

MINUTES OF THE REGULAR BOARD OF ALDERMEN MEETING

City Hall
Council Chambers

April 19, 2010
7:00 p.m.

Mayor Kelly 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, Excise Commissioner Clements.

Absent: Executive Secretary Williams.

CONSIDERATION AND APPROVAL OF THE AGENDA OF THE REGULAR BOARD OF ALDERMEN MEETING OF APRIL 19, 2010

Mayor Kelly requested that a "Fire Station Update" be added to the agenda under item B.

Motion was made by Alderwoman Clements, second by Alderman Robertson to approve and adopt the Agenda of the Regular Board of Aldermen meeting of April 19, 2010 as amended. All in favor none opposed.

CONSIDERATION AND APPROVAL OF THE MINUTES OF THE REGULAR BOARD OF ALDERMEN MEETING OF APRIL 5, 2010

Correction:

Page 2, regarding the consideration of the minutes from the March 1 meeting, the vote reads "all in favor none opposed". It should read that Alderman Leahy "abstained" because he did not attend that meeting.

Motion was made by Alderman Leahy, second by Alderman Marshall to approve and adopt the Minutes of the Regular Board of Aldermen meeting of April 5, 2010 as amended. All in favor none opposed.

Fire Station Update

Asst. Fire Chief Kurtz came before the Board and stated that the new fire station project is going extremely well. The steel is going up. They had a hard time with the treatment of the soil but once they finished that, they started the foundation work. They are probably three to four weeks behind the schedule that they first started with not knowing how long the soil preparation would take. They also feel that those days can be made up once they get on the roof. They continue to do the value engineering, which is as the work is scheduled they ask the contractors to continue to look at cost saving things or better ideas. For example, in the original set of plans, the lintels above the windows were going to be welded and after they talked to the engineer, he said it was not necessary. Therefore, they continue to look at different things with the project trying to save money, keep the job on course, and make improvements. The contractors are being paid every month, so they are happy. They are not having any issues or complaints with the church. They give him dates when they have luncheons and they make sure that the parking lot is clear.

Alderman Leahy stated that he is aware that Asst. Chief Kurtz has been working with a resident very closely concerning the back of the building and he appreciates Mr. Kurtz taking the time to help her.

Alderman Kramer asked about the time frame for completion of the fire station.

Asst. Chief Kurtz stated that he believes October or November is more realistic for completion. A lot will happen at the end as far as how they will receive calls from the dispatch center, etc. Certain things are very important and will have to be 100% operational, with no glitches, before they make that move, so a lot of testing will be done.

Alderman Kramer asked about the completion of property acquisition.

Asst. Chief Kurtz stated that the City made a proposal to the church to buy the back parking lot, which has over twenty parking spaces. They are still negotiating. An initial offer was made and they did not reject it. Changes have been made to the building such as the elimination of a ramp on the east side, the addition of steps off the south side of the building into the basement and steps off the south side to the first floor. There is no reason now for them to acquire the house east of the station. The price was not reasonable. It will work out better for them now that they see the way the building is laid out and where they are entering and exiting the building for personnel coming on duty.

Alderman Leahy asked what would have to be done to the signal at Litzsinger Road and Brentwood Boulevard when the fire department moves to the new facility.

Asst. Chief Kurtz stated that the light that is there now in front of the credit union would go away once they are in the new quarters. They will continue to control the traffic light, which will turn green for westbound Eulalie when they signal it. They will have controls in the station and on the trucks that will turn the light green so that the traffic clears when they leave. They will not control the signal if they are not going on a call because it interrupts traffic flow. When

they hit the signal, all the lights will stay red and westbound will turn green. An underground cable to the traffic box in front of Walgreens, which they currently control, operates the signal. As a "green" building, solar powered traffic signal will be installed for westbound traffic on Eulalie and eastbound traffic, right between the driveway to the church and the fire station. The signal will have single lens light that will turn red when activated, so no flashing yellow amber light.

Alderman Leahy stated, as he understands it, while the truck is leaving the new station sirens will not be going off either on the truck or the building until they get to the intersection.

Asst. Chief Kurtz responded that is correct. As soon as they hit Eulalie and are heading westbound the siren will sound. They will not turn right out of the station unless they are going on a call.

Alderman Marshall asked if the siren would still go off in City Hall.

Asst. Chief Kurtz stated no. The siren that is on the City Hall building will not sound.

Alderwoman Clements stated that it is enjoyable and exciting to watch the new station take shape.

Asst. Chief Kurtz stated that they have had over \$100,000 in value engineering in eliminating some items and that covered the extra cost for the dirt work. The treatment of the dirt was an additional \$65,000, which was not planned.

Mayor Kelly complimented Asst. Chief Kurtz for doing an outstanding job and said that he feels relieved that Asst. Chief Kurtz is overseeing the project.

