

MINUTES OF THE REGULAR BOARD OF ALDERMEN MEETING

City Hall
Council Chambers

February 2, 2009
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 and Executive Secretary Williams.

ABSENT: None.

CONSIDERATION AND APPROVAL OF THE AGENDA OF THE REGULAR BOARD OF ALDERMEN MEETING OF FEBRUARY 2, 2009

Mayor Kelly requested an amendment to the agenda to add "Introduction of RFPs" after the Proclamation, so the representatives from Drury Hotels could come before the Board and introduce themselves.

Motion was made by Alderwoman Clements, second by Alderman Wynn to approve and adopt the Agenda of the Regular Board of Aldermen meeting of February 2, 2009 as amended. All in favor none opposed.

CONSIDERATION AND APPROVAL OF THE MINUTES OF THE REGULAR BOARD OF ALDERMEN MEETING OF JANUARY 5, 2009

Motion was made by Alderman Leahy, second by Alderman Marshall to approve and adopt the Minutes of the Regular Board of Aldermen meeting of January 5, 2009 as submitted. All in favor none opposed.

PROCLAMATION HONORING KYRLE "BUDDY" BOLDT

Mayor Kelly asked Alderman Marshall, Alderman Leahy and Mr. Boldt's family to come forward for the presentation of the Proclamation. He asked Alderman Leahy to read the Proclamation, which is attached to the minutes.

Alderman Leahy stated that it is one thing to honor Bud Boldt for his efforts and his time to the city of Brentwood and it is another to take a moment and tell the family thank you

for sharing Bud with all of them. The hours he spent with the kids on overnights and at committee meetings was time away from the family. Their generosity of sharing him has made them a better community. The Boldt's family accepted the Proclamation in honor of Bud Boldt.

Mrs. Boldt introduced her daughter Joanie Ridgway and son Kyrle Boldt III. She said that Kyrle was one of his father's Eagle Scouts. He made Eagle Scout at age 13. Mike was also one of Bud's Eagle Scouts. Bud joined the Boy Scouts after a friend asked him for help with a troop that was located in the Tower Grove Park area. Bud went and took Joanie with him. They had many children in that area that needed help. Bud's heart was in boy scouting for a long time. The Brentwood troop was his main troop for 18 years with Charlie Ponciroli, Ted Errons, Joe Moore and many wonderful people from Brentwood who participated.

Alderman Marshall stated that it is important to point out that under Mr. Boldt about 30 boys made Eagle Scout.

Introduction of RFPs

Mayor Kelly stated that a meeting will be scheduled an hour before the next BOA meeting to have presentations from the two developers who submitted proposals. Chuck Drury is here this evening with Larry Hasselfeld. Larry is the Chief Financial Officer for Drury Hotels.

Chuck Drury came before the Board and stated that he is third generation in their family business. Drury Hotels is family owned and operated. They started in Cape Girardeau, Missouri and moved to St. Louis in 1979. They moved the operating side of their business to St. Louis. He has been running the hotel side of the business for about 20 years. Today they have about 130 hotels open or under construction with about 16,000 rooms. Twenty of the hotels are located in the metro area. They have three on the east side in O'Fallon, Fairview Heights and Collinsville and as far west as St. Peters and Chesterfield. The newest hotel they have in St. Louis is the Drury Inn and Suites at Hampton Avenue and I-44. It opened about a year ago in February. They do their own construction and have their own internal architectural, engineering and design departments, so they do every thing internally. They can be flexible in terms of timing and how they go about constructing a hotel depending upon the location. They have three historic conversions in downtown St. Louis. Drury converted the Union Station YMCA Building in the middle 1980's. Then they went north and converted the old Union Market Building, and built a hotel on top of it with 170 rooms and a lobby on the first level. His dad has never found an old building he did not love. From there he took the International Fur Exchange Building, along with the Jefferson Office Building and the American Zinc Company Building. They were actually tearing down the buildings when his dad negotiated a deal with the owner in New York. They reconstructed the parts that they had torn down and converted it into a 380-room great plaza hotel, which is an historic structure. Thereafter, the Merchants Laclede Building was on the market and he bought that building and acquired a Hilton franchise. That was their first full service

hotel since Ramada and Holiday Inns back in the 1970's. The first year the Hilton was opened they won an award for the #1 Hilton in the system for customer service. They had four hotels in downtown St. Louis. They have recently sold the Hilton but retain Drury Hotels in downtown St. Louis. Mr. Drury thanked everyone for the opportunity to be here and he said that they look forward to spending more time with the Board next month.

