robertson stated that he would like to solicit comments or discussion from the residents regarding the future of the trail and parks system as a whole. He is interested in the possibility of expanding the trail system in the city. They have been talking about it for a while and he would like to get some help from the residents.

Mayor Kelly stated that it brings up a topic that needs to be looked at which is the Recreation Center. The roof will need to be replaced over the next few years. The last time it was done it was in excess of \$350,000. The cooling system for the ice itself is the original system and it is way past its life. Those things are going to fail at some point and the City will have to make some huge investments in that facility. The trails are something that he does not think they could build enough of. The Great Rivers Greenway project is supposed to be installing some trails to the southern boundary and tying in with Brentwood's existing system giving them the ability to expand the trail use. He suggested that one of the subcommittees look at that and start the procedures.

Alderman Marshall stated that this originated out of the Ways and Means Committee. They have been talking for quite a while knowing that something needs to be done. One of the things they had proposed is possibly having some work sessions/public meetings at night to go over some of the options. The Needs Assessment that came out about five or six years ago from the Parks Department showed that approximately 7% of Brentwood residents actually use the ice. Does the City want to continue going that way? They need to get the residents involved in those types of questions. It is very expensive to go that route but there are other options and they need to review everything.

Alderman Kramer stated that the whole topic has been addressed in the Comprehensive Plan which they will also be taking a look at ideally in a work session and that will include the public as well.

Ward 3 meeting will be held Tuesday, April 24th at 7:00 p.m. in the Council Chambers.

ADJOURNMENT

Motion was made by Alderman Wynn, second by Alderman Leahy to adjourn the meeting at 8:50 p.m. All in favor none opposed.

Pat Kelly, Mayor

Attest:

Chris Seemayer, City Clerk

