

## MINUTES OF THE REGULAR BOARD OF ALDERMEN MEETING

City Hall  
Council Chambers

April 21, 2008  
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 Harper.

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

ABSENT: None.

### **CONSIDERATION AND APPROVAL OF THE AGENDA OF THE REGULAR BOARD OF ALDERMEN MEETING OF APRIL 21, 2008**

Motion was made by Alderwoman Clements, second by Alderman Marshall to approve and adopt the Agenda of the Regular Board of Aldermen meeting of April 21, 2008. All in favor none opposed.

### **CONSIDERATION AND APPROVAL OF THE MINUTES OF THE REGULAR BOARD OF ALDERMEN MEETING OF APRIL 7, 2008**

Motion was made by Alderman Leahy, second by Alderman Robertson to approve and adopt the Minutes of the Regular Board of Aldermen meeting of April 7, 2008 as submitted. All in favor none opposed.

**BIDS** – None

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

Presentation by MSD – Clean Rivers Healthy Community Program

Jeff Theerman – Director of MSD came before the Board to present a new Clean Rivers Healthy Communities Program. The program has three objectives. It is a capital improvement public engagement program aimed at having the public help them with their capital improvements in the combined sewer area in the coming decades. They want to enhance people's knowledge of the sewer system they manage and maintain and what the

conditions are with combined sewer overflows and separate sanitary sewer overflows, and improvements they need to make to comply with federal regulations. Finally, discuss opportunities for action and support. They recognize that the improvements they are making are widespread, extremely expensive, but will last for decades and they are not going to be successful without public involvement in the process.

Mr. Theerman explained that they are trying to address one of the areas most pressing environmental issues, pollution in rivers and streams. They have three goals which are to significantly reduce the amount of sewage entering waterways from combined sewers, to involve citizens in how MSD's pollution and waste water control efforts are going to proceed, and to support environmentally friendly practices that encourage better waterways like rain gardens, rain barrels, pervious pavement. They will be making a multi-million dollar investment. MSD will be embarking on a program that probably over the next 20 to 30 years will spend 4 to 5 billion dollars on the wastewater infrastructure. This will largely be borne by the customers they serve. They will use borrowed money to help spread the cost to future generations, so that not everybody today has to pay for an infrastructure that's going to last for 50 to 100 years. They have been doing a lot of proactive work in trying to protect waterways. This is a continuation of those efforts and an expansion of their outreach. They have the 4<sup>th</sup> largest sewer system in the country that is in terms of miles of pipe in the ground. While the system is comparable to the LA system, they have about 1/3 of the people population served by it and therefore about 1/3 of the size of customers that are there to help pay for its improvement and its upkeep. There are about 470,000 sewer accounts spread between the City and County of St. Louis. They operate seven treatment plants; treat about 330 million gallons of wastewater every day, almost 3,000 miles of storm sewer system, 4,700 miles of sanitary sewers and over 1,900 miles of combined sewers. They serve all of St. Louis City and 80% of St. Louis County.

Mr. Theerman went over some information pertaining to combined sewers and why overflows occur, waterways that are mostly affected by combined sewer overflows, an estimate of how much diluted sewage combined sewer overflows annually discharge into the waterways, the location of the CSOs and how MSD has addressed the CSO problem, how the improvements will be paid and the benefits of the Long-Term Control Plan.

Mr. Theerman noted that everyone could be a part of the solution by inviting them to neighborhoods for organizational meetings to come and talk about the program. They would also like the public to attend open houses throughout the process, participate in a Stream Team or HHW collection event, spread the word, and advocate for clean water in our streams and rivers. He provided a hotline number, which is 314-768-2742, or website: [www.cleanriversstl.com](http://www.cleanriversstl.com).

Alderman Kramer stated that recognizing one of the reasons MSD is following this pathway is the EPA mandate guiding the process. Was there a mandate regarding the remnants of any combined sewer outlet flow that came from the combined sewers into areas where there still may be some remnants of the sewerage. Is there any framework addressing that at all?