Mayor Kelly stated that he and Ms. Dailey were fortunate to have gotten a tour of the new hotel at Hampton and I-44. Chuck said that they still do their own design and that location was his dad's project and his mom is very active in the hotels as well.

Mr. Drury stated that his father is 81 years old and is still active in their business on a daily basis. He likes to go out, find old buildings, and fix them up. With the Hampton property that was not possible, so they built a new building there and he was responsible for that. He was there practically every day supervising the construction. His mother still works every day doing the design and décor work for their family company.

Larry Hasselfeld - Chief Financial Officer/Senior Vice-President of Development came before the Board and stated that he has been with Drury Hotels for 21 years. In looking at the file for the Brentwood location, the first notes were from 1993, so they continue to have an interest. They think it is a great location for a hotel project and they look forward to working with the City.

BIDS – None

HEARING OF ANY MATTER OF PUBLIC INTEREST UPON REQUEST OF ANY PERSON PRESENT – None

INTRODUCTIONS, READINGS, AND PASSAGE OF BILLS AND RESOLUTIONS

1st and 2nd Readings of Bills

Motion was made by Alderwoman Clements, second by Alderman Robertson to give Bills No. 5480, 5481 and 5482 first and second readings. All in favor none opposed.

Bill No. 5480 – Speed Limit

City Attorney Albrecht gave Bill No. 5480, AN ORDINANCE AMENDING CHAPTER 14 OF THE REVISED CODE OF ORDINANCES OF THE CITY OF BRENTWOOD, MISSOURI BY DELETING SECTION 14-1011.1. SCHEDULE K-1 AND ENACTING IN LIEU THEREOF A NEW SECTION 14-1011.1 SCHEDULE K-1, AS IT RELATES TO RATE OF SPEED; 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 read a synopsis of Bill No. 5480 as a Bill that amends our Traffic Code by changing the speed limit on Interstate 64 from 55 mph to 60 mph. This change came about because MoDOT changed the speed limit on the newly designed portion of the Interstate. The Public Safety Committee reviewed and approved this Bill.

Motion was made by Alderwoman Clements, second by Alderman Harper to approve and adopt Bill No. 5480. 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. 5480 duly passed and signed same into approval thereof. Said Bill was given Ordinance No. 4164.

Bill No. 5481 – Dispatch and Holding Services

City Attorney Albrecht gave Bill No. 5481, AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT ON BEHALF OF THE CITY OF BRENTWOOD, MISSOURI FOR DISPATCH AND HOLDING SERVICES 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 Kramer read a synopsis of Bill No. 5481 as a Bill that renews our contract with the City of Rock Hill for supplying dispatching services for police, fire and ambulance services. The contract is for one year and commences on April 1st, 2009. The new contract increases 3% from \$50,000 annually to \$51,500 annually.

Alderman Marshall stated that the countywide communication system would be on the August 2009 ballot. He asked if the City would be responsible for updating any equipment for Rock Hill.

Mayor Kelly stated that as far as upgrading any radios, municipalities would be upgraded through that program upon approval.

Alderman Marshall stated that his concern is since Brentwood is doing their dispatching he wants to make sure that if they did not upgrade their system will they be able to reach Brentwood dispatchers and visa versa.

City Administrator Seemayer stated that Rock Hill is responsible for their equipment upgrades. If the ballot issue does not pass, they would still be the responsible party. The contract is specific that Rock Hill is responsible for the equipment that they need to receive the signals.

Alderman Kramer stated that it is important to note that this Bill was not reviewed by the Ways and Means Committee, but that he did have a couple of questions for the City

Administrator before the meeting. He stated that it might be a good idea to point out some of the details about the agreement from last year's agreement and that the ability to negotiate again doesn't occur until next year.

City Administrator Seemayer stated that is correct. The original agreement was for three years but the City was not contractually bound to charge the rate. It is how they submitted it on the initial proposal. On April 1, 2010, they will be able to submit any rate that they wanted, keeping in mind the competitive nature of the business.

Alderman Leahy stated that the Bill that is in front of them has the City of Rock Hill making quarterly installments. Would it be a benefit to both Brentwood and the City of Rock Hill to go to a monthly payment cycle?

City Administrator Seemayer stated that Rock Hill initially proposed the quarterly payments. It seems to work for them very well and is fine with Brentwood.