BIDS – None

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

Pat King – 8821 Bridgeport came before the Board and stated that he is here regarding a liquor license to reoccupy the former Double D building. He has spoken to several neighbors who are not in attendance tonight and businesses that do not support it. Frank Papa has had customers' cars hit by drunken patrons of the former establishment, as well as Enterprise Leasing. He knows the fire truck could hardly get down the street in the winter when snow was on the side of the road and parked cars on either side. Without going into the debauchery, vomiting, fighting, urination and all the other things that establishment brought with it, he could only get a few neighbors up here on short notice but he can pack the house if need be. Giving another establishment a liquor license to occupy that type of facility within the neighborhood is counter-productive to what Brentwood tries to do.

Charles Fischer – 8820 Bridgeport came before the Board and stated that the patrons of the previous establishment left beer cans in the yards, they fought and the police had to come and they don't need that in the neighborhood.

Andy Murrie – Wittner, Spewak, Maylack & Spooner, P.C. – 7733 Forsyth Blvd./63105 came before the Board and thanked Mr. King and Mr. Fischer for coming to the meeting and expressing their concerns to his client Ms. Trupiano with Twilight Tavern. He is aware and many people are aware of some of the problems that they have had with Double D Lounge. If the liquor license is obtained, their client has already taken steps to address the issues including off duty police officers. They will also have valet parking to address some of the parking issues and have approval to use the parking area at the building next to the property. They have had the inspections done and there are some issues with the building which the client plans to bring up to code if the liquor license is approved. They do not have a current lease on the property, which is owned by Howe Properties. Ms. Trupiano owns another bar downtown that is successful and has had no problems, so they are not coming into Brentwood as first time bar owners who do not know how to run an establishment. They would be more than willing to address the residents' concerns and work with the community.

Mike Conley – 8833 Bridgeport came before the Board and stated that he has been in Brentwood for the last 35 plus years. They have been very open about development. They love the way the City is being handled. The problem that he has seen and that they have experienced over the last 35 years is the traffic from the bar. Everybody likes to have a good time but alcohol and driving do not mix. Patrons leaving the establishment at the end of the street, prior to Double D Lounge have hit cars. They are not opposed to development. It does well for the City, but they do not know if they need another bar located there since the Double D Lounge actually stayed in Brentwood. That corner has always been a sore spot as far as parking. Parking and traffic are big problems on that street. It is a concern of theirs and has been for years.

INTRODUCTIONS, READINGS, AND PASSAGE OF BILLS AND RESOLUTIONS

First and Second Readings of Bills No. 5548, 5549, 5550, 5551 and 5552

Motion was made by Alderman Wynn, second by Alderman Harper to give Bills No. 5548, 5549, 5550, 5551 and 5552 first and second readings. All in favor, Alderman Leahy opposed.

Alderwoman Clements asked for the indulgence of Alderman Leahy so that he can explain why he opposes the first and second readings of the bills because she thinks it is just one of the bills that he is opposing.

Alderman Leahy stated that Bill No. 5549 is the bill addressing the potential contract between the City of Brentwood and the City of Richmond Heights. He is in an odd position and has been pushing to get something in writing. Staff is currently working in negotiations to get a better agreement. He would like the first reading to be given to Bill No. 5549 this evening and

postpone the second reading of Bill No. 5549 until the June 21 meeting. That would give City Administrator Seemayer time to continue discussions with Richmond Heights before they have to make a final decision with hopefully a better package in front of them.

Mayor Kelly suggested that Alderman Leahy address Bill No. 5549 separately when they get to it.

All in favor of first and second readings none opposed.

Bill No. 5548 – Amending Ordinance No. 4150

City Attorney Albrecht gave Bill No. 5548, AN ORDINANCE AMENDING ORDINANCE NO. 4150 WHICH APPROVED A SITE DEVELOPMENT PLAN FOR PHULOC CENTER AT 8721-8731 MANCHESTER ROAD; CREATING A 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. 5548 as a Bill that approves a signage plan for 8721 – 8731 Manchester, the new location for Beautiful Nails. The plan allows for three wall signs and one ground sign. The Planning & Zoning Commission has reviewed and approved the signage plan.

Mayor Kelly stated that the applicant is here this evening if anyone has any questions. The building looks very nice and it should be a great addition to that part of Manchester Road.

Alderman Robertson stated that he would be abstaining from the proceedings.

Alderman Leahy stated that he would like to have a discussion as to where the ground sign fits into the proposed development. From the artist rendering and the photo that is on Exhibit A, can they coordinate where the sign is going.

Dzung Tran - owner of the Phuloc Center came before the Board and stated that the ground sign on the rendering is not accurate. They are having problems with MSD and MoDOT, so they will not be able to install the sign as depicted on the artist rendering as it is too high. It will block people's view as they exit to make a left turn. They moved the location of the sign to the west of the property.