Mr. Theerman stated that they try to be proactive in dealing with those issues. Typically you have an overflow in an event where you have a lot of other drainage moving through the creek. He is not minimizing the fact that the overflow exists, but EPA is not prescriptive on what should be done following these events. Many of the negative aspects of combined sewer overflows in addition to just the sewage and storm water mixture, are trash, debris, paper products and those are things that also have to be addressed in this program. If the overflow exists and remains with a reduced amount there still have to be some things done about more aesthetic issues. Each community is charged with developing a long-term control plan that takes into consideration water quality requirements, local conditions and economics. It would be a pro-practice on their part to come to you with the answer and then ask for your public participation. This is largely at a state where we know many alternatives and are starting to understand cost and impacts for construction, but now is the time for the public to be involved in helping them craft what the ultimate plan looks like.

Alderman Kramer stated that Mr. Theerman might be familiar with Brentwood Forest and the sewer project that is now underway to affect the separation. For a number of years there was a good amount of sewer input into Lake Jefferson and the residents had been concerned about that topic. The board that manages that property has been concerned about having to dredge the lake that has those deposits. Alderman Kramer asked Mr. Theerman if that is something that MSD would be willing to look at.

Mr. Theerman responded that they would be willing to visit with the board, talk with them about their concerns, and perhaps do some investigative work. He is aware there is a combined sewer overflow there that they are trying to address and should be eliminating, but he does not know the details of that project.

Alderman Kramer stated that many of the residents are receiving the new change in billing with the impervious area rate. He asked Mr. Theerman to explain how it is calculated and how much revenue do they expect to get from that.

Mr. Theerman responded that they have completely changed the way they charge for storm water. Up until now, MSD's storm water program has been paid for by a patchwork of taxes that were applied in a non-uniform basis throughout the district and a .24 cents per month storm water charge that was a flat charge that everyone paid. They have started charging based on impervious area. They have mapped the entire district, parcel by parcel, and have determined the impervious area on each lot. They are charging at a rate of .12 cents per hundred square foot per month. In addition to the hodge-podge of taxes, they also had about a \$19 million subsidy from their wastewater revenue helping to fund storm water efforts. This was enough to do emergency storm water maintenance. They also had to address those revenue streams. For the first year of this rate, they are in a process of about two years getting rid of that wastewater subsidy and having storm water self-sustaining on its own. They are out of the taxing business. That is important in Brentwood because it is an area that had some overlapping taxes. For residential customers in Brentwood, in many cases if they look at the tax bill that

they have been paying they will see a wash or a net benefit to the new approach. This storm water program is designed to escalate slowly over the next seven years, so there may come a time when that balance is not in their favor and they are paying a little more. They intend to maintain the 3,000 miles of storm sewer. It has been getting band-aid maintenance. About 85% of the calls they get that are related to storm water systems are about pipe and structures in the ground, so it is aimed first at that. As time goes on they will also be having conversations with their customers in terms of surveying and with the municipalities about what additional storm water services the community may want them to undertake. It is not a tax on rain. It is a service charge designed to maintain a system that exists based on the way the area developed.

Alderman Clements asked about the charge for the impervious area.

Mr. Theerman responded that in the first year it is .12 cents per hundred square feet of impervious area. The bill spells out how much square footage is impervious. If anyone has questions about the calculated area they can call the number on the bill. The call center will be able to tell them the square footages they have calculated on their property. If the customer does not think the calculation is right, MSD will send them a drawing of their parcel that shows their home, patio, driveway, with the areas calculated. They will have the freedom to measure the areas themselves and if they believe MSD made an error, they will handle it as an appeal by sending someone out to look at it or may decide it's not enough to argue about and will adjust the bill.

Alderman Clements asked about replacing or reducing the impervious surfaces as far as gravel driveways, etc.

Mr. Theerman stated that gravel driveways are pervious. There are ways to build driveways that are pervious and build patios with paving stones that have the proper sub base. There are ways to reduce the bill. He does not believe that at their charge people are going to tear their driveways out, but if they have to replace the driveway they might consider it at that time.

Alderman Wynn asked if any thought was given to the amount of water run off. If you have a drought you are not collecting any water.

Mr. Theerman responded that the storm sewer system that exists in the ground deteriorates independently of how much it rains. They have an infrastructure that exists that needs to be maintained over time and if they have a dry year or wet year that amount of pipe and structures in the ground does not change. It is not like their wastewater operation. If their flows go down their cost goes down. In storm water it is a little different because they are not treating on the end.

Alderman Marshall asked if there are incentives for businesses that install detention basins, etc.

