

MINUTES OF THE REGULAR BOARD OF ALDERMEN MEETING

City Hall
Council Chambers

August 17, 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 Harper.

City Attorney Albrecht, City Clerk/Administrator Seemayer, Director of Planning and Development/Asst. City Administrator Dailey, Executive Secretary Williams, Fire Chief Niemeyer, Asst. Fire Chief Kurtz, City Treasurer Reynders.

Absent: Alderman Wynn.

CONSIDERATION AND APPROVAL OF THE AGENDA OF THE REGULAR BOARD OF ALDERMEN MEETING OF AUGUST 17, 2009

Motion was made by Alderman Leahy, second by Alderman Marshall to approve and adopt the Agenda of the Regular Board of Aldermen meeting of August 17, 2009. All in favor none opposed.

CONSIDERATION AND APPROVAL OF THE MINUTES OF THE SPECIAL BOARD OF ALDERMEN MEETING OF JULY 28, 2009

Alderman Leahy requested that the documents he handed out at the Special Board meeting on July 28th regarding the Richmond Heights contract be attached to the minutes of that meeting.

Motion was made by Alderman Leahy, second by Alderwoman Clements to approve and adopt the Minutes of the Special Board of Aldermen meeting of July 28, 2009 as amended. All in favor none opposed.

Commendation – Bob Kurtz

Mayor Kelly stated that they are very proud to be making a couple of presentations tonight.

Fire Chief Niemeyer came before the Board and stated that they are honoring Asst. Chief Bob Kurtz for his 30 years of service to the City of Brentwood. It is a very important evening for Bob and his wife. He stated that 30 years is a milestone which a lot of people never achieve, and the ones that do at one employer are very rare. Bob started out as a firefighter for the City of

Richmond Height on September 1st, 1974. He spent five years as a professional firefighter for Richmond Heights and then he came home to Brentwood in 1979. He achieved his 30 years of service on July 1st, 2009. Bob went from Lieutenant to Captain. On July 7th, 2000 he was promoted to Asst. Chief/Fire Marshal. Bob is also our Building Commissioner and Training Officer for the fire department, so he is quite busy. Bob has made rescues, protected lives and property and has received numerous commendations for his service to the community. He has done an outstanding job. You cannot condense 30 years of service into a little talk here tonight, but he is sure everyone realizes what 30 years means to the community. It is an achievement that is to be definitely recognized. You just can't give it the merit it deserves in such a short time. Bob is now hard at work on our new fire house. Chief Niemeyer stated that they have two items that they would like to present to Bob. One is from the Mayor and the Board and the other is from the men of the Brentwood Fire Department. The Chief asked the Mayor and Chairman of Public Safety Clements to come forward. Mayor Kelly presented a plaque to Asst. Chief Kurtz for his 30 years of service to the Brentwood Fire Department. Chief Niemeyer presented a helmet statue to Bob Kurtz for his 30 years of service to the Brentwood Fire Department and stated that the presentation of the statue shows their gratitude. He stated that the helmet has four trumpets for Asst. Fire Chief/Fire Marshal. It is a very respectful gift because it is handmade by the people at Liberty Artwork which is actually owned by a retired St. Louis City firefighter.

Asst. Fire Chief Kurtz came before the Board and thanked everyone and said that the honor is greatly appreciated. It's been a great job and he loves working for the City.

Presentation to Backstoppers

Chief Niemeyer thanked the Mayor and Board and apologized for being late. They had a house fire in Ladue. He stated that one of the men he respects more than anybody in the fire service is Jimmy Silvernail who has been a friend of his since high school. He is one of the best firemen and one of the best leaders he has ever met in his life. Jim is Chief of the Mehlville Fire Protection District now. He was Chief of Metro West in Ballwin. He is also a big official with the Backstoppers.

Craig Eisenbeis/Brentwood Police Department and Ron Cottrell/Brentwood Fire Department came before the Board and Officer Eisenbeis stated that on June 13th the Brentwood Fire and Police Departments held their second annual Backstoppers' BBQ. They had tremendous support again from the residents, businesses, the Mayor and others in Brentwood. They had a lot of help from the fire and police personnel, and his own family. He presented a check in the amount of \$10,218.50 to Chief Silvernail for the Backstoppers.

Chief Silvernail thanked everyone on behalf of the Backstoppers. They have had a very rough couple of years with tragedies. Last year was a horrible year and this year started off just about the same. They received their funds through memberships and donations. That was a good BBQ. Brentwood has always come through for them. It is people like you that help out the widows and families of those that truly deserve it and gave the ultimate sacrifice. He can't

thank everyone enough. It means a lot to him, the Backstoppers and to the recipients that have lost a loved one.

Officer Eisenbeis stated that the third annual Backstoppers BBQ will be held on June 12, 2010.

Mayor Kelly stated that they appreciate everything everyone did this year for the BBQ. The City had its annual Golf Tournament in June of this year and some of the funds went to the Ryan Hummert Fund. Even in these economic times with donations and those kinds of things, they had an outstanding outpour of support for the Golf Tournament. They raised \$7,000 that will be going to two funds that they have established. Some of the funds will go to help train young firefighters to be paramedics. The other funds will help to send some of the Maplewood firefighters to Washington D.C. in October to attend a national memorial for fallen firefighters. The goal is to send the entire Maplewood Fire Department. He thanked everybody for their support.

BIDS – None

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

Presentation of 2008 Audit

Tammy Alsop – Hochschild Bloom & Co. came before the Board and stated that she is the partner on the audit for the City of Brentwood. They finished the audit and have everything going to the GFOA. Everything was done on time, by June 30th. It was submitted for a Certificate of Achievement for Excellence in Financial Reporting. In the Independent Auditors' Report, the City has an unqualified opinion that's the highest form of assurance that a city can receive on its financial statements. It states in their opinion that "the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, each major fund, and aggregate remaining fund information as of December 31, 2008, and the respective changes and financial position thereof for the year then ended, in conformity with U.S. generally accepted accounting principles". With the GASB 34 they present the financial statements. You'll have the government-wide first which shows all the debt and capital assets of the city. In that case the government activities had the unrestricted net assets of a negative \$47 million. This negative was due to the tax increment revenue bonds, and that totaled \$51 million at the end of 2008. Those tax increment revenue bonds are really not a general obligation of the City. The City is only obligated to pay over the revenues that they receive on that property, the incremental revenues from the sales and property taxes to pay down that debt. If you take that debt out of the number, you would have a positive \$4 million in the governmental activities, so that's very good. You will also notice that you have an unreserved fund balance in the general fund of \$2 million or 20% of the general fund expenditure. Of the \$2 million, you have approximately \$1 million in reserve and that is as of December 31st. That was the actual investment balance at that time. The amount to get it up to \$2 million has to do with the accounts receivable such as sales tax that you had not received as of December 31, 2008. The City's debt service decreased by \$2.2 million or 4%