Alderman Leahy asked if they are looking to put the sign from the entrance ramp west, between the property and the St. Mary Magdalen parking lot.

Mr. Tran responded yes.

Alderman Leahy asked if he is correct that there may be a problem with setbacks.

Mr. Tran responded no. They followed the position of the sign exactly where it is located on the right side to the left side.

Director of Planning and Development Dailey stated that the sign would need to be located ten (10) feet from the right of way line of the street. It has to be setback ten (10) feet from Manchester Road.

Alderman Kramer stated that at one time there was another potential tenant who talked about the site. Does this speak to signage potential for that new tenant?

Director of Planning and Development Dailey stated that there are three wall signs, so there is one in place for another tenant. They have the signage they need but there is no tenant in place yet.

Alderman Kramer asked if the ground sign would be for Beautiful Nails and not for the additional tenant.

Director of Planning and Development Dailey stated that the ground sign would read Phuloc Center.

Motion was made by Alderman Leahy, second by Alderwoman Krewson to approve and adopt Bill No. 5548. Roll call: Alderwoman Clements, yes; Alderman Marshall, yes; Alderman Leahy, yes; Alderwoman Krewson, yes; Alderman Kramer, yes; Alderman Robertson, abstain; Alderman Wynn, yes; Alderman Harper, yes.

The Mayor thereupon declared Bill No. 5548 duly passed and signed same into approval thereof. Said Bill was given Ordinance No. 4232.

Bill No. 5549 – Agreement for Recreational Services

City Attorney Albrecht gave Bill No. 5549, AN ORDINANCE AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR RECREATION SERVICES BETWEEN THE CITY OF BRENTWOOD, MISSOURI AND THE CITY OF RICHMOND HEIGHTS, MISSOURI, AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE, its first reading.

Alderman Leahy stated that he thinks Bill No. 5549 is worth the discussion at the Board level to start looking at what the City is trying to accomplish in a tri-community parks program. Unfortunately, the cost of this whole issue with Richmond Heights, in his opinion, has gotten a little out of hand.

Motion was made by Alderman Leahy, second by Alderwoman Krewson to place Bill No. 5549 on hold until Monday, June 21.

Alderman Kramer read a synopsis of Bill No. 5549 as a Bill that would approve a contract with the City of Richmond Heights that would ratify an agreement for Brentwood's use of The Heights. The City of Richmond Heights originally adopted this agreement in 2002 but did not notify Brentwood of the contract until 2009. Brentwood currently pays an annual fee to Richmond Heights that allows Brentwood residents, businesses and employees to enjoy The Heights at discounted rates.

All in favor of placing Bill No. 5549 on hold none opposed.

Mayor Kelly stated that City Administrator Seemayer has been in touch with the city administrator of Richmond Heights. She is talking to her counsel about putting a formal agreement together. It is something that Alderman Leahy has been discussing for a long time. He hopes that by the June meeting the City will have some type of agreement to bring back to the Board.

Alderman Leahy stated that the beauty of this is that they are in a negotiating arrangement. He would love to express what he wants the City to do understanding that he is only an eighth of the membership of the Board. It is his contention that what they are funding currently with the subsidy fees are not in the best interest of Brentwood and the tri-community parks arrangement. He understands that when Richmond Heights first came to Brentwood asking for Brentwood to partner with them they had a brand new facility and were looking for the memberships in order to help cover the cost of operating their facility and programs. Brentwood currently is in the process of evaluating its facility and whether they spend \$3 million, \$5 million or \$18 million to upgrade, Brentwood will be looking for memberships and partnerships to be able to fund it. They need to get into an equal status. Right now, funding money one way and not making it mutually compatible to all the groups is not to Brentwood's advantage and it may adversely affect their decisions to what they may want to do with their parks facility. It is bad government that they have been working for eight to nine years on a verbal handshake agreement. The Board needs to see a solid contract defining what they are doing and how the program works. In his discussions with Parks Director Frankowski, they have gone through some of the issues repeatedly. Last year this Board was reminded four times by him how they kept working to get an agreement in writing and it did not come about. He is very frustrated that the bill from Richmond Heights has come to them eight years after its passing. He does not think that was a good show of faith. He would love to have these things discussed in the contract negotiations, but maybe he is too close and personal to be the best representative, so he will leave it in capable hands.

Mayor Kelly stated that he takes great exception with Alderman Leahy's comment that it is bad government. The arrangement that they have had with Richmond Heights, whether it was a handshake or a formal agreement, as well as the City of Maplewood, is a model of good government, something that other municipalities need to look at and to do things jointly to offer those types of facilities to their residents. With the agreement and the \$55,000 that was paid this year for their joint efforts, Brentwood is able to offer its residents more park amenities than any other municipality in St. Louis County. They have an outdoor pool, an indoor aquatics

center, weight rooms and tracks, baseball fields and meeting rooms at very reasonable prices. To say that is bad government is a true misstatement. He is very proud of the arrangement that they have had and it has worked out really well. He does not have a problem with a formal agreement, but to say it is bad government is stepping over the boundaries as far as he is concerned.