Mr. Theerman stated that there is a direct incentive in the charge if they employ pervious practices. Typically when detention is put in it is put in along with storm water infrastructure that either exists or they end up taking over and so the detention is matched up to the infrastructure that is built with it. In a case where they have built more detention than is required that might be something they would want to look at. Typically they do not give credit for detention because the downstream system is sized for that detention to be what it is and therefore there is no reduction in the infrastructure that was created to serve it. One of the things they are going to be exploring with cities is parking codes. For example, a large boxed type store with lots of parking that utilizes its parking in total infrequently, maybe some of that parking could be a different kind of parking that's pervious in nature and not have as much run off. Or perhaps the driving lanes are standard pavement but the parking lanes are pervious.

Alderman Leahy asked about the treatment plant in Lemay and if it is on line.

Mr. Theerman stated that they passed a bond issue in 2004 for \$500 million and about \$200 million of that was for a plant they built at the confluence, the Mississippi, and the Meramec Rivers in Mehlville. It is on line. It is designed to eliminate over time all of the treatment plants they have in the Meramec River Valley, so they have eliminated two plants. This plant is a new facility that discharges to the Mississippi River. There are two remaining plants in the Meramec Valley, one in Fenton and one in Valley Park that they will eventually eliminate and be out of that river system completely with treated wastewater.

Jessica Perkins – Vector Communication came before the Board and stated this is the first phase of three phases. Their first phase is more of an educational awareness phase and during that time they are meeting with five different stakeholder groups, like municipalities, legislators, businesses, and they are also looking at environmentalists. Their second phase will be within the next 90 to 120 days and they will come out and share with you the many alternatives that the consultants, both the technical and public information team, has come up with to assist you. That is when the major public engagement comes up. As far as she is concerned they are educating everyone right now, but when you can actually give feedback and help them to understand how this is impacting you is the second phase. The third phase is them coming back with a selected alternative based on all the feedback given. They will keep everyone informed about it, especially through the website as well as materials. She stated to the Board that they would be willing to come out and make a presentation at town hall meetings, etc.

Mayor Kelly thanked Mr. Theerman on behalf of the City of Brentwood. Under his leadership, MSD's attitude and their response to customers have drastically changed in the last few years and a big part of that is because of Mr. Theerman's leadership at MSD. Brentwood has been the beneficiary of a couple of major projects. Brentwood did some of the initial work but MSD, once the problem was diagnosed and some of the preliminary plans were drawn, took it over and moved forward to get some of those projects completed. One of the projects is under construction right now and two of them are in the design stage. Mr. Theerman is doing an outstanding job at MSD.

Public Hearing – Conditional Use Permit/Dry Clean Spot

Mayor Kelly announced a public hearing for a Conditional Use Permit for Dry Clean Spot to be located at Brentwood Boulevard and White Avenue would now be heard at 7:16 p.m.

Director of Planning and Development Dailey came before the Board and stated that the request is for a conditional use permit for a dry clean facility at the former location of Colonial Cleaners. The applicant is requesting signage. The existing sign faces on the building will be replaced and in addition they are requesting a ground sign, which meets all of the sign code requirements except for the fact that it will have two tenant spaces instead of one. Another consideration is that the site is less than one acre and in the Planned Development District (PD) Board of Aldermen authorization is required for sites that are less than one acre, so approval of the bill will include the Board's waiver of that one-acre requirement.

Mark Rubin – Attorney for the Dry Clean Spot came before the Board and stated that Section 25-259 of the Zoning Code was reviewed on behalf of the applicant and there was no conditional use permit for a dry cleaning facility. The first step in the process was to amend the Zoning Code, which was done. They have been through the process of site plan approval with the Planning and Zoning Commission and they recommended the conditional use permit that is before the Board tonight.

Mayor Kelly asked if there were any comments from the audience. Hearing none, the Mayor announced the public hearing closed at 7:20 p.m.

**INTRODUCTIONS, READINGS, AND PASSAGE OF BILLS AND RESOLUTIONS**

First and Second Readings of Bills

Motion was made by Alderwoman Clements, second by Alderman Marshall to give Bills No. 5439 and 5440 first and second readings. All in favor none opposed.

Bill No. 5439 – Conditional Use Permit/Dry Clean Spot

City Attorney Albrecht gave Bill No. 5439, AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT TO DRY CLEAN SPOT, WHICH PERMITS UNDER CERTAIN CONDITIONS THE USE OF CERTAIN DESCRIBED PROPERTY FOR OPERATION OF A DRY CLEANING FACILITY; PROVIDING THE CONDITIONS OF SUCH USAGE; AND PROVIDING THE EFFECTIVE DATE OF THIS ORDINANCE, its first and second readings.