Motion was made by Alderman Marshall, second by Alderman Leahy to approve and adopt Bill No. 5481. 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. 5481 duly passed and signed same into approval thereof. Said Bill was given Ordinance No. 4165.

Bill No. 5482 – Business Licenses

City Attorney Albrecht gave Bill No. 5482, AN ORDINANCE AMENDING CHAPTER 12 OF THE REVISED CODE OF ORDINANCES OF THE CITY OF BRENTWOOD, MISSOURI BY DELETING SECTIONS 12-26, 12-189 (a) AND (b), 12-219 (a) AND (b), AND 12-238 (a) AND (b) IN THEIR ENTIRETY AND ENACTING IN LIEU THEREOF A NEW SECTION 12-26, AS IT RELATES TO BUSINESS LICENSES; 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 Marshall stated that he knows this Bill was supposed to have gone through the Ways and Means Committee. He does not remember if the Ways and Means Committee reviewed the changes.

City Administrator Seemayer stated that the business license collector brought up the issue on Thursday. There were some errors in the Code on the delinquent charges for various license categories. If the changes were not adopted at this meeting, then they would have to wait until next year to properly assess delinquent charges, which begin February 16th. The next Board meeting is not until March 2nd. This Bill is not changing the delinquent dates or rates. In the different types of license categories, some parts were omitted, so the amendments are just for housekeeping purposes.

Alderman Kramer read a synopsis of Bill No. 5482 as a Bill that amends our Business License Code as it pertains to delinquent charges for Business Licenses. This Bill makes a consistent late fee charge of 10% of the balance due plus 1% interest per month not to exceed 20% annually. The Bill also makes clear the delinquent effective date of February 16th.

Motion was made by Alderman Marshall, second by Alderwoman Clements to approve and adopt Bill No. 5482. 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. 5482 duly passed and signed same into approval thereof. Said Bill was given Ordinance No. 4166.

ACCOUNTS AGAINST THE CITY

Motion was made by Alderman Marshall, second by Alderwoman Clements to approve the warrant list dated February 2, 2009. 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.

Alderman Leahy stated that the amended list added expenditure for ACC Holdings LP. This is the agreement that the City entered into with Mr. Epstein's group at the new Grainger facility in Brentwood Industrial Court. The City is helping in the sales tax arrangement to cover some of the construction costs. It is his understanding that presently some of the documentation to support those construction costs reimbursement has yet to get to the City. He recommended to the Board that they consider approving the expenditure so that they could get it paid but at the same time request the additional documentation. They have a five-year agreement to get through. He would like to establish a good basis through the justification of payment that they are not coming anywhere close to the \$300,000 that they had as a ceiling on this action. It is not a great risk for them at this point but he would like to get the paperwork right.

Mayor Kelly stated that it is a \$250,000 maximum.

Alderman Leahy stated that they tried to get it at the \$250,000 level and at the Board meeting it was increased to \$300,000 including the interest and that is where he is at odds with where they are going. At this point, for the dollar value, it is worth going ahead and getting this expenditure resolved while they straighten out some of the paperwork.

City Administrator Seemayer stated that they need better documentation on the construction costs. They supplied some documentation but it could be more detailed to make sure that it was for the storm water detention project.

Mayor Kelly stated for clarification that this is an agreement the City entered into for a sales tax rebate when they did the modifications to the old Indeco Building for the Grainger sale to move into that facility. The funds were to help pay for some additional storm water detention on site that was not required for their project but they did it to help alleviate some of the flooding concerns in that area. In the agreement, a percentage of the sales tax goes back to the property owner for that investment but it caps out at five years. If at the end of the five years the percentage of the sales tax rebate only amounts to \$50,000 and that is the entire rebate they are going to get. If the sales increase on site for the business and things get up to \$250,000 to \$300,000 and that happens in three years then the City is finished as well. Mayor Kelly asked Alderman Leahy if he wants to approve the warrant list to make the payment once the City receives the documentation or to forward the payment with the understanding that the City will not make another payment until they receive the documentation.

Alderman Leahy stated that at this point he would like the latter to keep cash flowing, but would like proper documentation for the next meeting.

Alderman Marshall asked if they could review that data at the next Ways and Means Committee meeting.

Alderman Kramer asked City Administrator Seemayer to review the additional items on the warrant list.