Bill No. 5550 – Agreement with MoDOT

City Attorney Albrecht gave Bill No. 5550, AN ORDINANCE AUTHORIZING AN AGREEMENT WITH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION ESTABLISHING CERTAIN RESPONSIBILITIES OF THE CITY RELATED TO MAINTENANCE OF LANDSCAPING AT THE SOUTHEAST QUADRANT OF I-64 AND MCKNIGHT ROAD; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE, its first and second readings.

Alderman Kramer read a synopsis of Bill No. 5550 as a Bill that approves an agreement with MoDOT that establishes a maintenance agreement for a portion of MoDOT right of way at McKnight and I-64. The City agrees to maintain the area between I-64 and the east bound entrance ramp. Work will consist of mowing, watering and litter removal.

Director of Planning and Development Dailey stated that they have been working with MoDOT throughout most of the I-64 project on the maintenance agreements. Two are on the agenda this evening. This agreement is for the property that MoDOT owns between the on ramp under eastbound I-64 and McKnight Road. The City has agreed to maintain the trees, which includes watering and trimming for the next two years to ensure their long-term survival. City employees will not mow this area because it is very steep, with some grade issues and is a safety concern for City employees. MoDOT has asked municipalities along the I-64 corridor to participate in the landscape maintenance. So far, Ladue, Frontenac and Richmond Heights are agreeing to maintain parts of the MoDOT property that is within their cities as well. The idea is to have sort of a unified maintenance plan for the I-64 corridor. Normally MoDOT does not plant trees and do this level of landscaping in their new interstate projects. They do replace at least one for one, but typically, they put those trees in other parts of the state, like in state parks. This I-64 project is unique in that they are doing more than they normally would as far as putting landscape plantings along the corridor for the benefit of the communities within that corridor. The other area of maintenance in the agreement is for a small area designed by MoDOT for landscaping in front of the Yorkwoods neighborhood. MoDOT will take care of the plantings. They agreed to enhance the area where they have removed, as part of the I-64 project, a lot of trees and shrubs that screened the neighborhood for years. This area will be improved as a gateway area for the City and it will help the residents in terms of making that corner look a little bit better.

Alderwoman Clements asked for clarification, if it is the area between the on ramp and the highway and between the on ramp and the big hole. She believes the landscape area would be at the southeast quadrant of I-64 and McKnight.

Mayor Kelly stated that it is at the southeast quadrant.

Alderwoman Clements stated that the ordinance states southwest.

Mayor Kelly stated it is northbound McKnight and the green area between the on ramp and Highway 64/40 and then the southeast corner of McKnight and the on ramp. That was something that was added working with the York Village Association to try to screen the chain-link fence that was put up to cover the new detention area.

Alderman Kramer asked about the plan for watering, not referring to irrigation, after the first two years.

Director of Planning and Development Dailey stated that the idea is that the first two years are required for additional watering just to get the trees established. After that, the City would be trimming the trees and maintaining them.

Alderman Leahy asked for clarification, if they are referring, in this bill, to mowing the area that has the very steep slopes.

Director of Planning and Development Dailey stated that is correct. Staff requested they remove from the agreement the reference to the City mowing the steep slopes.

Motion was made by Alderwoman Clements, second by Alderman Marshall to amend Bill No. 5550 by changing the words "southwest quadrant" to "southeast quadrant". All in favor none opposed.

Alderwoman Clements thanked everyone for the work that has been done on behalf of the York Village residents.

Motion was made by Alderwoman Clements, second by Alderman Marshall to approve and adopt Bill No. 5550. 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. 5550 duly passed and signed same into approval thereof. Said Bill was given Ordinance No. 4233.

Bill No. 5551 – Agreement with MoDOT

City Attorney Albrecht gave Bill No. 5551, AN ORDINANCE AUTHORIZING AN AGREEMENT WITH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION ESTABLISHING CERTAIN RESPONSIBILITIES OF THE CITY RELATED TO MAINTENANCE OF LANDSCAPING ENHANCEMENTS TO COMMISSION RIGHT-OF-WAY WITHIN THE BRENTWOOD GATEWAY PROJECT AREA; WHICH AREA IS BOUNDED BY EAGER ROAD, BRENTWOOD BOULEVARD, THE I-170 SOUTHBOUND

CONNECTOR AND THE ROUTE I-64 RAMP; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE, its first and second readings.

Alderman Kramer read a synopsis of Bill No. 5551 as a Bill that approves an agreement with MoDOT that establishes a maintenance agreement for a portion of MoDOT right of way at Brentwood, Eager and I-64. This is the Brentwood Gateway Project area, which will contain a water feature, heavy landscaping and a welcome to Brentwood sign. Funding for this project is being provided through the Hanley Road Corridor Transportation Development District.