Alderman Kramer read a synopsis of Bill No. 5439 as a Bill that would grant a Conditional Use Permit and waive the one-acre lot minimum lot size to Dry Clean Spot

to operate a dry cleaning facility at 2244 South Brentwood Blvd. This location previously housed a dry cleaning facility. The Planning & Zoning Commission has recommended approval of the Conditional Use Permit. A Public Hearing is required prior to consideration.

Alderman Leahy stated that in the process of bringing the permit forward determination was made that there was soil contamination from the previous tenant and owner of the property. What will be done differently to not further enhance the problem or to eliminate it so that they need not address it in the future?

Mr. Rubin responded that the former Colonial Cleaners site was registered in the DERT Fund. When the DERT Fund has enough money they try to get to all of the former dry cleaning sites and made it to the Colonial Cleaners location. Some investigation was done of the site and some contaminants were found. None of the contaminants were at actionable levels. There was soil and ground water sampling. After a period of multiple samplings of the ground water an application was made for a “no further action” letter, which is currently pending and it is just a matter of time before it is ultimately issued. They are about 30 days into that process which normally takes between 45 and 60 days. There was no significant environmental problem on the site. Dry Clean Spot uses non-chlorinated solvent, state of the art solvents that are much more environmentally friendly. They submitted a letter to the Planning and Zoning Commission from the Missouri Department of Natural Resources confirming that with this type of solvent registration is not necessary. The extra charge you pay in a dry cleaner that goes directly to the DERT Fund, as part of the funding for it is not collected and there is very little concern about an environmental consequence. In addition the equipment that they are using is also state of the art, quieter and less emissions of any type of odor. It is an environmentally friendly operation and is the trend that some of the cleaners throughout the Metropolitan area are switching to in getting away from chlorinated solvents for the emphasis on “green” environment.

Alderman Leahy asked if the discharge from the machines goes into the sewer lines or are they captured waste that are handled separately.

Mr. Rubin responded that nothing is captured. There really is no waste. The cleaning solvent itself is either silicone or petroleum base. There is some statistical information on it that confirms that it is environmentally friendly and not a problem. It does not create a problem from the sewer company’s perspective. In addition, the ground water on the site flows away from the residential areas behind the location. The soil was relatively clean and they do not expect to have any kind of environmental problem with this operation.

Mayor Kelly stated that he attended the Planning and Zoning Commission meeting and they had talked about the rendering depicting ground sign. Mayor Kelly asked why didn’t they use the existing signs that are on the clock tower.

Alvah Levine – Levine Associates stated that the existing Colonial Cleaners clock tower sign would be reused with the new sign. The clock will remain and there will be a new

sign on both sides of the clock tower. The ground sign is for people driving past the stoplight and the signage for a second tenant in another portion of the building. The ground sign will be located approximately 15 feet to the south of the main entrance and about ten feet from the property line. They will be building a new garden area at the corner with landscaping and the sign will be in the garden area.

Alderman Marshall asked if the sign will be facing Brentwood Boulevard or will it be perpendicular to Brentwood Boulevard.

Mr. Levine responded that it would be perpendicular to Brentwood Boulevard. It will be south and north facing. The sign is more for the people that are traveling northbound on Brentwood Boulevard.

Alderman Leahy asked if the north tenant has a place to put a sign above the doorway.

Mr. Levine stated that the tenant would have a small amount of space because the building is decorative, so there is not enough space to put much of a sign. That is why it is important for the tenant to have space on the ground sign.

Alderman Kramer asked for the benefit of the residents, what is the difference between General Commercial (GC) and Planned Development (PD).

Director of Planning and Development Dailey came before the Board and stated that Colonial Cleaners was not conforming. When Brentwood Boulevard lots were rezoned to Planned Development District (PD) dry cleaning was not included as a permitted or conditional use. When she talked to the Planning and Zoning Commission members and other staff no one thought it was done intentionally. It was perhaps just an oversight. Dry cleaning is conditional use in General Commercial and Retail Service Commercial as well.

Motion was made by Alderman Marshall, second by Alderman Wynn to approve and adopt Bill No. 5439. Roll call: Alderwoman Clements, yes; Alderman Marshall, yes; Alderman Leahy, yes; Alderwoman Krewson, yes; Alderman Kramer, yes; Alderman Robertson, yes; Alderman Wynn, yes; Alderman Harper, yes.

