

**CITY OF BRENTWOOD, MISSOURI
REGULAR BOARD OF ALDERMEN MEETING
MINUTES**

**City Hall
Council Chambers**

**May 2, 2011
7:00 pm**

Mayor Kelly called the meeting to order and led with the Pledge of Allegiance. Roll call was taken with the following members present: Alderwoman Clements, Alderman Marshall, Alderman Leahy, Alderman Kramer, Alderman Robertson, Alderman Wynn and Alderman Harper.

Staff present: City Attorney Albrecht, Director of Planning and Development Rottjakob/Interim City Clerk/Administrator Rottjakob, Executive Secretary Williams, Excise Commissioner Clements.

Absent: Alderwoman Krewson.

Mayor Kelly announced that Alderwoman Krewson had to have unexpected surgery last week after having an infection, but she is recovering and doing much better.

CONSIDERATION AND APPROVAL OF THE MAY 2, 2011 BOA MEETING AGENDA

Motion was made by Alderwoman Clements, second by Alderman Leahy to amend the BOA meeting agenda of May 2, 2011 by adding a Proclamation for Children's Mental Health Week. All in favor none opposed.

Motion was made by Alderwoman Clements, second by Alderman Marshall to approve the May 2, 2011 agenda as amended. All in favor none opposed.

CONSIDERATION AND APPROVAL OF THE APRIL 18, 2011 BOA MEETING MINUTES

Motion was made by Alderman Leahy, second by Alderman Marshall to accept the April 18, 2011 BOA meeting minutes as submitted. All in favor none opposed.

CERTIFIED ELECTION RESULTS

Interim City Administrator/City Clerk Rottjakob read the certified election results from the April 5, 2011 General Municipal Election as follows:

Mayor	
Pat Kelly	1,018
Municipal Judge	
Ron Hill	609

Patrick Dignam	523
Aldersperson Ward 1	
Anthony Harper	335
Aldersperson Ward 2	
Lee Wynn	165
Brandon Wegge	161
Aldersperson Ward 3	
Keith Robertson	209
Aldersperson Ward 4	
Thomas Kramer	144

Motion was made by Alderman Leahy, second by Alderwoman Clements to accept the certified election results as entered into the record. All in favor none opposed.

SWEARING-IN OF ELECTED OFFICIALS

Interim City Administrator/City Clerk Rottjakob came before the Board and administered oath of offices to Municipal Judge Hill, Mayor Pat Kelly, Alderman Harper, Alderman Robertson, and Alderman Kramer. Alderman Marshall administered the oath to Alderman Wynn. Alderman Wynn explained that ordinarily his son would swear him in but because of a prior commitment, he could not be here. He also stated that it was an honor to have Alderman Marshall swear him in because Mike was his student in grade school.

BIDS – Drain and Sewer Equipment
Motorized Utility Vehicle

Interim City Administrator/City Clerk Rottjakob reported that bids were received and opened on Wednesday, April 27 at 10:00 and 10:30 am. The following bids were received for drain and sewer equipment and a motorized utility vehicle:

Drain and Sewer Equipment

Bridgeton Plumbing & Heating Supply	\$12,775.84
The Cable Center	\$11,952.00
Grainger	\$15,319.56

The lowest bid from Cable Center has been selected.

Motorized Utility Vehicle

Wm. Nobbe	\$15,162.00
Bobcat of St. Louis	\$19,159.00
Seebold Sports, Inc.	\$18,752.00

Staff is still reviewing the bids for the motorized utility vehicle.

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

None

Brentwood Recreation Center Recommendation

Alderman Robertson read the Public Works Committee's recommendation for the Recreation Center into the record as follows:

Public Works Committee Recommendation to Board of Alderman to Give Citizens Opportunity to Vote in November 2011 on Bond Issue for Renovation & Expansion of Brentwood Recreation Center May 2 2011

A combination of advancing age of the existing Recreation Center and the results of surveys regarding Brentwood residents' use of and desire for the future of their existing Recreation Center facility on Brentwood Blvd has led after intensive study and discussion to a recommendation by the Public Works Committee for a vote on a bond issue for \$9 million in capital investment to support renovating and expanding the facility.

The Rec Center, as it is commonly known, is now 36 years old and rapidly wearing out, requiring investments estimated at approximately \$7 million as follows; for better handicap accessibility, adding fire sprinkler protection, replacement of worn-out building systems such as mechanical, electrical, ice making, and roofing, and basic renovations to maintain existing uses, layout, and overall appearance as they are now. The ice rink and meeting rooms would generally be kept as is. No significant improvements in layout, aesthetics, additional recreational options, or higher efficiency operating systems (a major operating cost factor for the City), or use as an emergency shelter are included in this alternative.