which is very good. The City is paying off the TIF revenue debt ahead of schedule, so she is happy about that. This year, because of the decline in the market, the Police and Firemen's Retirement Plan had a decrease of \$2.6 million which is still okay because payments are being paid into the fund, so you don't have a net pension obligation. Everything was really good in the financial statements. She didn't have any problems with the audit. They did a yellow book audit which means they don't only come in and test the numbers, they also test some of the controls over financial reporting to make sure that you're reporting properly and they didn't find any discrepancies there. Everything is good and very comparable to the prior year. Mrs. Alsop thanked City Administrator Seemayer and Finance Officer Mosby for their hard work.

Alderman Marshall requested that the audit be posted on the website.

City Administrator Seemayer stated that it will be posted on the website once it's accepted by the Board.

Public Hearing – TIF Update

Mayor Kelly announced that a Public Hearing to give an update on the TIFs would now be heard.

Mayor Kelly stated that the state has a new requirement that municipalities hold a public hearing every year to update the public on the status of the active TIF projects within their jurisdiction.

City Administrator Seemayer stated that the figures will be available on the website this week. Mainly it is to let the public know where each project is in terms of completion, regarding the TIF bonds and the project itself, whether the bonds have been issued and the estimated payoff dates. There are five separate TIF areas within the city of Brentwood in the order they were issued: Brentwood Promenade issued \$22 million worth of TIF Bonds. The current outstanding balance of the bonds is \$3,955,000. The estimated payoff date is 2010 in either April or October. Brentwood Pointe TIF's original issue of that was \$6,785,000. There is \$4,330,000 remaining to be paid on that. The estimated payoff date is May 1st 2013. Brentwood Square TIF issued \$13,885,000. There is \$9,225,000 outstanding. That is expected to pay off on November of 2014. The fourth issued was the Brentwood Eager Road TIF which is the Meridian. That was issued in two phases. The total amount was \$20,910,000. That amount is still outstanding because it was just refinanced or refunded earlier this year. The expected payoff date on that is December of 2023. The Brentwood Hanley Station TIF total amount issued was \$8,785,000. That same amount is still outstanding because those were converted to TIF bonds this year, so the first payment on those will be made this fall. The expected payoff date on that is May 2026. A complete report was submitted to the State of Missouri as required and that will be available on their website sometime in November.

Mayor Kelly asked if there were any questions or comments from the audience. Hearing none, Mayor Kelly announced the Public Hearing closed.

Public Hearing – Setting 2009 Property Tax Rate

City Administrator Seemayer stated that everyone should have a copy of the proposed property tax rates, both residential and commercial for 2009. These taxes will be due and payable by December 31st. The total residential tax rate proposed for 2009 is 60.2 cents and that is based on \$100 of assessed valuation. That is down slightly from 2008. In 2008 it was 60.5 cents. The proposed commercial rate for this year is 76.4 cents and that is also down slightly from last year. Last year it was 77.9 cents. The overall revenue will increase by approximately 3.6% for the property taxes. That goes to the City's general fund, the library fund and the police and firemen's pension fund. The City waives the residential property taxes for the City's portion of those three funds. The residential assessed valuation decreased by 5.2% from 2008 to 2009. The commercial assessed valuation remains basically unchanged. The personal property decreased by 7.8%. The overall decrease in the assessed valuation for 2009 was 3.2%. The City is waiving \$354,000 of taxes that it would legally be able to assess. It is comprised of the amount that they waived from the general fund for the residential portion and the debt service for street bond issue and park bond issue bonds and that is waived for both the residential and commercial.

Mayor Kelly asked if there were any questions or comments from the audience and the Board.

Alderman Kramer stated that as in past years there had been a point when the rates were revised. Even though they had approved them at one rate, a little bit later they were changed. Is there a possibility of that happening again this year?

City Administrator Seemayer stated that it cannot happen unless a special meeting of the Board of Aldermen was to occur. Whatever rate is adopted tonight is the rate that they have to go with. Unfortunately, the final rates may not come in until after September 1st which is the deadline. The deadline was supposed to be October 1st but the governor vetoed the piece of legislation that would have allowed that. The cities or any taxing district will basically be stuck with their rates. Typically the amended rates or assessed values are somewhat lower because they are based upon appeals and appeals only go down they don't go up. It could end up costing Brentwood, the school district, all the taxing districts some amount of money which they would have the ability in the following year to recoup by adjusting the rates. They don't have the ability to do it this year unless they receive the revised rates prior to September 1st and are able to hold a special meeting of the BOA.

Alderman Kramer stated that they will have the unclaimed revenue that they could garner like the utility tax.

City Administrator Seemayer responded that is correct, separate of this which is a little over \$.5 million.

Alderman Kramer asked City Administrator Seemayer to explain how the revenues stayed the same even though valuations have gone down.

City Administrator Seemayer stated that it increased just slightly. The commercial rate which generates a larger percentage of it, actually the assessed value, remained unchanged, so they saw a small increase in the revenue from that. They are allowed an inflationary factor for the consumer price index. With the commercial rate not decreasing and with the CPI increasing slightly it gave them a total increase in revenue of about \$80,000 on a total of \$2,240,000.

With no further questions, Mayor Kelly announced the Public Hearing closed.

Public Comment

Matt Saunders – 2326 Parkridge came before the Board and stated that he represents the tax payers of Brentwood. He was curious about the status of the lawsuit that Alderman Kramer brought against the City of Brentwood. He has heard that it has been settled but has seen nothing in regards to where his money was spent or if it was a good lawsuit or a frivolous one.

Mayor Kelly stated that the lawsuit has been dropped by Alderman Kramer. Ultimately, they did go to trial for one day and then the decision was made to drop the case. With respect to the tax dollars over the period of the year, it cost the tax payers of the city of Brentwood probably close to \$100,000.

Mr. Saunders asked what was the outcome of the lawsuit.

Mayor Kelly responded that it was dropped.

Mr. Saunders asked what was the \$100,000 of the tax payer's money spent on.

Mayor Kelly responded that the \$100,000 was spent to defend his position in the case.

