

MINUTES OF THE REGULAR BOARD OF ALDERMEN MEETING

City Hall
Council Chambers

March 1, 2010
7:00 p.m.

Mayor Kelly led with the Pledge of Allegiance.

Roll call

Present: Mayor Kelly, Alderwoman Clements, Alderman Marshall, Alderwoman Krewson, Alderman Kramer, Alderman Robertson, Alderman Wynn, Alderman Harper.

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

Absent: Alderman Leahy.

CONSIDERATION AND APPROVAL OF THE AGENDA OF THE REGULAR BOARD OF ALDERMEN MEETING OF MARCH 1, 2010

Motion was made by Alderwoman Clements, second by Alderman Marshall to approve and adopt the Agenda of the Regular Board of Aldermen meeting of March 1, 2010. All in favor none opposed.

CONSIDERATION AND APPROVAL OF THE MINUTES OF THE REGULAR BOARD OF ALDERMEN MEETING OF FEBRUARY 1, 2010

Motion was made by Alderwoman Krewson, second by Alderwoman Clements to approve and adopt the Minutes of the Regular Board of Aldermen meeting of February 1, 2010 as submitted. All in favor none opposed.

CONSIDERATION OF APPROVAL OF THE MINUTES OF THE SPECIAL BOARD OF ALDERMEN MEETING OF FEBRUARY 4, 2010

Motion was made by Alderman Wynn, second by Alderman Robertson to approve and adopt the Minutes of the Special Board of Aldermen meeting of February 4, 2010 as submitted. All in favor none opposed.

BIDS – None

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

John Lamping - #2 Warson Hills/63124 came before the Board and stated that he is running for Missouri State Senate in the 24th District to represent the people of Brentwood and lives in the city of Ladue. The best way to reach him is on his cell phone at 314-791-7881. His website address is lampingforsenate.com. He appreciates the opportunity to be here tonight and is looking forward to getting to know everyone and working together in 2011 and beyond.

INTRODUCTIONS, READINGS, AND PASSAGE OF BILLS AND RESOLUTIONS

Motion was made by Alderwoman Clements, second by Alderman Marshall to give Bills No. 5543, 5544 and 5545 first and second readings. All in favor none opposed.

Bill No. 5543 – Terminating Designation of Redevelopment Project Area

City Attorney Albrecht gave Bill No. 5543, AN ORDINANCE TERMINATING THE DESIGNATION OF A PORTION OF THE CITY OF BRENTWOOD, MISSOURI, AS A REDEVELOPMENT PROJECT AREA, DISSOLVING THE ACCOUNTS OF THE SPECIAL ALLOCATION FUND RELATED TO SUCH REDEVELOPMENT PROJECT AREA AND AUTHORIZING CERTAIN ACTIONS RELATING THERETO, its first and second readings.

Alderman Kramer read a synopsis of Bill No. 5543 as a Bill that terminates the Redevelopment Project Area commonly known as the Brentwood Promenade. As of March 1st, 2010 all Tax Increment Financing Bonds have been retired. The TIF Bonds were repaid nine (9) years ahead of the twenty-three (23) year statutory requirement and two (2) years ahead of the City's projections. The termination of the TIF will provide approximately \$900,000 a year in new property taxes and \$2,000,000 a year in new sales tax.

Mayor Kelly stated that it is a very exciting day for the City of Brentwood. The final payment for the Promenade TIF has been made. To the credit of staff, Board members and the Planning and Zoning Commission, it is a great step forward. They look forward to continued success. Director of Planning and Development Dailey mentioned that she had talked to the manager of Trader Joe's last week and they have set new record sales, two weekends in a row, within the last month and they are increasing their staff as their sales keep growing. Micro Center has increased their business license fee because their sales are higher than they had anticipated. Target continues to show record sales. It really is a very exciting time and it is something they should be very proud of as they continue to move forward.

Alderman Robertson stated that recognition should be given to the mayor and the board that were in office at the time the project was initiated for having the foresight to come forward with the development.

Mayor Kelly stated that they will try to have a ceremony at the first meeting in April to make some dedications and will bring the members back for that ceremony.