City Administrator Seemayer stated that the expenditure for Acumen Consulting is regarding the installation of a new email server. The amount for Clayco Midwest Company is for crack seal. State Mechanical is the HVAC contract for the ice rink, which is a quarterly payment for the services they provide on the cooling equipment for the ice. The expenditure for Vermont Systems is an annual payment for the software at the Rec Center that is used for programs and registrations, etc. Emergency Communications Network is the CodeRED system that the City approved last fall for the telephone emergency awareness system. Bond-Wolfe Architects is for the design of the new fire station. Bobroff, Hesse, Lindmark & Martone is the labor attorney and the expenditure dealt with the assistance with the move of the personnel from the Parks into the Public Works Department and ongoing union negotiations with the Fire Department. At some point, they want to present a contract or memorandum of understanding to the City. Wireless USA is the service contract for the Police Department's radios.

Alderman Kramer asked if the City has a start date for CodeRED.

City Administrator Seemayer responded no. Everything is set and the users are all ready to go. There will be a training date in February but the date has not yet been set. He is confident that it will be early March that they will send out the first test signals and if all goes well it will be in operation.

Alderman Kramer asked if anything about the firehouse would be going through the Ways and Means Committee soon.

City Administrator Seemayer responded not in the near future, but it will ultimately. Once they have completed the design and have the estimated cost then the financing proposal will go to the Ways and Means Committee. They are also looking to the federal government to see if they want to contribute.

Mayor Kelly stated that they are starting to work on the final mechanical drawings so that they could put the real cost estimate together which should be completed by April, then they will be able to bring the numbers in. Once they decide on the mechanism to move forward, if everything goes as planned, they would hopefully be able to put it out to bid in May.

REPORTS OF COMMITTEES AND DEPARTMENT HEADS:

Mayor's Report

Mayor Kelly stated the City has been in touch with Senator Bond's office and they are inviting the public to a question and answer session on February 18th at 11:00 a.m. in the Council Chambers.

Mayor Kelly stated that he has been in contact with representatives from Metro. Metro will significantly be cutting back on their bus services west of Highway 270. In doing that and in cost cutting moves they are going to be shutting down the garage in Brentwood. They will no longer be running bus lines out of there and will only be using the garage for repairs. There will be a limited staff there. The City will have a lot less buses going up and down Brentwood Boulevard on a daily basis. Metro will also be removing all of their propane tanks, etc. Mayor Kelly stated that he asked them if they are entertaining the idea of selling the property. They said that at this point they are not because they may have use for it in the future.

Mayor Kelly stated that Target started their construction this past week. That project has been on shaky ground for the last month. When they went to get the final permits from MSD, they were required to do about another \$400,000 worth of detention work. The main issue was water purification for the clean water/storm water act and having to install huge filtering systems for the storm water going into the creek. They were not anticipating that expense. MSD had changed their regulations between the time they first started talking to them and when they applied for their permits. Target is moving forward and will be doing the work that MSD is requiring. He has stressed to MSD that they need to have a different standard when dealing with rehab work as opposed to new construction. Target is required to put in this detention system, which is really for the entire Promenade site and having to absorb the entire cost. For instance, if it were Trader Joe's doing an addition they would have had to pay for this improvement. The issue is certain businesses would not have the ability to do that.

Mayor Kelly stated that he serves on the St. Louis County/Jeff Solid Waste Commission. A week ago they had their annual meeting to review and go over all the grant requests for

recycling in St. Louis County. They had 80 applications this year for different projects throughout St. Louis, Jefferson and St. Charles Counties. They had requests for over \$7 million of grants and an allocation of \$2.4 million. There were some processes to go through in order to award the grants. In the end, they were able to issue partial funds for up to 50 plus grants. Brentwood had applied for \$149,000 to purchase a new recycle truck with the lifts on the side that would lift 60 to 90 gallon containers. The Committee, which he did not take part in the discussion for Brentwood, awarded \$75,000 of the \$149,000 requested by Brentwood. They will get the truck one way or another. Whether they will have to wait until next year, they do not know. One of the City employees said that he would forgo his pay the rest of the year if the City would use it to purchase the truck as long as the City reimburse him next year. They see the need for the recycle vehicle and the improvement of the service. They will be getting the official notice of the grant approvals after the meeting tomorrow.