Alderman Leahy stated that the lawsuit that they are speaking about is Mr. Kramer's suit against the TDD, but the City of Brentwood's city general revenue fund spent no money?

Mayor Kelly responded that is correct, but it was tax payers' money of the city of Brentwood out of the TDD.

Alderman Leahy stated that he is just trying to get the right color of money, for clarification.

Mr. Saunders stated that he is just trying to get the right wasted message out that he thinks his fiduciary responsibility was dropped. He stated that Alderman Leahy is the biggest hawk here about tax payers' money and he wants to know what will be done about the money.

Mayor Kelly responded that he doesn't think this is the forum to get into the issue.

Mr. Saunders stated that he understands that but they are responsible for the tax payers' money and he is hearing \$100,000 was wasted. Do you just shake hands? What do you do?

Karen Smith – 8930 Harrison came before the Board and stated that she didn't really know anything about the outcome of the lawsuit, so she doesn't have a lot of detail to speak about tonight. She is very concerned about being accountable and transparent. She was at a Board of Aldermen meeting when there was some discussion about that lawsuit and she was very unclear about some of the statements that were made. They seemed a little irregular to her. From her perspective it is very hard to find out what goes on in the TDD, even to find out who is on the board that represents a TDD and how TDDs operate. In asking those questions, there has also been some research by some various organizations in the St. Louis area about TDDs. Just using that as some background information so that you know, she is very concerned about TDDs in general and how they operate and function. Her understanding was that there was some question about laws being broken. Transportation Development Districts are public subdivisions and they are supposed to operate like the government, so you're supposed to have a board of directors, competitive bidding, posting of meeting notices, etc. From her personal opinion, it is hard to find out a lot about the Transportation Development Districts. Even in the minutes, it is harder to tell whether competitive bidding is taking place. From her perspective she would like to see more open transparency about what goes on in Transportation Development Districts. If they did have a law that was broken within a TDD, if it is not operating legally, they need to find out what is going on. It is appropriate to look into it. She is a little off guard because she didn't know anything about it being settled or what's been going on with it because again, it is all very much closed. If it was settled out of court that means that the parties are admitting that there probably was something going on. She doesn't know.

Mayor Kelly stated that the case was dropped with prejudice, meaning that Alderman Kramer would not file another case against them and agreed to drop the case. To him that is all he agreed to. He doesn't believe they did anything wrong as far as he is concerned.

Ms. Smith stated that from what she understands and what she heard during a BOA meeting was that it is very hard to tell what's going on. It looked like there was a sunshine violation that took place. She doesn't think that as a community they want to be sending that message out that they are going to look the other way when they break laws. It is important that these TDDs follow the law just like any other organization.

Mayor Kelly stated that since day one when the issue came about, they admitted that a door had been closed when they were on a conference call. In doing their research for the case, there is nothing in the state law that states you can't have a door closed during a public meeting. They have determined that they've done that in the council chambers many of times when there has been noise out in the hallway. The point is that the public has to have access to those meetings and the public had access to that meeting. With the allegations that things weren't posted, that wasn't the case. The posting of the meetings was made and put on the bulletin board and the public had the opportunity to be there. He is glad it is behind them. The

reality of it is if they had made a mistake, the goal is to fix the mistake. When the first allegation was made, the attorney general's office who had done the investigation said that they probably should not have closed the door and they shouldn't let it happen again but never pursued any case or charges against them when they explained what had taken place. After the lawsuit had been filed in civil court, to fix the problem, they had another meeting, revoted and did it all over again just to be as open as they possibly could and the outcome of the vote was the same. Public bodies are always being scrutinized and they try to do the best that they can, but sometimes people will make mistakes. He is not perfect and he doesn't think anybody in this room is perfect, but they do the best they can. He thinks the City's audit showed it tonight. They do an outstanding job at the City of Brentwood with the staff specifically to make sure that they are accountable to the residents of the city of Brentwood. That is who he feels he is accountable to. He has admitted and said what happened in this case since day one. He hasn't hidden anything and the outcome showed that. He would have never done anything intentional to hide anything from the residents of the city of Brentwood. He doesn't have any reason to do that.

Alderman Kramer stated that on May 19th, 2009 during the second day of trial his attorney was asked by lawyers for the Brentwood/Strassner Road TDD if he would consider settling his lawsuit against them, a petition seeking enforcement of the Missouri Sunshine Law. For the greater good of the community and members of the TDD he agreed to settle the case against the TDD. He has signed and agreed to uphold the legal mutual release that they have all agreed to. Unfortunately, it is disappointing to hear that this case is going to be discussed again this evening. He feels it is incumbent upon him to respond to the publicly dredged up infractions of the TDD which originally drew the attention of admonishment of the state's attorney general. Unfortunately, for the mayor of our city and those other members of the TDD, they chose to ignore the original wishes of the attorney general's office at their own peril. Public meetings must be held out in the open, not in the mayor's private office with the door closed and locked, especially when over a million dollars of the public's money is changing hands earmarked for a building purchase whose true valuation is in dispute. Paying \$1.6 million for a building appraised at \$1 million is more than troubling. Strangely and in the midst of our recession with property values plummeting that same building has mysteriously seen its valuation jump by over \$600,000 as evaluated by St. Louis County. We do look to the shepherds of our community for leadership. We also look to those same shepherds to yield to those of higher authority when approached. After witnessing this administration's ongoing preference for ignoring what is proper and right, he filed a complaint with the Missouri Attorney General's office in 2007 alleging a series of serious infractions of the law. It is his hope that the present administration of the City will go forward setting a good example of following the law without rebellion, preserving the precious transparency of government assured to all voters and enshrined in the principles of our democracy.

INTRODUCTIONS, READINGS, AND PASSAGE OF BILLS AND RESOLUTIONS

Motion was made by Alderwoman Krewson, second by Alderman Leahy to give Bills No. 5509, 5510, 5511, 5512, 5513, 5514, 5515, 5516, 5517, 5518 and 5519 first and second readings. All in favor none opposed.