Mayor Kelly stated that when the TIF was established they had to establish a reserve fund.

There are excess funds available now that the bonds are paid off. The City will be receiving \$276,000. The other taxing districts will be dividing approximately \$350,000 of which the school district will receive about \$175,000. They should have the funds within the next couple of weeks.

Motion was made by Alderman Marshall, second by Alderwoman Clements to approve and adopt Bill No. 5543. Roll call: Alderwoman Clements, yes; Alderman Marshall, yes; Alderwoman Krewson, yes; Alderman Kramer, yes; Alderman Robertson, yes; Alderman Wynn, yes; Alderman Harper, yes.

The Mayor thereupon declared Bill No. 5543 duly passed and signed same into approval thereof. Said Bill was given Ordinance No. 4227.

Bill No. 5544 – Contract with State Mechanical Services, Inc.

City Attorney Albrecht gave Bill No. 5544, AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT ON BEHALF OF THE CITY OF BRENTWOOD, MISSOURI WITH STATE MECHANICAL SERVICES, INC., 10510 LACKLAND ROAD, ST. LOUIS, MISSOURI 63114, FOR A BRENTWOOD RECREATION COMPLEX REFRIGERATION/HVAC/HEAT RECOVERY SYSTEM FOR ONE (1) YEAR COMMENCING ON APRIL 9, 2010; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE, its first and second readings.

Alderman Kramer read a synopsis of Bill No. 5544 as a Bill that would extend the contract with State Mechanical Services, Inc. to provide service to the Refrigeration/HVAC/Heat Recovery System for the Brentwood Ice Rink. The total amount of the contract is \$39,518.00, a three (3) percent increase from 2009. The budgeted amount for 2010 is \$40,000.

Motion was made by Alderwoman Krewson, second by Alderwoman Clements to approve and adopt Bill No. 5544. Roll call: Alderwoman Clements, yes; Alderman Marshall, yes; Alderwoman Krewson, yes; Alderman Kramer, yes; Alderman Robertson, yes; Alderman Wynn, yes; Alderman Harper, yes.

The Mayor thereupon declared Bill No. 5544 duly passed and signed same into approval thereof. Said Bill was given Ordinance No. 4228.

Bill No. 5545 – Site Development Plan

City Attorney Albrecht gave Bill No. 5545, AN ORDINANCE GRANTING APPROVAL OF A SITE DEVELOPMENT PLAN FOR PROPERTY NUMBERED 2301 SOUTH BRENTWOOD BOULEVARD WHICH PERMITS UNDER THE PROVISIONS OF CHAPTER 25 OF THE BRENTWOOD CITY CODE THE DEVELOPMENT OF THAT SITE; PROVIDING THE CONDITIONS TO SUCH DEVELOPMENT; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE, its first and second readings.

Alderman Kramer read a synopsis of Bill No. 5545 as a Bill that would approve a site development plan for 2301 South Brentwood Blvd. This is a vacant structure that was most recently used as a printing shop. The site plan, approved by the Planning & Zoning Commission includes removing the existing building and constructing a new 2,596 sq. ft. office building to be used as an insurance office.

Mayor Kelly stated that they are very excited about the project. The building is located at the southwest corner of White Avenue and Brentwood Boulevard, formerly a gas station and currently a print shop. The insurance business will be a great addition to the community of Brentwood. Pam Thornton is a very successful insurance agent and she will be moving her business to the city of Brentwood and building a new building at 2301 S. Brentwood. Not only will she be a Brentwood resident but she will also have a business located here.

Alderman Kramer asked the applicant if they will be hiring some new employees.

Chris Thornton - 9421 Tilles Drive came before the Board and stated that the building is quite a bit bigger than the one they currently lease and that additional space is for planned expansion. They estimate the business will grow because of the prime location on Brentwood Boulevard.

Motion was made by Alderwoman Clements, second by Alderman Marshall to approve and adopt Bill No. 5545. Roll call: Alderwoman Clements, yes; Alderman Marshall, yes; Alderwoman Krewson, yes; Alderman Kramer, yes; Alderman Robertson, yes; Alderman Wynn, yes; Alderman Harper, yes.