The Mayor thereupon declared Bill No. 5439 duly passed and signed same into approval thereof. Said Bill was given Ordinance No. 4125.

Alderman Marshall stated that the Dry Clean Spot is a good fit for this location. Several businesses have looked at the space but the parking situation was a drawback. The fact that you go in and out and you are not there very long is good for traffic on the residential streets.

#### Bill No. 5440 – Sale of City Property

City Attorney Albrecht gave Bill No. 5440, AN ORDINANCE AUTHORIZING THE

MAYOR TO EXECUTE A CONTRACT ON BEHALF OF THE CITY OF BRENTWOOD, MISSOURI WITH MJEM ENTERPRISES, L.L.C., FOR THE SALE OF CITY PROPERTY LOCATED AT 808 HANLEY INDUSTRIAL COURT, BRENTWOOD, MISSOURI 63144; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE, its first and second readings.

Alderman Kramer read a synopsis of Bill No. 5440 as a Bill that would approve the sale of City owned property located at 808 Hanley Industrial Court to MJEM Enterprises for \$465,000. This is the site of the former Public Works Facility. This item was reviewed and recommended for approval by a majority of the Board of Aldermen at the April 7<sup>th</sup>, 2008 meeting when it was discussed in an executive session.

Motion was made by Alderman Marshall, second by Alderman Robertson to approve and adopt Bill No. 5440. Roll call: Alderwoman Clements, yes; Alderman Marshall, yes; Alderman Leahy, yes; Alderwoman Krewson, yes; Alderman Kramer, no; Alderman Robertson, yes; Alderman Wynn, yes; Alderman Harper, no.

The Mayor thereupon declared Bill No. 5440 duly passed and signed same into approval thereof. Said Bill was given Ordinance No. 4126.

#### **ACCOUNTS AGAINST THE CITY**

Alderman Leahy asked about the charge for Gene-del Printing for a special edition of a newsletter. He asked how was it determined that the newsletter was needed and authorized to the point that it is done.

City Administrator Seemayer stated that the newsletter is part of the overall process of the Recreation Center Study that is ongoing right now. That was part of the original cost of the project, that the City would bear the cost of the mailing.

Mayor Kelly stated that it was anticipated that there would be at least one mailing regarding the Study.

Alderman Kramer asked about the HVAC amount and the amount for professional services.

City Administrator Seemayer responded that the HVAC amount is for the Rec Center and the amount for professional services is for the labor attorney for personnel matters. They City also decided to purchase recycle containers for its residents.

Alderman Marshall stated that they had such a demand for the recycle containers that they decided to purchase them and get them to the residents because it would further reduce tipping fees.

Motion was made by Alderman Marshall, second by Alderwoman Clements to accept the warrant list dated 4/21/08. All in favor none opposed.

**REPORT OF COMMITTEES AND DEPARTMENT HEADS:**

Mayor's Report

Mayor Kelly announced that an Executive Session would not be needed this evening.

Mayor Kelly stated that there have been a couple of inquiries about the opening of the Borders Book store. There have been speculation nationwide on Borders performance but they are literally putting down tile and carpet, putting up shelving and are hoping to open as soon as May 15<sup>th</sup>, no later than May 30<sup>th</sup>. In talking to representatives of the property, the Brentwood Borders is one of their top stores in the country, second to the one on the Magnificent Mile in Chicago. It is a very profitable store for them. There is no concern that they are not going to reopen the store. At the same time, if something were to happen to Borders nationally, evidently there is another book store banging on the doors to get in there.

Alderman Wynn stated that noticing the City is ahead on its sales tax would it have made a difference if Borders were in business.

City Administrator Seemayer stated that they can go back and look historically at what they did in the past but looking at overall sales tax it would probably have very little impact, especially because this time of the year is not their strongest for sales. Whatever it was it would have been positive.

Mayor Kelly stated that Alderman Kramer had brought up at a recent meeting the fact that Borders is suing the property owners. The property owners are suing the contractors and the contractors are suing the subcontractor for damages through this process. Alderman Kramer inquired to what extent is the City's ability to sue to get the sales tax revenue. He does not know that the City has any standing in doing that. The City is not guaranteed any revenue and is not insured to cover loss of revenue. Alderman Kramer sent an email to one of our staff requesting they to look into what that process would be. The issue should go through committee to direct a staff person to do that.