Alderman Kramer read the synopsis for Bill Nos. 5509 – 5513: Each of these Bills amends previously approved cooperation agreements between the City of Brentwood and the Brentwood Strassner TDD, the Brentwood Pointe TDD, the Brentwood Square TDD, the Hanley Road Corridor TDD, UMB Bank acting as the Trustee and the Brentwood Square and Brentwood Pointe TIF's. The amended agreements allows the Hanley Road Corridor TDD to collect the TDD tax in each of the TDD areas described, allows the HRCTDD to direct the TIF portion of the TDD revenue to be allocated properly, allows the City to collect the TDD tax on behalf of the HRCTDD, allows UMB Bank as trustee to accept TDD payments and disburse them as required by the bond indentures and allows the Missouri Dept. of Revenue to assume collections on or after January 1st, 2010. Each of the Bills were prepared and reviewed by the City's Bond Counsel, Gilmore & Bell. The new HRCTDD will assume the new duties on September 1st, 2009.

Bill No. 5509 – Repealing Ord. No. 4178

City Attorney Albrecht gave Bill No. 5509, AN ORDINANCE REPEALING ORDINANCE NO. 4178; APPROVING AN INTERGOVERNMENTAL COOPERATION AGREEMENT BY AND BETWEEN THE CITY OF BRENTWOOD, MISSOURI AND THE HANLEY ROAD CORRIDOR TRANSPORTATION DEVELOPMENT DISTRICT; AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH, its first and second readings.

Motion was made by Alderwoman Clements, second by Alderman Marshall to approve and adopt Bill No. 5509. Roll call: Alderwoman Clements, yes; Alderman Marshall, yes; Alderman Leahy, yes; Alderwoman Krewson, yes; Alderman Kramer, yes; Alderman Robertson, yes; Alderman Harper, yes.

The Mayor thereupon declared Bill No. 5509 duly passed and signed same into approval thereof. Said Bill was given Ordinance No. 4193.

Bill No. 5510 – Repealing Ord. No. 4179

City Attorney Albrecht gave Bill No. 5510, AN ORDINANCE REPEALING ORDINANCE NO. 4179; APPROVING A SECOND AMENDED AND RESTATED INTERGOVERNMENTAL COOPERATION AGREEMENT BY AND AMONG THE CITY OF BRENTWOOD, MISSOURI, THE BRENTWOOD POINTE TRANSPORTATION DEVELOPMENT DISTRICT, AND THE HANLEY ROAD CORRIDOR TRANSPORTATION DEVELOPMENT DISTRICT; AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH, its first and second readings.

Motion was made by Alderwoman Clements, second by Alderman Robertson to approve and adopt Bill No. 5510. Roll call: Alderwoman Clements, yes; Alderman Marshall, yes; Alderman

Leahy, yes; Alderwoman Krewson, yes; Alderman Kramer, yes; Alderman Robertson, yes; Alderman Harper, yes.

The Mayor thereupon declared Bill No. 5510 duly passed and signed same into approval thereof. Said Bill was given Ordinance No. 4194.

Bill No. 5511 – Repealing Ord. No. 4180

City Attorney Albrecht gave Bill No. 5511, AN ORDINANCE REPEALING ORDINANCE NO. 4180; APPROVING AN AMENDED AND RESTATED INTERGOVERNMENTAL COOPERATION AGREEMENT BY AND AMONG THE CITY OF BRENTWOOD, MISSOURI, THE BRENTWOOD/STRASSNER ROAD TRANSPORTATION DEVELOPMENT DISTRICT, AND THE HANLEY ROAD CORRIDOR TRANSPORTATION DEVELOPMENT DISTRICT; AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH, its first and second readings.

Motion was made by Alderman Marshall, second by Alderwoman Krewson to approve and adopt Bill No. 5511. Roll call: Alderwoman Clements, yes; Alderman Marshall, yes; Alderman Leahy, yes; Alderwoman Krewson, yes; Alderman Kramer, yes; Alderman Robertson, yes; Alderman Harper, yes.

The Mayor thereupon declared Bill No. 5511 duly passed and signed same into approval thereof. Said Bill was given Ordinance No. 4195.

Bill No. 5512 – Second Supplemental Trust Indenture

City Attorney Albrecht gave Bill No. 5512, AN ORDINANCE APPROVING A SECOND SUPPLEMENTAL TRUST INDENTURE BY AND BETWEEN THE CITY OF BRENTWOOD, MISSOURI AND UMB BANK, N.A., AS TRUSTEE, IN CONNECTION WITH THE CITY'S TAX INCREMENT REFUNDING AND IMPROVEMENT REVENUE BONDS, SERIES 2005 (BRENTWOOD SQUARE PROJECT); AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH, its first and second readings.

Motion was made by Alderwoman Clements, second by Alderman Kramer to approve and adopt Bill No. 5512. Roll call: Alderwoman Clements, yes; Alderman Marshall, yes; Alderman Leahy, yes; Alderwoman Krewson, yes; Alderman Kramer, yes; Alderman Robertson, yes; Alderman Harper, yes.

The Mayor thereupon declared Bill No. 5512 duly passed and signed same into approval thereof. Said Bill was given Ordinance No. 4196.

Bill No. 5513 – First Supplemental Trust Indenture

City Attorney Albrecht gave Bill No. 5513, AN ORDINANCE APPROVING A FIRST SUPPLEMENTAL TRUST INDENTURE BY AND BETWEEN THE CITY OF BRENTWOOD, MISSOURI AND UMB BANK,

N.A., AS TRUSTEE, IN CONNECTION WITH THE CITY'S TAX INCREMENT REFUNDING REVENUE BONDS, SERIES 2005 (BRENTWOOD POINTE PROJECT); AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH, its first and second readings.

Motion was made by Alderman Robertson, second by Alderman Marshall to approve and adopt Bill No. 5513. Roll call: Alderwoman Clements, yes; Alderman Marshall, yes; Alderman Leahy, yes; Alderwoman Krewson, yes; Alderman Kramer, yes; Alderman Robertson, yes; Alderman Harper, yes.

The Mayor thereupon declared Bill No. 5513 duly passed and signed same into approval thereof. Said Bill was given Ordinance No. 4197.

Bill No. 5514 – Settlement Agreement

City Attorney Albrecht gave Bill No. 5514, AN ORDINANCE APPROVING A SETTLEMENT AGREEMENT WITH AT&T/SBC LANDLINE; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE, its first and second readings.

Alderman Kramer read a synopsis of Bill No. 5514 as a Bill that approves a settlement agreement with A T & T/SBC landline in the amount of \$189,103.90. The settlement agreement is in response to a lawsuit filed by Missouri municipalities in 2004 alleging that A T & T was not properly collecting the gross receipt taxes on certain services they provided with their land line phone service. As part of the settlement A T & T has agreed to collect the gross receipt charges going forward. These charges will not impact Brentwood residents as the City does not assess gross receipt taxes to residents on any utilities. The Ways & Means Committee has reviewed this settlement agreement and is recommending approval.