The Mayor thereupon declared Bill No. 5545 duly passed and signed same into approval thereof. Said Bill was given Ordinance No. 4229.

ACCOUNTS AGAINST THE CITY

Motion was made by Alderman Marshall, second by Alderman Robertson to approve the warrant list dated 3/1/10. All in favor none opposed.

Alderman Kramer asked about the expenditure for Central Auto Body.

City Administrator Seemayer stated that the charge is not for one of the City's vehicles. It was for a vehicle that was struck while the streets were being plowed.

REPORTS OF COMMITTEES AND DEPARTMENT HEADS:

Mayor's Report

Executive Session/Legal Matter

Mayor Kelly announced that an executive session will be held following this meeting for a legal matter.

Mayor Kelly asked for the appointment of Beth Osiek to the Library Board.

Motion was made by Alderman Kramer, second by Alderman Wynn to approve the appointment of Beth Osiek to the Library Board. All in favor none opposed.

Mayor Kelly asked for the appointment of Michael Hart to the Board of Adjustment. Mike is an attorney who lives on Stratford Lane in the city of Brentwood. Sheri Bilderbach has resigned from the Board of Adjustment.

Motion was made by Alderman Marshall, second by Alderman Kramer to approve the appointment of Mike Hart to the Board of Adjustment. All in favor none opposed.

Mayor Kelly stated that there was an article in the paper yesterday about talks at the state capitol with respect to eliminating all of our state taxes and going to a statewide sales tax in order to offset the revenues for the State of Missouri. At the Municipal League meeting in Jefferson City two weeks ago, it was very much a topic of conversation. The estimate from the state is that the new statewide sales tax would be, including local sales taxes, somewhere between 11 and 12 percent. Other analysis of outside independent organizations estimate that the statewide sales tax, including local sales taxes, would be around 15 to 17 percent in order to make up the shortfall to the State budget. The real concern from the Municipal League's perspective was that there are seven states bordering Missouri and if we have a much higher sales tax a lot of people will go to the neighboring states in order to buy more expensive goods. This legislation was passed by the House last year but never got out of the Senate. This year the House hasn't done anything yet. They are waiting to see what the Senate will do. There is nothing proposed at the House level. He thinks it is something that people should be aware of and as information comes out we should all pay attention to it. The other thing is that everything would be taxed. For instance, doctor's fees, dental bills, and charitable organizations that provides services to their clientele, legal bills, all tuition to non-college schools, etc. There are a lot of things in the bill to make up those shortfalls by just saying that they will eliminate state taxes.

Alderwoman Krewson asked if the tax would be in addition to the existing sales tax that we now have.

Mayor Kelly stated that when he said that the estimates are 11 to 12 and 15 to 17 percent that includes our local sales taxes. It would also cap our sales taxes from the municipal level, so they wouldn't be able to increase sales taxes in the future.

Mayor Kelly stated that he would like the Board to consider cancelling the next Board of Aldermen meeting which is scheduled for March 15th. He will be out of town leaving to go to Washington DC for a couple of meetings. Alderwoman Clements will be out of town that day as

well. At this time, there are no new legislative items that they are aware of and there will be nothing coming from the P&Z Commission.

Motion was made by Alderman Robertson, second by Alderman Marshall to cancel the March 15th Board of Aldermen meeting. Roll call: Alderwoman Clements, yes; Alderman Marshall, yes; Alderwoman Krewson, yes; Alderman Kramer, no; Alderman Robertson, yes; Alderman Wynn, yes; Alderman Harper, yes.

Mayor Kelly stated that he attended the Public Works Committee meeting last week to discuss the recommendations with respect to the Recreation Center. It was a very productive meeting. He asked the Committee to come to a resolution very shortly to give the Board of Aldermen some direction. It is something they need to move forward on from the recommendation standpoint, so that they could come to a consensus from the Board level.