The alternative developed instead by the Public Works Committee and approved by a 3-1 vote at their April 19 meeting was to issue a recommendation to the full Board of Aldermen to set a November 2011 vote for citizens to decide whether to issue up to \$9 million in bonds for capital improvement as follows: to keep the ice rink functioning essentially as is, but with major aesthetic and operating systems efficiency upgrades; to replace the meeting rooms with a new workout facility; to build a multi-use gymnasium on the front of the building; to improve the building façade for overall higher visibility from the street and a more harmonious fit with City Hall and the new Fire House; to provide further upgrades to the site, especially relating to a more walker-friendly site; and for seismic bracing of structural components meeting all current codes so that the Rec Center can be used as an emergency shelter in time of need for its citizens.

Both alternatives were considered by the Public Works Committee with detailed analysis of a facility survey recently completed by GBA, architectural consultants the City hired to provide assessments of the facility's current condition and potential improvements, along with partial cost estimates for necessary capital improvements. The Committee assembled additional cost

estimate components, developed by Parks Director Michele Frankowski, Fire Marshal Bob Kurtz, and Committee members, to put together the full estimated budgets on which they based their decision: to recommend a vote on a \$9 million bond issue for the more far-reaching overhaul and upgrade of the Rec Center facility, preserving the old while building the new & improved Brentwood Recreational Center for generations of Brentwood residents to come.

Mayor Kelly suggested that the Ways and Means Committee review the financial part of the recommendation for the Rec Center and that a special BOA meeting could be scheduled to discuss the Rec Center.

Alderman Kramer reminded everyone that there is a deadline for submission of ballot issues for the November 2011 election, which is at the end of August.

Public Hearing – Conditional Use Permit/8503 Manchester Road

Mayor Kelly announced a public hearing would now be heard for a conditional use permit for 8503 Manchester Road.

Director of Planning and Development Rottjakob stated that there was a request for site plan and conditional use permit approval for Exterior Building Solutions. The location is the site of the former Wonder Bread Hostess Outlet that has been vacant. The company is in the business of tuck pointing, roofing, and will use the building as their commercial office with storage of excess building materials inside the building. There will be no exterior storage of materials, except for one or two vehicles that they use for their work. The Planning and Zoning Commission has recommended approval of the site plan and conditional use permit.

Mayor Kelly asked if there were any comments from the audience. Hearing none, Mayor Kelly announced the public hearing closed.

Public Hearing – Conditional Use Permit/3135 S. Brentwood Blvd.

Mayor Kelly announced a public hearing for a conditional use permit at 3135 S. Brentwood Boulevard would now be heard.

Director of Planning and Development Rottjakob stated that the request is for a site plan and conditional use permit for Bright Beginnings, a child daycare center, which is currently located on Manchester Road. The applicant wants more space, so they are requesting approval for the permit so they could relocate their business to the former Country Squire Cleaners location on Brentwood Blvd. The Planning and Zoning Commission has reviewed their request and the petitioner is going to make a couple of changes to the configuration of the parking lot to better accommodate traffic flow and the safety of the children. The Planning and Zoning Commission has recommended approval.

Alderman Leahy asked if the green space to the north of the building would be fenced in.

Director of Planning and Development Rottjakob responded that the existing fence would be replaced with a new fence.

Alderman Leahy asked if the petitioner has any problems with putting in a new fence because it is in a flood plain area.

Director of Planning and Development Rottjakob responded that the engineer reviewed it and the applicant was fine with it.

Mayor Kelly asked if there were any comments from the audience. Hearing none, Mayor Kelly announced the public hearing closed.

Public Hearing – Conditional Use Permit/1210 Strassner Drive

Mayor Kelly announced a public hearing for a conditional use permit for 1210 Strassner Drive would now be heard.

Director of Planning and Development Rottjakob stated that the applicant's request is to amend the existing conditional use permit and approve the site plan for Buffalo Wild Wings. The restaurant would be located in the Hanley Station development in lot eight (8) which is currently undeveloped. The proposal is for a 6,719 square foot, full service restaurant, including an outdoor seating area. The parking spaces were approved as part of the existing conditional use permit. The review consisted of the site plan for the Buffalo Wild Wings itself. The Planning and Zoning Commission has recommended approval as submitted.

Mayor Kelly asked if there were any comments from the audience. Hearing none, Mayor Kelly announced the public hearing closed.

INTRODUCTIONS, READINGS, AND PASSAGE OF BILLS AND RESOLUTIONS

1st and 2nd Readings of Bills

Motion was made by Alderwoman Clements, second by Alderman Robertson to give Bills No. 5598, 5599, 5600 and 5601 first and second readings. All in favor none opposed.

Bill No. 5598 – Amending Chapter 20

City Attorney Albrecht gave Bill No. 5598, AN ORDINANCE AMENDING CHAPTER 20, ARTICLE II, OF THE REVISED CODE OF ORDINANCES OF THE CITY OF BRENTWOOD, MISSOURI BY ADDING A NEW PARAGRAPH (c) TO SECTION 20-16, AS IT RELATES TO SOLID WASTE PRECOLLECTION REQUIREMENTS; 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. 5598 as a Bill that would amend Chapter 20 of the Brentwood Code to establish a maximum weight limit of fifty (50) pounds for containers placed for the collection of garbage, refuse or yard waste. The Public Works Committee reviewed the bill and made a positive recommendation.