Mayor Kelly stated that a correction needed to be made on Page 4, Section 5 of Exhibit A. It states "Exhibit E" it should read "Exhibit B".

Motion was made by Alderwoman Clements, second by Alderman Kramer to amend Bill No. 5514, Page 4, Section 5 of Exhibit A, by changing "Exhibit E" to "Exhibit B". Roll call: Alderwoman Clements, yes; Alderman Marshall, yes; Alderman Leahy, yes; Alderwoman Krewson, yes; Alderman Kramer, yes; Alderman Robertson, yes; Alderman Harper, yes.

Alderman Kramer stated that the taxes being collected are not for residential, they are for the commercial.

City Administrator Seemayer responded that's correct.

Alderman Leahy asked for a history on the settlement agreement.

Mayor Kelly stated that it stems from the first lawsuit that was started with respect to the cell phone taxes that the City settled last year. This is a continuation of that first settlement dealing

specifically with the landline portion of that. There has been a lot of news in the press about the amount of the attorney fees for this settlement, but the 25% was really something that was put out to bid. He thinks there were three law firms that submitted proposals to represent all of the municipalities in this class action lawsuit starting in early 2002. It was on a commission basis and the fees to bring the lawsuit forward were all on the attorneys and if there was no settlement then they would not get anything. This was the lowest percentage of the three law firms that submitted proposals to represent the municipalities. It would be very difficult for a municipality on its own to settle a case of this type. The reason they are adopting this in the form that they are today is because of the work the attorneys did to make sure that they meet the requirements to fall into the class to get the settlement agreement. It gets very technical when you're dealing with utilities and airways, etc. It really is a specialty.

City Administrator Seemayer stated that the settlements on the cell phones were a little over \$400,000. There is still one outstanding. The crux of this case was that voters in most Missouri municipalities approved gross receipt taxes for utilities and they are then charged by the utility company on the residents or commercial, in Brentwood's case, just commercial on the utility bill and then remitted back to the cities. AT&T/SBC decided arbitrarily to not include and assess that tax on certain services that they were providing to the customers. The municipalities felt that was incorrect. The voters approved this tax for a whole scope of services that they can deliver to you. That is what initiated this suit and it didn't get to trial but in the end AT&T/SBC agreed that they should have been assessing that tax across the board and not just on select items that they provided in service to their customers.

Alderman Leahy stated that this tax in particular was not charged to the commercial residents in the Brentwood area.

City Administrator Seemayer responded that is correct.

Alderman Leahy asked if AT&T has to come up with the money to pay out not only to the City of Brentwood but to the attorneys and all other municipalities. Is it reasonable to expect that AT&T may come back and charge commercial property users when recouping the costs?

City Administrator Seemayer stated that they have the ability to do that. He doesn't know what their intentions are though. The total amount statewide was approximately \$60 million.

Motion was made by Alderman Marshall, second by Alderman Leahy to approve and adopt Bill No. 5514. Roll call: Alderwoman Clements, yes; Alderman Marshall, yes; Alderman Leahy, yes; Alderwoman Krewson, yes; Alderman Kramer, yes; Alderman Robertson, yes; Alderman Harper, yes.

The Mayor thereupon declared Bill No. 5514 duly passed and signed same into approval thereof. Said Bill was given Ordinance No. 4198.

Bill No. 5515 – Setting 2009 Property Tax Rate

City Attorney Albrecht gave Bill No. 5515, AN ORDINANCE TO CONFIRM, RATIFY AND APPROVE THE RATE OF TAX TO BE ASSESSED AND COLLECTED FOR EACH ONE HUNDRED DOLLARS (\$100) OF ASSESSED VALUATION FOR THE YEAR 2009 FOR: (A) GENERAL MUNICIPAL PURPOSES; (B) TO PAY PRINCIPAL AND INTEREST AS THE SAME MATURES ON INDEBTEDNESS OF THE CITY OF BRENTWOOD EVIDENCED BY BONDS; (C) TO PAY FOR THE MAINTENANCE OF THE PUBLIC LIBRARY; AND (D) TO PROVIDE THE ANNUAL CONTRIBUTION TO THE CITY OF BRENTWOOD'S POLICE AND FIREMEN'S RETIREMENT FUND; 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. 5515 as a Bill that approves the City's 2009 real estate and personal property tax levies. The total residential rate for 2009 is \$.602 per \$100 of assessed valuation, a decrease of \$.003 from 2008. The commercial rate for 2009 is \$.764 per \$100 of assessed valuation, a decrease of \$.015 from 2008. The City is once again waiving the residential real estate rate for the general fund and setting the debt service rate approximately \$.170 lower than allowed. This is an overall reduction of property taxes totaling over \$350,000. The Ways & Means Committee has reviewed the 2009 rates and is recommending approval.

Motion was made by Alderman Marshall, second by Alderwoman Clements to approve and adopt Bill No. 5515. Roll call: Alderwoman Clements, yes; Alderman Marshall, yes; Alderman Leahy, yes; Alderwoman Krewson, yes; Alderman Kramer, yes; Alderman Robertson, yes; Alderman Harper, yes.

The Mayor thereupon declared Bill No. 5515 duly passed and signed same into approval thereof. Said Bill was given Ordinance No. 4199.

Bill No. 5516 – Financial Interest

City Attorney Albrecht gave Bill No. 5516, AN ORDINANCE READOPTING ORDINANCE NO. 3153, SECTION 2-471 OF CHAPTER 2 OF THE REVISED CODE OF ORDINANCES OF THE CITY OF BRENTWOOD FOR 1987; PROVIDING FOR THE CURRENT MAINTENANCE OF THIS CODE; PROVIDING FOR THE REPEAL OF ALL CONFLICTING ORDINANCES; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE, its first and second readings.

Alderman Kramer read synopsis of Bill No. 5516 as a Bill that's adopted annually by the City, restates and reaffirms our policy for filing the financial disclosure statements with the Missouri Ethics Commission.

Motion was made by Alderman Leahy, second by Alderman Kramer to approve and adopt Bill No. 5516. Roll call: Alderwoman Clements, yes; Alderman Marshall, yes; Alderman Leahy, yes; Alderwoman Krewson, yes; Alderman Kramer, yes; Alderman Robertson, yes; Alderman Harper, yes.

The Mayor thereupon declared Bill No. 5516 duly passed and signed same into approval thereof. Said Bill was given Ordinance No. 4200.