Mayor Kelly recommended that the City hire Robert Green, a local architect in the city of Brentwood to work on a master plan for City Hall. Mr. Green did a master plan for the City about six years ago when they were anticipating doing the extension of the fire department as part of the City Hall building. With the work that he has done for the City, it will reduce the cost and he is also familiar with the building and so forth. They have the funds available out of the project for the fire department that they could use to pay for the fees for Mr. Green's services. This is probably going to be a five or ten year master plan from a financing standpoint, but at least they will have that plan in place and know where they are going in the future with respect to City Hall. Part of the master plan will be how to utilize the areas in the fire department, expansion of the council chambers, etc. One of the first tasks is how they will redo the front of City Hall as far as the garage doors but none of that can be done until you figure out what will be done inside of the building.

Mayor Kelly stated that they are estimating a 12 month project for the new fire department. It could be finished at the end of this year or early next year. They are poring foundations now.

Motion was made by Alderman Robertson, second by Alderman Wynn to contract with Robert Green, Architect to provide the City with a master plan. All in favor none opposed.

Public Safety Committee – No report

Public Works Committee – No further report

Director of Planning and Development – No report

Ways and Means Committee – No report

City Attorney – No report

City Clerk/Administrator

Special Use Permit/Frontier Cycle – 829 Hanley Industrial Court

City Administrator Seemayer stated that Frontier Cycle at 829 Hanley Industrial Court is requesting a special use permit. They would like to have an open house on May 22nd where they will be selling leather riding apparel.

Alderwoman Clements asked what is Frontier Cycle's business. Do they sell or repair motorcycles?

City Administrator Seemayer stated that he is not familiar with what they do.

Alderwoman Clements stated that she is just curious if they need a special use permit to sell leather goods, she is assuming that they do not sell motorcycles.

City Administrator Seemayer stated that he doesn't believe they sell motorcycles. They would've had to come before the Board for that.

Motion was made by Alderman Kramer, second by Alderwoman Krewson to approve the special use permit for Frontier Cycle. All in favor none opposed.

Excise Commissioner

Temporary Liquor License Requests

St. Mary Magdalen Dinner Auction and Parish Picnic

City Administrator Seemayer stated that St. Mary Magdalen is requesting a temporary liquor license for beer, wine and margaritas for their annual parish picnic on May 21st and 22nd. They are also requesting a temporary liquor license for their dinner auction and fund raiser on April 17th. Motion was made by Alderwoman Clements, second by Alderman Marshall to approve the two temporary liquor licenses for St. Mary Magdalen dinner auction and parish picnic. All in favor none opposed.

Library

Alderman Wynn stated that the Library Board is looking for a permanent director.

Municipal League – No report

Communication – No report

Historical Society – No report

Recreation Center Committee

Alderman Marshall requested that the "Recreation Center Committee" report be removed from the agenda.

Motion was made by Alderman Marshall, second by Alderman Robertson to remove the "Recreation Center Committee" report from the agenda. All in favor none opposed.

UNFINISHED BUSINESS

Alderman Marshall thanked the residents that participated in the Recreation Center Committee. It was a lot of work and the City appreciates it.

NEW BUSINESS

Alderman Kramer stated that the Brentwood Police Department's report was just released and Brentwood has had quite a reduction in crime for one of St. Louis County's finest cities from last year to this year. It is approximately a 24% reduction in crime. Brentwood continues to be one of the most attractive cities in that regard. They went from 562 crimes reported in 2008 to 450 crimes reported in 2009. Both of which were in stark contrast to 2007 where the City had 753 crimes reported. The police department has reason to be proud.

Recess

Motion was made by Alderman Wynn, second by Alderwoman Clements to recess the meeting at 7:31 pm. All in favor none opposed.

Motion was made by Alderman Wynn, second by Alderwoman Clements to reconvene the meeting at 7:47 pm. All in favor none opposed.

Executive Session – Legal Matter

Motion was made by Alderwoman Clements, second by Alderman Marshall to enter into an executive session on a legal matter at 7:42 pm. All in favor none opposed.

After discussion, motion was made by Alderman Wynn, second by Alderman Marshall to return to open session at 8:15 pm. All in favor none opposed.

ADJOURNMENT

Motion was made by Alderman Wynn, second by Alderman Marshall to adjourn the meeting at 8:16 pm. All in favor none opposed.

Pat Kelly, Mayor

Attest:

Chris Seemayer, City Clerk