City Administrator Seemayer stated that the City is self insured through an organization called SLAIT. He has spoken with the plan administrator for Daniel & Henry and he is not aware of any city filing a claim for this type of situation. He did not feel that the City would have any standing.

Mayor Kelly stated that he has asked City Attorney Albrecht to look into it. The analogy he would use is where do you draw the line. If a business is negligent, a fire is started, and they go out of business for six months does the city sue them because they were negligent in starting a fire and the city lost its sales tax revenue. The City gets its revenue by collecting taxes. If there are no sales how do you collect taxes?

Mayor Kelly stated that the policemen's breakfast is Friday morning. It is the yearly memorial service for our fallen police officers. If anybody would like to attend he believes the Municipal League has vacancies.

Mayor Kelly announced that the City had its Arbor Day celebration last week, which he was not able to attend, but appreciates everybody that did. Brentwood is a Tree City USA again and will be honored this Friday, 9:30 a.m. at the Jewel Box. This is the 20<sup>th</sup> year the City will receive the award.

Public Safety Committee – No further report

Public Works Committee – No report

Director of Planning and Development – No report

Ways and Means Committee – No further report

City Attorney – No report

City Clerk/Administrator – No report

Excise Commissioner – No report

Library – No report

Municipal League – No report

Communication

Alderman Marshall stated that the City received the WI-FI agreement, which was developed by special counsel. The arrangements are being made for the entire Board to go out to O'Fallon for a demonstration of the product.

Historical Society – No report

Recreation Center Committee – No report

### **UNFINISHED BUSINESS**

Alderman Clements complimented the Historical Society on their open house and the children on the trash can paint event.

Alderman Marshall reported that the final draft of the surveys would be mailed out in the next ten to fifteen days. The next public meeting will be held on May 29<sup>th</sup>.

Mayor Kelly stated that there was an error printed in the paper that the final decision regarding the Rec Center was going to be made tonight and that is not the case.

### **NEW BUSINESS**

Alderman Wynn announced that May 1<sup>st</sup> is the National Day of Prayer. There will be an opportunity to join in prayer at City Hall on Thursday, May 1<sup>st</sup> from 12:00 to 1:00 p.m.

Alderman Leahy announced the Ward 3 meeting would be held Tuesday, April 29<sup>th</sup> at 7:00 p.m.

The Brentwood Police Department is starting its organizational meeting for this year's National Night Out Against Crime. There is a meeting scheduled for Thursday night May 1<sup>st</sup> at 7:00 p.m. at the police department. They are looking for some citizens to carry on the program. They will miss Jill Brown who was a very important person in keeping this program going in the city of Brentwood.

Alderman Marshall stated that Mrs. Barnes asked if there was anyway to have her name removed from the sign that Mrs. Ferguson keeps putting out on Pool Road. She does not believe that the information on the sign is correct and does not think that Mrs. Ferguson should be able to put that in the public ROW. If Mrs. Ferguson wants to keep her sign up that is fine but he is requesting that the City contact her and request that she remove any reference to her neighbors.

Alderman Marshall requested that when the BOA minutes are posted in the Pulse that some kind of identification is placed before Public Comment that states that it is public comment and that it is not verified. Some kind of statement, so when it is read it does not appear to be fact of the City.

City Administrator Seemayer stated that you could probably put a disclaimer along the lines of "the views or opinions expressed here are not necessarily those of the City of Brentwood", in that section of the Pulse.

Alderman Leahy stated that if you put a disclaimer in the Pulse you should put a disclaimer in the official minutes of the Board of Aldermen meetings because even though they make the statements the Board certifies the minutes as being accurate as presented. That does not establish that the information shared is factual.

Alderman Kramer stated if you at all appear to taint the public comment with any type of description you have to be very careful.

Alderman Marshall stated that you have to be careful on the other end. The public comment should not look like fact when it is not.

Alderman Kramer responded that it is the person's opinion.

Alderman Marshall responded not when the person's opinion is not true.

Mayor Kelly stated that the City could look into it from a legal standpoint.

**ADJOURNMENT**

Motion was made by Alderwoman Clements, second by Alderman Leahy to adjourn the meeting at 8:11 p.m. All in favor none opposed.

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Pat Kelly, Mayor

Attest:

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Chris Seemayer, City Clerk