Bill No. 5517 – Insurance and Loss Control Committees

City Attorney Albrecht gave Bill No. 5517, AN ORDINANCE AMENDING CHAPTER 2 OF THE REVISED CODE OF ORDINANCES OF THE CITY OF BRENTWOOD, MISSOURI BY DELETING SECTIONS 2-57 AND 2-62 IN THEIR ENTIRETY, DELETING TEXT IN SECTIONS 2-119 (r), (jj), 2-465 (2), (5) AND (6), OF SAID CHAPTER RELATING TO THE INSURANCE AND LOSS CONTROL COMMITTEES; 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. 5517 as a Bill that eliminates the City's Insurance and Loss Control Committee's. The duties for each of these committees are currently professionally administered by the City's self insured group, St. Louis Area Insurance Trust (SLAIT). The Ways & Means Committee has reviewed this Bill and is recommending approval.

Motion was made by Alderman Marshall, second by Alderman Kramer to approve and adopt Bill No. 5517. Roll call: Alderwoman Clements, yes; Alderman Marshall, yes; Alderman Leahy, yes; Alderwoman Krewson, yes; Alderman Kramer, yes; Alderman Robertson, yes; Alderman Harper, yes.

The Mayor thereupon declared Bill No. 5517 duly passed and signed same into approval thereof. Said Bill was given Ordinance No. 4201.

Bill No. 5518 – Final Plat/Bompart Estate-Mary Avenue Subdivision

City Attorney Albrecht gave Bill No. 5518, AN ORDINANCE APPROVING A FINAL PLAT OF THE BOMPART ESTATE-MARY AVENUE SUBDIVISION LOCATED AT 8703 BRENTSHIRE WALK INTO THREE (3) LOTS AND ESTABLISHING THE EFFECTIVE DATE OF THIS ORDINANCE, its first and second readings.

Alderman Kramer read a synopsis of Bill No. 5518 as a Bill that approves an adjustment to the current plat for Executive Walk Apartments located at 8703 Brentshire. The new plat will have three separate parcels as compared to the current plat which contains one parcel. This is being done to allow the owner of the property to submit two of the parcels to FEMA or SEMA for a potential flood program buyout. If successful, the third parcel will remain in its current use, multi family apartments. The Planning & Zoning Commission has reviewed this subdivision and is recommending approval.

Mayor Kelly stated that after the severe flooding of last September, Mr. Barron, owner of the Bompart Apartments on Mary Avenue, decided to subdivide his parcel into

separate lots so that if in the future they decide to do a FEMA buyout it will make it a little bit easier to go through that process.

Director of Planning and Development Dailey came before the Board and stated that the property is located south of Manchester Road. It is Executive Walk Apartments and is currently one parcel. Per City ordinances/subdivision Code, the property owner would not be allowed to subdivide and leave the existing improvements which are basically an 11 building apartment complex without variance. Prior to coming to the Planning and Zoning Commission for the subdivision, the property owner requested a variance for the use which is multi-family residential. It is not conditional or a permitted use in the general commercial district. The variance was granted by the Board of Adjustment and then the Planning and Zoning Commission, at its August 12th meeting recommended approval of the subdivision that you see before you. Lots one and two are the parcels that Mr. Barron, the property owner is proposing to include in an application to FEMA's pre-disaster mitigation buyout program. If they are successful and move forward with that then lot three would remain. Those buildings were not severely impacted by the September 14th flood.

Mayor Kelly stated that Mr. Barron was willing to submit his property after this last flood. On the FEMA buyouts, they have allocated \$2 million per parcel of property, but his property was appraised higher than that. The City has to come up with the difference if they want to go into a buyout. By subdividing it into two separate parcels, it can qualify in that way and then apply for them separately.

Director of Planning and Development Dailey stated that the subdivision makes it possible for them to get more federal funds with a grant and also for Mr. Barron to maintain a portion of the property which he wouldn't otherwise be able to do.

Alderman Marshall asked if it will affect the flood insurance.

Director of Planning and Development Dailey responded that it is not in the floodway. It's in the 100 and 500 year floodplain.

Mayor Kelly stated that ultimately it would be if it had any impact because in the buyout it will become open area. He doesn't think that it will affect the other parcels that are remaining there.

Alderman Kramer stated as you drive in the development of Brentshire and you're heading west, are the buildings on the north or south side.

Mr. Barron stated that it is on the south side of Brentshire.

Motion was made by Alderwoman Clements, second by Alderman Leahy to approve and adopt Bill No. 5518. Roll call: Alderwoman Clements, yes; Alderman Marshall, yes; Alderman Leahy,

yes; Alderwoman Krewson, yes; Alderman Kramer, yes; Alderman Robertson, yes; Alderman Harper, yes.

The Mayor thereupon declared Bill No. 5518 duly passed and signed same into approval thereof. Said Bill was given Ordinance No. 4202.

Bill No. 5519 – Amending Signage Plan – Meridian

City Attorney Albrecht gave Bill No. 5519, AN ORDINANCE AMENDING ORDINANCE NO. 4082 WHICH APPROVED A SIGNAGE PLAN AS PART OF THE SITE DEVELOPMENT PLAN FOR THE MERIDIAN; AMENDING THE SIGNAGE PLAN; PROVIDING FOR THE ENFORCEMENT OF THIS ORDINANCE; AND, ESTABLISHING THE EFFECTIVE DATE OF THIS ORDINANCE, its first and second readings.

Alderman Kramer read a synopsis of Bill No. 5519 as a Bill that amends the signage plan for the Meridian Development located at Hanley & Eager Road. The amendment will allow Missouri College to erect a sign on the south end of the three (3) story building they currently occupy. The sign will be similar in size and design as the one they currently have on the east side of the building. The Planning & Zoning Commission has reviewed the proposed amendment and is recommending approval.

Director of Planning and Development Dailey stated that the subject property is the existing location of Missouri College. It is part of the Meridian project and the address is 1405 South Hanley Road. Missouri College currently has a sign that faces Hanley Road and they also have a sign that is on the north of the building. They have taken more space of the building than they originally intended and they would like to have a sign on the south elevation, so northbound Hanley traffic can easily identify the building as Missouri College. What they are asking for is a sign that would be approximately the same size and style as the existing sign on the east building face. The Planning and Zoning Commission has recommended approval to amend the existing signage plan to allow for the sign.