Mayor Kelly stated that the question of the signage came up. It has been designed and is ready to go out to bid. It's a major part of the construction project. He thanked Ms. Dailey for her efforts during the process. Recently about six weeks ago, they were almost to the point where they wanted to walk away from the agreement because of MoDOT's requirements. They have all the wrinkles ironed out and it is a great project for the city of Brentwood. It will be very welcoming, not just for Brentwood residents, but also for people coming into the community. It will consist of a lake, two waterfalls, with fountains inside the lake and a lit sign at night.

Alderman Kramer stated that he is extremely excited about the new improvements to that corner. There was an initial component, which he believes has been taken out for some time. They were going to have some artwork there at one point that is now not a part of that plan.

Mayor Kelly stated that the artwork was a second project and was not a part of this plan. If everything goes as planned, the project could be out to bid in the next month or so and construction could start by middle to late summer.

Motion was made by Alderman Marshall, second by Alderwoman Krewson to approve and adopt Bill No. 5551. 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. 5551 duly passed and signed same into approval thereof. Said Bill was given Ordinance No. 4234.

Bill No. 5552 – Amending Meridian's Signage Plan

City Attorney Albrecht gave Bill No. 5552, 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 TO ALLOW A WALL SIGN FOR CLUB FITNESS; 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. 5552 as a Bill that amends the signage plan for the Brentwood Meridian by allowing a wall sign for Club Fitness, located in the west-parking

garage. The Planning & Zoning Commission has reviewed and approved the amendment to the signage plan.

Alderman Leahy asked if Club Fitness would qualify for one of the button signs that are up on the other section of the garage.

Director of Planning and Development Dailey stated that they indicated at the P&Z Commission meeting that they would not be requesting a button sign. They would not qualify for the button sign because they are not a retail tenant. They would have had to have asked for permission.

Motion was made by Alderman Wynn, second by Alderman Leahy to approve and adopt Bill No. 5552. 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. 5552 duly passed and signed same into approval thereof. Said Bill was given Ordinance No. 4235.

Resolution No. 969 – Grievance Procedure

Alderman Kramer read a synopsis of Resolution No. 969 as a Resolution that establishes a grievance procedure to meet the requirements of the Americans with Disabilities Act. The Ways & Means Committee has reviewed the resolution and is recommending approval.

Motion was made by Alderwoman Clements, second by Alderman Robertson to approve and adopt Resolution No. 969. All in favor none opposed.

ACCOUNTS AGAINST THE CITY

Motion was made by Alderman Marshall, second by Alderwoman Clements to approve the warrant list dated 4/19/10.

Alderman Kramer asked about the expenditure for Dell Marketing LP and the old laptops will be recycled.

City Administrator Seemayer stated that the laptops are for the vehicles. They had seven laptops for seven patrol cars and they were very expensive. The laptops will be gutted by removing the hard drives and the computers will be recycled, but not reused. They are going to issue individual laptops and will be saving about \$8,000.

Mayor Kelly stated that even with giving every officer his or her own laptops, the City is still saving about \$8,000.

City Administrator Seemayer stated the laptops were budgeted and they are being purchased not leased.

Alderman Kramer asked about the expenditures for Luby Equipment Services and MGW Communications.

City Administrator Seemayer stated that the transmission had gone out on the backhoe and the breaker is the concrete breaking attachment that breaks pavement and such. The expenditure for MGW Communications is for Margaret Welch who has been doing PR work for the City.

Mayor Kelly stated that part of the expenditure was for her work on the Meridian issue. She also helped with the press release for the Promenade.

Alderman Leahy asked how the laptops would be secured in the vehicles so that they are not freely removed when the officers are responding to a call.

City Administrator Seemayer stated they would be secured just as they are now. A device holds them in place. The device will be different because the laptops are smaller. The officer can remove them.

Alderman Marshall asked if anyone has checked with Regis as far as the laptops coming and going and the information that is stored on the hard drives.

City Administrator Seemayer responded that the other computers were portable as well. They are all protected with passwords and security wise. The City's IT person has worked with Regis on acquiring the laptops and getting the proper security levels. A number of police departments use this type of portable where they take it out of the vehicle. He talked to Chief Disbennett and he does not know if the rules are in place yet but it was his impression that they will be stored in the officers' lockers, although no specific policies have been developed.

All in favor of approval of the warrant list none opposed.

REPORTS OF COMMITTEES AND DEPARTMENT HEADS:

Mayor's Report

Mayor Kelly stated that the Executive Session Legal Matter is not needed this evening.