Public Safety Committee – No further report

Public Works Committee – No report

Director of Planning and Development

Director of Planning and Development Dailey came before the Board and stated that due to the bad weather in the last couple of weeks the Brentwood/Strassner streetscape project has not yet begun. The contractor is starting this week. Because Walgreens came before the Board for approval of the special permit for their outdoor storage trailers, the City has been working with them to apply to the Planning and Zoning Commission for a permanent storage structure. They have submitted an application and it will be on the Planning and Zoning Commission meeting agenda on February 11th. The MLP meeting with P&Z went very well. They brought in their updated color renderings for the two-story mixed-use building. That will be before Planning and Zoning on February 11th as well.

Ways and Means Committee – No report

City Attorney – No report

City Clerk/Administrator – No report

Excise Commissioner

St. Mary Magdalen Parish/Temporary Liquor License

Excise Commissioner Clements stated that St. Mary Magdalen Parish is having a Valentine's dance and they are asking for a permit for the night to serve liquor, wine, and beer. Their application is in order and he asked for Board approval.

Motion was made by Alderman Leahy, second by Alderman Marshall to approve the temporary liquor license for St. Mary Magdalen Valentine's dance. 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.

Mobil on the Run/Liquor License Request

Excise Commissioner Clements stated that the other request is from Mobil on the Run. They are asking for a package liquor license and a package Sunday liquor license. Everything is in order and he recommends approval. They are deleting the package malt liquor license that they have now.

Alderman Marshall asked if this license includes the large cans of beer.

Mayor Kelly responded yes. Under the State law that is considered package liquor because it is in the larger can. It is not by the drink. The City has no control over it.

Alderman Leahy asked if Mobil on the Run provided any information as to how much of their sales are under the liquor side versus regular sales for the service, so that if the City chose not to authorize the license how much damage would the City be doing to their facility.

Excise Commissioner Clements stated that he has no idea and has not seen those figures.

City Administrator Seemayer stated they do not supply that information to the City.

Alderman Kramer asked if the City was given an opening date.

Mayor Kelly stated that he thinks it is around the end of February.

Alderman Leahy asked City Attorney Albrecht if they chose not to support the license are they putting the City at risk.

City Attorney Albrecht responded that he would have to look into it and report back but his initial impression is the Board might be creating a bad situation.

Alderwoman Clements stated that when the renewals were approved in June or July they renewed the license that Mobil on the Run had at the time, so they are still good with their liquor license, Sunday package and package malt right no

Alderman Marshall stated that it would be difficult unless they were prepared, whenever a license issue came up in Brentwood at the gas stations or quik shops, to say that they were not going to allow it.

Excise Commissioner Clements pointed out that Schnucks and Dierbergs sell those large cans as well.

Alderman Leahy stated that it is not so much the type of liquor that they are serving. It is more of the association of the liquor with the automobile and he thinks the City should take a good look at this. That maybe instead of doing it piecemeal that Ways and Means or one of the committees might want to look at the alcoholism with driving.

Mayor Kelly stated that he agrees with Alderman Leahy but at the same time, the people at Schnucks are not walking out and walking home with those cans. They are walking a little bit farther to their cars. It needs to be changed at the State level. It is hypocritical to have a cooler of beer for sale at the door where people can walk in, purchase one and walk out to their cars. To think that they are going to take it home and put it in their refrigerators is ridiculous.

Motion was made by Alderwoman Krewson, second by Alderwoman Clements to approve the liquor license for Mobil on the Run. Roll call: Alderwoman Clements, yes; Alderman Marshall, yes; Alderman Leahy, no; Alderman Kramer, yes; Alderman Robertson, yes; Alderman Wynn, no; Alderman Harper, yes.

Library – No report

Municipal League

Mayor Kelly stated that the Municipal League's legislative meeting is on February 21st in Jefferson City. If anyone were interested in attending it, it would be a good opportunity to meet some of the State legislators.

Communication

Alderman Marshall stated that they would be having a meeting this month to review the policy for computer usage to be included in the personnel policy manual.

Historical Society

City Administrator Seemayer stated that they have been cleaning the new building for the historical society. The City has done some minor repairs. They will start moving some of their things in the next couple of weeks. The porch has to be repaired before the major things will be moved in.

Recreation Center Committee – No report

UNFINISHED BUSINESS

Alderwoman Clements asked about the target date for the opening of Mobil on the Run.

Director of Planning and Development Dailey stated that they were scheduled for opening at the end of January, which has not happened, so she believes in the next couple of weeks they will be opening.