Motion was made by Alderman Leahy, second by Alderman Marshall to approve and adopt Bill No. 5519. Roll call: Alderwoman Clements, yes; Alderman Marshall, yes; Alderman Leahy, yes; Alderwoman Krewson, yes; Alderman Kramer, yes; Alderman Robertson, yes; Alderman Harper, yes.

The Mayor thereupon declared Bill No. 5519 duly passed and signed same into approval thereof. Said Bill was given Ordinance No. 4203.

ACCOUNTS AGAINST THE CITY

Motion was made by Alderman Marshall, second by Alderman Robertson to approve the warrant list dated 8/17/09.

Alderman Kramer asked about the expenditure for GBA in the amount of \$5,600.00.

City Administrator Seemayer stated GBA is an engineering firm that the City retained for the American Recovery and Reinvestment Act, the stimulus fund package. They assisted the City in putting together the documents to apply for stimulus funding for several different projects. The City did not receive any stimulus funding. The applications were forwarded through the TIP process but they weren't included in anything this year.

Alderman Kramer asked if there is any way the funding can come from another source or grant.

Mayor Kelly stated that in the future if they apply again and get the grants, then they could be reimbursed for the engineering.

City Administrator Seemayer stated that they could reapply and use the same criteria and information that they supplied them. They can apply for the TIP grants annually.

Alderman Kramer asked if the expenditure for harassment training is the final bill or is there another one to come.

City Administrator Seemayer responded that it is the final bill with one exception of the elected officials' session, so there could be about one more hour.

Roll call: Alderwoman Clements, yes; Alderman Marshall, yes; Alderman Leahy, yes; Alderwoman Krewson, yes; Alderman Kramer, yes; Alderman Robertson, yes; Alderman Harper, yes.

REPORTS OF COMMITTEES AND DEPARTMENT HEADS:

Mayor's Report

Mayor Kelly announced Brentwood Days will be held on September 18 and 19 at Brentwood Park.

Mayor Kelly announced that Micro Center is making progress. He thinks their ribbon cutting is planned for November 3rd. Target Greatland is finished with the construction on their retail space. They are now working on their offices. City Administrator Seemayer was talking to their manager a month or so ago and he said that their sales were not affected by the construction and that they maintained their same sales level during that construction process. He thinks that shows in the overall sales tax report that they are still up a little bit over 1% for the same period last year. In these economic times, that's a windfall. It is something that the Board and the City should take credit for. The work that they have done over the last fifteen years or so and the diversity in their retail and commercial base is really what is getting them through this and has set them apart from a lot of the other municipalities. Missouri College enrollment is way up. He believes they are up to almost 900 students. They are cutting back on some of

their programs just because they can't handle the volume of students that are asking to take those kinds of courses. They are talking about taking some additional space on the first floor of that building. Pace Properties is very close with signing the actual contract for the Circuit City site. They don't want to make that public yet. They already have a letter of intent and have a contract in place that needs to be signed. The potential tenant for that site does not want to open until next August. The bond for the Hanley Road Corridor TDD is on schedule. Those bonds will be issued on August 31st. Those will be consolidated and have the funds available for a number of projects in the community like the new enhancement project at Eager/Brentwood, the bridge replacement at Litzsinger, the future straightening of Strassner once the Highway 64/40 project is completed, the walkway through the Hanley Industrial Court to the Metro Link station, also a sidewalk from Best Buy to the Metro Link station, etc. Hopefully by the next meeting, they will have the maintenance agreement that they need to enter into with MoDOT for the landscape area. They plan to put it out to bid next March for the actual construction of the landscape area. With the issuance of the bonds, the City will be receiving reimbursements.

City Administrator Seemayer stated that there is a note of \$400,000 that was carried for the remainder of the balance of the Public Works facility. The note was held by the previous owner. \$400,000 will be paid to Mr. Bush at closing. It is an interest only note, so for the period of July of 2007 through August 31st of this year, interest payments were made of just under \$47,000. The City will be reimbursed for that portion of money. Ms. Dailey is putting together the final figures from Planning Design Studios who did all of the design work for the Eager/Brentwood landscape project for \$60,000. That is money that the City has paid out over the past year or so and they will be reimbursed for that. The City will receive reimbursements of around \$107,000 and that will occur at the very end of this month. The other thing about the project which is pretty great is the rating that they received on the bond. After the market crisis and the credit crunch, it's been very difficult to rate agencies. They kind of swung the pendulum from rating everything highly to not getting ratings for anything. The TDD is much harder to get a good rating on because the TDD is only supported by a sales tax within a district and it doesn't have the backing of the property taxes. The payments from those don't fluctuate even if the values of the land do. They received an A-rating from Standard & Poor's which is the highest rating possible for something like that.

Mayor Kelly added that it affects the rates of the bonds, so ultimately it is a good thing for the tax payers because they are paying less interest.

Alderman Kramer stated that if you haven't been in the newly designed Target Store, it is amazing. He has had a lot of constituents talk about the restriping of the parking spaces and the items for sale are nice.

Mayor Kelly stated that the new items they will be selling are beer and wine.

Alderman Robertson asked for an update on the Drury project. He noticed that they were doing some preliminary engineering.

Mayor Kelly stated that they met with Chuck Drury, Larry Hasselfeld and Mark Grimm/Gilmore and Bell this morning and had a very productive meeting. They are moving forward. They have been in contact with all the property owners within the redevelopment area. The most exciting thing that they've done with some of their preliminary engineering is that they may be able to put a road over the creek from Eager Road to Rose Avenue. It would get rid of that huge eyesore and also open up the area and create access from Rose Avenue for the White Building, Villas at Brentwood and the Promenade, etc. They talked about the schedule and moving forward on getting the actual redevelopment agreement in place, so they will get an updated schedule to let the Board know where they are with those kinds of things. They said that when they met with MoDOT referring to the property and also the new roadway, they were not totally objectionable to making that a full signalized entrance on Eager Road instead of just a right in, right out only which would be a bigger benefit if they are able to do that. It is very preliminary but it wasn't an absolutely "no" when they started talking about it which is a good start.

Alderman Marshall asked for an update on the Litzsinger Bridge and how long it will be closed.

Director of Planning and Development Dailey stated that they have not put a schedule together yet. They were going to delay starting the project closer to when the highway construction is complete. It will just be closed for a couple of months.

Public Safety Committee – No 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

City Administrator Seemayer stated that all of the employees have now completed the harassment training and some of the elected officials have been trained as well. While it is not mandatory for elected officials they wanted to make a time when it may be convenient for a session. In the Ways and Means Committee meeting they discussed having it prior to the September 21st Board of Aldermen meeting. If so, they would get a condensed version which will last an hour from 5:45 to 6:45 pm. If the elected officials want to come on that date they will schedule it. If a different date is better they can do that also.