Mayor Kelly stated that staff has been meeting with Drury and representatives from the school district. Drury has submitted and offered to MoDOT to purchase the MoDOT site. One of the things offered and if agreed to would be to close on the property by the end of June. They are very eager to purchase the property but have not had a response from MoDOT. Drury would like to use a 353 Corporation as opposed to having a TIF for the project, so staff is looking at

that as a potential tool to help them with the project. Ms. Dailey handed out a timetable for the process. A lot of it is contingent upon negotiations for the property.

Alderman Kramer asked if this project is separate from any work that will be done on the creek and that whole topic.

Mayor Kelly stated that they looked at the potential of covering up the creek from Eager Road to Rose Avenue and from the City's standpoint all the way to Strassner Road. In their preliminary analysis and in talking with MSD and the Corp of Engineers, it can be done. Their initial estimate was about a \$6 million project one in which there is no way that this project would be able to fund. The project will include a hotel and hopefully a freestanding restaurant, so it is not going to generate the revenue to produce that kind of assistance to make that public improvement. They will continue to look at other avenues like transportation grants. Drury still has plans to have connections to Rose Avenue. It would not be that full road over the creek as they had talked about.

Alderman Kramer asked if approved later would it still be functional with the development.

Mayor Kelly responded yes.

Public Safety Committee

Alderwoman Clements stated that everyone should have received a wonderful letter from a family on Pine Avenue, Mary Hartung praising our paramedics and EMS who responded to Rock Hill Baptist Church when her husband was going into cardiac arrest. Thanks to our fire personnel, her husband is fine.

Public Works Committee

Alderman Robertson mentioned that they are studying the rec center issue and the future of the parks system as a whole involving trails, etc.

Director of Planning and Development – No report

Ways and Means Committee – No further report

City Attorney – No report

City Clerk/Administrator

Special Use Permit/Sounds of Summer Concert Series and Brentwood Days Festival

City Administrator Seemayer stated that permission is being requested to allow alcohol to be brought into Brentwood Park for the Sounds of Summer Concert Series and the Brentwood Days Festival. The dates are June 11, July 9, August 13, September 17 and 18.

Motion was made by Alderman Leahy, second by Alderwoman Clements to approve the Special Use Permit for the Sounds of Summer Concert Series and the Brentwood Days Festival to allow alcohol to be brought into Brentwood Park. Roll call: Alderwoman Clements, yes; Alderman Marshall, yes; Alderman Leahy, yes; Alderwoman Krewson, yes; Alderman Kramer, yes; Alderman Robertson, yes; Alderman Wynn, no; Alderman Harper, yes.

Excise Commissioner

Liquor License Request/Twilight Tavern

Excise Commissioner Clements stated that the City received an application for a liquor license for Twilight Tavern located at 2219 S. Brentwood Blvd. Their paperwork and application are in order but he has concerns about issuing a liquor license to this particular company. The residents have brought up the parking and residential problems. He thinks it is a non-compatible use for the building.

The applicant, Aprille Trupiano – 9222 Lemona Drive/63123 came before the Board and introduced herself.

Alderman Kramer stated that earlier it was eluded to that there is another facility under operation by the applicant, April Trupiano. He asked her to describe where the facility is located and how long it has been in business.

Ms. Trupiano stated that they have two locations. The Lure is located on Washington, which has been in operation for two and a half years, the Social House is located downtown on Broadway, and it has been in operation for a few months.

Alderman Kramer asked if they are bars and/or restaurants.

Ms. Trupiano responded yes.

Alderman Kramer asked Ms. Trupiano if they have had any issues with those facilities.

Ms. Trupiano responded no. They always employ off duty police officers.

Alderman Kramer asked Ms. Trupiano if she or her representatives met with any of the residents prior to this evening.

Ms. Trupiano responded no. She thanked the residents that spoke earlier because it gives them an opportunity to look at anything that might come up and any concerns that are present already.

Alderman Leahy stated that as he understands it the facility as it currently stands the property that Ms. Trupiano is looking to lease, does not have enough parking spaces for the use of the facility. Since they are anticipating leasing a second lot, will that bring the parking up to code or will it still be short on parking.

Ms. Trupiano responded that they are also looking at valet parking. They are most definitely interested in bringing the property up to code, whatever it takes. It is something that they have addressed in the past and they are very familiar with the valet parking. In their locations, they have often employed valet attendants in order to handle any overflow.

Alderman Leahy stated that the lot does not have enough spaces and a second lot may not contain enough to make them both work. He asked Ms. Trupiano where the valet parking is going to be located.

Ms. Trupiano stated that she does not have an answer yet.

Mr. Murrie stated that he knows there have been discussions for valet parking, which would be a little bit of a drive, but they would have extra parking in a nice area. To address the question of whether it would meet the code, he believes it would. The owner of the property talked to them about leasing a certain amount of parking spaces in addition to what they have.

Alderman Leahy asked the representative from Twilight Tavern how they plan to educate their potential patrons to park in these areas. Obviously, valet will have a fee, versus parking on the streets and as thus have not resolved the residents' concerns.