Alderman Marshall asked about the status of the dog ordinance.

Alderwoman Clements stated that the Public Safety Committee had discussed it at their last meeting and Asst. City Administrator had given them quite a few model ordinances to look at from other municipalities. She had presented them with a model ordinance the day of the meeting and they are still reviewing them, so they will discuss it further at the next meeting.

Alderman Kramer asked for an update on Micro Center and Circuit City.

Mayor Kelly stated that Circuit City has not given them the last day of closing. The store is about 25% vacant. When they originally started their closeout sale, they were saying that the sale would be completed within 30 to 90 days. He cannot imagine it would be too much longer than the end of the month. They had some bad news about Micro Center around Christmas Eve that they had decided that they were not going to sign the agreement to move forward on the lease for the Sports Authority site. They wanted some other concessions at the last minute, which was upsetting to Furniture Brand and DDR because they had come to terms with working with them a year ago. The conversations stopped for about a week and then started back up. About three Fridays ago he got a phone call from representatives of Micro Center saying that they had ceased negotiations and that they had not been able to come to terms. Last Friday he got a phone call from Micro Center and they are back talking to Furniture Brand. Furniture Brand has made a new proposal to Micro Center and they will make some decisions on whether they will move forward. One of the issues that you have with the way the market is today is that any viable retailer has the upper hand as far as negotiating the deals. Furniture Brand was making some huge concessions in order to have Micro Center take over the lease. DDR as the owners of the property had made a concession that they were not going to require the 1% sales fee over the \$13 million, which was in the lease agreement of that property that any store with sales of over \$13 million had to pay 1% of those sales to the property owner. For Micro Center that would have been a huge number. In the end, the pylon signs were going to cost Micro Center a lot more than they had anticipated. Micro Center said that they would probably not do the signs for a while even if they were to move forward.

Alderman Kramer asked Mayor Kelly if he has heard anything about Wholefoods Market taking over the Circuit City space.

Mayor Kelly stated that is one of the considerations. The property owner has another store that they have been negotiating with for some time and they would take the entire space. It would be a great addition to the area. Their sales would be significantly higher than Circuit City's. It is a high-end clothing store. There is a lot of talk with a couple of

different tenants for that space. Wholefoods Market has wanted about 18,000 more square feet literally from about six months after the opening of that store.

NEW BUSINESS

Alderman Marshall stated that he was contacted by a resident about the Strassner/Hanley Industrial Court signage. The signage is very confusing in Hanley Industrial Court. Maybe that is something they could look at in the future and in doing it over time. He knows that there are many expenses involved for the businesses.

Mayor Kelly stated that over the years they have had two different proposals for renaming the streets in Hanley Industrial Court in working with Hanley Industrial Court Association. Both times when they got to a certain point, they were rejected for the exact same reason that Alderman Marshall mentioned. The property owners did not want to change their letterhead, contact information, etc.

Alderman Marshall stated that the City now owns those streets, so why couldn't they just go ahead and do it. In the long term, it would be better for Hanley Industrial Court. People drive around and get lost trying to find businesses.

Mayor Kelly stated that they could get the proposals out and send them back to the Public Works Committee.

Alderman Marshall stated that he had suggested that the Public Safety Committee review policies regarding sex offenders being in or around public facilities because of the children. He was told that schools, recreation facilities, etc., are covered under State Statute. He asked if there is any way they could put signs up making people aware. Apparently, one of the workers at the Rink was approached by someone wanting to know when the adult skate was because he is not allowed to be around children and it was implied that he was a sex offender.

City Administrator Seemayer stated that the Public Safety Committee felt there was some difficulty about what the signage would read because the mode of what goes on at the Rink changes so frequently throughout the day. You could be in the Rink where there are all adults, which is not likely, and then the next hour the building could be filled with children, etc., so how do you go about enforcing that.

Alderman Marshall stated that maybe City Attorney Albrecht could come up with the appropriate wording for the sign.

Alderman Leahy announced that the Ward 3 meeting would be held on Tuesday, February 17th. All are invited.

Alderwoman Clements stated that she would like to and she is sure everyone would like to wish Alderwoman Krewson Godspeed for her surgery on Wednesday.

ADJOURNMENT

Motion was made by Alderwoman Clements, second by Alderman Leahy to adjourn the meeting at 8:07 p.m. All in favor none opposed.

Pat Kelly, Mayor

Attest:

Chris Seemayer, City Clerk