Alderman Leahy stated that he thinks it would be a good example for the elected officials to participate.

Mayor Kelly stated that it could be set for September 21st.

Excise Commissioner

Excise Commissioner stated that Brentwood Days is around the corner and three of the local establishments are asking for a two day temporary liquor license. OB Clark's and the American Legion Post are requesting to sell beer, and the Evening Optimist Club wants to have a wine garden booth. The final application is for the Target Corporation. They are asking for a packaged liquor license and a Sunday liquor license also.

Alderman Leahy asked if the Board needs to pass a resolution to allow alcohol on the premises of the park prior to going this route.

City Administrator Seemayer stated that when the Sound of Summer Concert Series was approved, those dates were included.

Motion was made by Alderman Kramer, second by Alderman Leahy to approve the temporary liquor licenses for the Brentwood Optimist Club, OB Clark's and Goff Moll Post 101 for Brentwood Days Festival September 18 and 19. Roll call: Alderwoman Clements, yes; Alderman Marshall, yes; Alderman Leahy, yes; Alderwoman Krewson, yes; Alderman Kramer, yes; Alderman Robertson, yes; Alderman Harper, yes.

Motion was made by Alderwoman Clements, second by Alderman Marshall to approve the liquor license for Target Corporation.

Mayor Kelly stated that he had not heard of Target selling liquor before.

Alderman Leahy asked if he is correct that state statute requires that the cashier be over the age of 21.

City Administrator Seemayer stated you have to be 18 years old to sell.

Alderman Leahy asked if all the cashiers in Target would have to be 18 years or older to process the sale of liquor.

City Administrator Seemayer stated that they may have to direct them to a specific line.

Alderman Leahy asked if Target is aware that this may create a problem.

Mayor Kelly stated that he knows about serving liquor but doesn't know about actually checking it out.

Alderman Kramer asked what is the current number of liquor licenses.

Mayor Kelly stated that they really don't have a limit anymore.

City Administrator Seemayer stated that there is no limit on the packaged liquor.

Alderwoman Clements stated that she is not aware of another Target Store in this area that is of the expanse that Brentwood's now is with all the food. She knows that other Target Greatlands elsewhere have the beer and wine.

Roll call: Alderwoman Clements, yes; Alderman Marshall, yes; Alderman Leahy, yes; Alderwoman Krewson, yes; Alderman Kramer, yes; Alderman Robertson, yes; Alderman Harper, yes.

Library – No report

Municipal League

Mayor Kelly stated that the Municipal League meeting which is typically held in September will be held the beginning of October. It will be at Tan-Tar-A. If any of the Board members are interested in going he would encourage it.

Communication – No report

Historical Society

Alderwoman Krewson stated that Brentwood will be 90 years old in December of this year.

Mayor Kelly stated that they could celebrate it in conjunction with the Holiday Party.

Recreation Center Committee – No report

UNFINISHED BUSINESS

Alderman Leahy asked for a report on the status of the red light camera program.

City Administrator Seemayer stated that they file, as required by St. Louis County, a report twice a year with St. Louis County and he will send a copy to Alderman Leahy.

Mayor Kelly stated that after their evaluation and prior to them being installed, the County increased the times to the yellow lights and the display of the larger signs.

City Administrator Seemayer stated that he believes the idea was to reduce the number of people running the red lights. The larger signs to that extent, given the number of violations that have not occurred, and the delayed yellow light, must have had some impact.

Mayor Kelly stated that another thing that has been helpful at some intersections is the countdown timer for the crosswalk.

Alderman Marshall asked about the Arby's that's supposed to be going in on Manchester Road.

Mayor Kelly stated that they have not applied for any permits yet.

NEW BUSINESS

Alderman Marshall stated that he had a request from a resident wanting to know if something could be done about the maintenance of islands in the cul-de-sacs. He believes the City is supposed to maintain those islands. He asked if there was anyway those areas could be enhanced to look nicer for the neighborhood.

City Administrator Seemayer suggested that some cities allow people to adopt a cul-de-sac and it has been proven to be successful. Some people have very specific ways that they want them to look because they are very close to their homes. He is not trying to get the City out of maintaining them but that may be something to consider. On some of them he believes some people would enjoy having the responsibility of that just to keep it up to a certain standard that may be higher than what the City can do.

Alderman Marshall asked that one of the committees look at that issue.

Alderman Leahy stated that a resident in Ward 3 had a small problem with the left hand turn lanes going southbound on Brentwood Boulevard to eastbound Manchester. They would like the City to consider requesting the restriping of the dotted line to show that it is a double lane left turn. Evidently the person turning with them decided to take all the lanes and almost took out the bus stop divider on the far side.

City Administrator Seemayer stated that the request can be made to St. Louis County.

Alderman Leahy stated that the National Night Out Committee hosted the National Night Out Against Crime on Tuesday, August 4th and they were very fortunate to have the Brentwood Forest community host their program this year. He thanked all of the businesses that helped them with the attendance prizes, raffle prizes, and food for the residents that attended. Brentwood Forest made the clubhouse and the swimming pool available. They are hoping that the residents that attended had a lot of fun. They got a chance to meet the police officers. A five year old girl won the meeting with the police officers for the safety tips. They were fortunate to win a bag of groceries from Whole Food Market in Brentwood that the young lady's mother couldn't even lift. It was a success and he thanked the resident for participating.

Alderman Leahy announced a Ward 3 meeting will be held on Tuesday, August 25th at 7:00 pm in the Council Chambers.

Mayor Kelly stated that he has offered to host the Mayor's of Small Cities meeting at Brentwood City Hall from September through May. They will be meeting the third Wednesday of each month except December. He would like to request that they are able to serve alcohol at City Hall. They usually have beer and wine after those meetings.

Motion was made by Alderman Leahy, second by Alderman Marshall to grant approval to serve beer and wine at the Mayor's of Small Cities meeting on the third Wednesday of each month from September 2009 through May 2010. Roll call: Alderwoman Clements, yes; Alderman Marshall, yes; Alderman Leahy, yes; Alderwoman Krewson, yes; Alderman Kramer, yes; Alderman Robertson, yes; Alderman Harper, yes.

ADJOURNMENT

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

Pat Kelly, Mayor

Attest:

Chris Seemayer, City Clerk