Mr. Murrie stated that many times valet is either extremely cheap or complimentary. The owner pays it.

Ms. Trupiano stated that the location at Lure, which is on Washington, has parked cars, cars coming and going, and is very busy. That is a concern that they have heard and addressed and have had no issues with whatsoever. They even have valet there and there has not been an issue with traffic. They would do the same thing in Brentwood to make sure the traffic flow does not interrupt the neighborhood, as well as the fire trucks.

Alderman Leahy asked as part of the valet process, how would the cars be returned to the front door of the establishment. He is not picturing the flow of the cars in and out of the lot.

Mr. Murrie stated that the patron would walk out with their ticket; the valet goes to the car, comes back and pulls it either into the side lot or any available parking spot while the patron walks out and then they make the exchange.

Alderman Leahy stated that he does not see that working.

Ms. Trupiano stated that those spots would be reserved and marked off.

Alderman Leahy asked if there would be any transferring of drivers on Brentwood Blvd.

Ms. Trupiano responded no.

Mayor Kelly asked if all that would be done on Bridgeport.

Ms. Trupiano responded no, on property.

Mayor Kelly stated that their access is off Bridgeport, so in order to do that it would have to be either on Bridgeport or on Brentwood Boulevard.

Ms. Trupiano stated that if Bridgeport were the point of concern then they would look at it, find another point of ingress and egress because they are not interested in disturbing the neighborhood with business.

Alderman Kramer asked Ms. Trupiano if they have a plan in terms of a timeline that it needs to be approved. Will it be placed on hold pending further conversation with the neighborhood?

Mr. Murrie stated that if it needs to be placed on hold to continue with the negotiations, it would not really impair them as much because they have not signed the lease to the property.

Ms. Trupiano stated that they would like to find solutions for those concerns.

Alderman Kramer stated that his recommendations would be to find a way to place the application on hold. There are responsible operators of establishments that serve alcohol as well as food. The City has one of those establishments just a little bit further to the north of this proposed location. It has been there for quite some time and does well with its neighbors on Lawn Avenue. Going back to the complaints about this particular address and he can hear the words of then Alderwoman Cross going back several years about various complaints of the neighbors and neighborhood. He does not know specifically if those complaints were not anchored more into the operation of that facility versus the fact that one was located in that area location. He thinks that there is a possibility for this operator to prove themselves with the neighborhood. He certainly would like to hear more if the application were placed on hold.

Alderman Marshall stated that he has been contacted by several people on Bridgeport on the east side of Brentwood Boulevard and they are very much opposed to any kind of bar/restaurant. The big issue is the building does not conform to the parking. When this came up before they were constantly getting phone calls from the residents saying this is not working. They have problems with public urination and trash in their front yards. In a two and

a half year period, the police department had 79 complaints from the previous establishment. He is very much against a bar in that location.

Alderman Wynn stated that Excise Commissioner Clements is good about trying to assist businesses that request liquor licenses but when he said that he does not think the business is a compatible use for the building that means a lot to him. He also has certain feelings about alcohol, but beyond that, he thinks there are times when you should respect the neighborhood. They come first because they live here, pay taxes, they have been a part of the city and are fine citizens. He is also opposed to it being there.

Alderman Harper stated that he was not on the Board when the previous establishment opened but he thinks they tried to do things to help the residents but the problems continued. He does not know what a new occupant would do that has not been tried in the past to alleviate the residents' concerns about the public urination, distractions at night, etc. Trying to raise a family on that street with people leaving the bar after having had a good time and causing problems, he would not appreciate it as a resident.

Alderman Leahy asked if there will there be karaoke night, food and drink. What is the patron quantity that is being looked at in the building?

Ms. Trupiano stated that they are interested in a neighborhood spot and plan to have some sort of food. However, they will not be putting in a full kitchen. It will also depend on what they do to restructure the inside of the building. At this point, they are not talking about putting any type of games in there and have not discussed whether there will be karaoke. It will be more of a laid-back atmosphere.

Alderwoman Krewson asked if the other two locations of the restaurant/bar are in residential areas or commercial areas.

Ms. Trupiano responded that the soulard location is in a residential area. They had to obtain quite a few signatures, talked to many neighbors, everyone was quite pleased, and they have had no issues.

Alderwoman Krewson stated that with all due respect to Ms. Trupiano, her history of that location has been that the residents have been constantly annoyed and upset with whatever operation has been there.

Ms. Trupiano stated that this is new to her. It is the first time she is hearing this and not knowing the neighbors' concerns of the past establishment it is good information. She does not know what the previous establishment has done in the past and do not know how they have handled it, she simply knows that the way they have handled business they have not had those issues.

Mayor Kelly stated that the reason the previous establishment was able to stay there for as long as it has it was grandfathered. The Board members and the residents of Brentwood knows that he is very pro development and wanting to keep the community moving forward but in this instance he thinks they are putting a square peg into a round hole. He thinks some of Ms. Trippiano's ideas are great but not realistic. To have valet parking when there is no place on the lot where you could pull cars off, he could go through the processes of stacking for valet parking. There is no room for three cars to pull off Bridgeport if you are waiting. He thinks the intention is good but from a community standpoint, the applicant is putting a square peg into a round hole and it is not going to fit. Some of these issues have been brought up before having talked with some of the representatives that he thought was representing Ms. Trupiano going back as far as September with the issues. He stated then what he believed the position of the Board would be which has been brought to light tonight, that it does not have a positive feedback. These issues were brought to the representatives' attention, which is one of the reasons the liquor license is before the Board this evening, which is to see if it will be approved before the lease is signed, plans are drawn up and taken to Planning and Zoning Commission. The piece of property that the building sits on has approximately eight parking spaces. With what the residents have put up with over the years, it is nothing against the applicant's operation it is just that the site is not appropriate for that use.

Motion was made by Alderman Kramer to place the application on hold for approximately 21 days to give the applicant a chance to have discussions with the neighbors and see if they can raise an amount of signatures that would be plausible to the Board.

Alderman Leahy stated that if the Board voted to disapprove the liquor license at this point would it grant the applicant unlimited time to work through the issues and make a second proposal or in his hope find a better location, versus putting it on hold with the hope that something else might happen. Putting it on hold at this time might be premature.

Alderman Kramer stated that what he does not know are the parameters. If someone applies for a liquor license and it is turned down can they reapply right away?

Mayor Kelly responded yes.

Alderman Kramer withdrew his motion.

Alderman Leahy stated that procedurally for any motion to go forward it has to be made in the affirmative.

Motion was made by Alderman Wynn, second by Alderman Marshall to approve the liquor license for Twilight Tavern for the property located at 2219 S. Brentwood Blvd. Roll call: Alderwoman Clements, no; Alderman Marshall, no; Alderman Leahy, no; Alderwoman Krewson, no; Alderman Kramer, no – he would encourage the applicant to do further due diligence if they would like to come back and reapply; Alderman Robertson, no; Alderman Wynn, no; Alderman Harper, no.

Library

Alderman Wynn announced that the Library has a new director. He attended the meeting and Library Director Vicki Woods will be an asset to the City. She will bring many new and exciting things to the library.

Municipal League – No report

Communication – No report

Historical Society – No report

UNFINISHED BUSINESS

Mayor Kelly stated that the Litzsinger bridge is not out to bid yet.

City Administrator Seemayer stated that they have to get the final comments from MSD and the Corp of Engineers. The engineer is a little more concerned about the length of time it could take to get the final comments from MSD. He expects it could take 30 to 45 days. Once the comments come back, he could put the project out to bid and then make the changes per the comments.

Mayor Kelly stated that regarding Strassner Road they are working with one of the property owners in trying to eliminate two of the curb cuts at the intersection, which is where the St. Louis County Blue Print building is located to help with the traffic flow. Once the agreement is finalized, it will go out to bid. The last update he has gotten from City Engineer Mark Birchler about Bridgeport was that he was waiting for some final comments from MSD so they could put that out to bid as well.

Alderman Marshall stated that he would like a letter to go out to the residents.

City Administrator Seemayer indicated that he would expect it to go out to bid around June. The letter will go out with plenty of notice as soon as they have a more accurate date of when the actual closing will be.

Alderman Leahy stated that he would like to draw the Board's attention to the Brentwood Drury redevelopment project schedule. It should be brought to Drury's attention that items nine and fourteen have been set for the June 7 meeting and the Board does not meet on June 7. It may cause their notifications and everything else to change.

NEW BUSINESS

Alderman Leahy stated that the Ward 3 meeting would be held on Tuesday, April 27 in City Hall Council Chambers.

Alderwoman Clements stated that she received a call from one of her constituents, Mary Madras who lives on St. Clair, and she could not sing the praises loud enough of the City's sewer lateral crew. She had a problem and wanted everyone to know how great the employees were. She was extremely appreciative for a job well done.

Alderman Wynn announced that the National Day of Prayer would be held on Thursday, May 6 12:00 to 1:00 pm in City Hall Council Chambers.

Mayor Kelly stated that the Certified Election Result for the April 6 election has not arrived yet. He asked the Board if they would mind doing the swearing in ceremony at the second meeting in May. He will not attend the first meeting in May because of a conference out of town and would like to be present for the swearing in.

ADJOURNMENT

Motion was made by Alderwoman Clements, second by Alderman Wynn to adjourn the meeting at 8:27 pm. All in favor none opposed.

Pat Kelly, Mayor

Attest:

Chris Seemayer, City Clerk