Alderman Marshall asked if heavy, wet bags of yard waste would be picked up because of the proposed weight limit.

Interim City Administrator/City Clerk Rottjakob responded that staff would still pick them up. The issue is that in some neighborhoods landscape companies are consistently stuffing bags or cans full of materials.

Alderman Kramer stated that it would also prevent construction materials, bricks, and stones from being placed in the containers as well.

Alderman Leahy stated for clarification, that the fifty (50) pound weight limit is on the cans and bags that the staff actually has to pick up. They also have the yard waste, recycling and the larger trash bins that the trash truck can pick up. Are they establishing a fifty (50) pound limit on those containers also?

Mrs. Rottjakob responded that the way the Bill reads it would be any container that is put out, whether it is for yard waste or trash it would have a weight limit of fifty (50) pounds.

Alderman Leahy pointed out that the committee discussed that the fifty (50) pound weight limit would just apply to containers or bags being picked up by the personnel. Do they need to clarify that in the Bill? The 96-gallon containers automatically weigh more than fifty (50) pounds.

Interim City Administrator/City Clerk Rottjakob responded that the Bill would have to be amended to exclude the containers that are lifted by the trash truck equipment.

Motion was made by Alderman Leahy, second by Alderwoman Clements to amend Section 20-16 (c) to read "Weight limit for containers. Containers placed for the collection that would be hand lifted of garbage, refuse or yard waste shall not weigh more than fifty (50) pounds".

Alderman Kramer asked if the words "containers placed for collection" in Section 20-16 (c) changes anything as far as the amendment.

Alderman Leahy responded that all containers are brought out for collection no earlier than 24 hours prior to pickup. They do a wonderful job of providing the service but at times, staff is put

at risk when they are asked to handle the overweight containers. He does not want to frustrate the citizens but at the same token, they owe the same courtesy to the staff to take care of them.

City Attorney Albrecht stated that language could be inserted after the word “containers” to read “excluding containers provided by the City for mechanical lifting by the truck”.

Mayor Kelly suggested that Bill No. 5598 be taken back to the Public Works Committee for clarification. He thinks they are actually talking about the roll out containers as well.

Motion was made by Alderman Wynn, second by Alderman Robertson to place Bill No. 5598 on hold and refer to the Public Works Committee for clarification. All in favor none opposed.

Bill No. 5599 – Conditional Use Permit/8503 Manchester Road

City Attorney Albrecht gave Bill No. 5599, AN ORDINANCE GRANTING APPROVAL OF A SITE DEVELOPMENT PLAN AND CONDITIONAL USE PERMIT TO EXTERIOR BUILDING SOLUTIONS AT PROPERTY NUMBERED 8503 MANCHESTER ROAD WHICH PERMITS UNDER THE PROVISIONS OF CHAPTER 25 OF THE BRENTWOOD CITY CODE THE DEVELOPMENT OF THAT SITE FOR USE AS A COMMERCIAL OFFICE PROVIDING THE CONDITIONS OF SUCH DEVELOPMENT; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE, its first and second readings.

Alderman Kramer read a synopsis of Bill No. 5599 as a Bill that would approve a site development plan and conditional use permit for Exterior Building Solutions for a commercial office use at 8503 Manchester Road. The Planning & Zoning Commission has completed its review of this application and recommends approval.

Alderman Marshall asked if the City could request that the applicant fix the parking lot. A lot of the parking lots and sidewalks in that area are in terrible condition.

Director of Planning and Development Rottjakob responded that the Planning and Zoning Commission discussed the parking lot and the applicant is going to do some basic repairs to it but they do plan eventually to completely redo it. Some of the sidewalks have debris from the MSD project that is underway but once that is cleaned up, the sidewalks will be in better condition. The P&Z Commission did not require replacement of the sidewalk in front of the business because it is a MoDOT right of way. The Commission required that the parking lot be maintained in safe condition. The applicant will also be doing some improvements with planter boxes along the front of the parking lot.

Motion was made by Alderman Marshall, second by Alderman Leahy to approve and adopt Bill No. 5599. Roll call: Alderwoman Clements, yes; Alderman Marshall, yes; Alderman Leahy, yes; Alderman Kramer, yes; Alderman Robertson, yes; Alderman Wynn, yes; Alderman Harper, yes.

The Mayor thereupon declared Bill No. 5599 duly passed and signed same into approval thereof. Said Bill was given Ordinance No. 4279.

Bill No. 5600 – Conditional Use Permit/3135 S. Brentwood Blvd.

City Attorney Albrecht gave Bill No. 5600, AN ORDINANCE GRANTING APPROVAL OF A SITE DEVELOPMENT PLAN AND CONDITIONAL USE PERMIT TO BRIGHT BEGINNINGS AT PROPERTY NUMBERED 3135 SOUTH BRENTWOOD BOULEVARD WHICH PERMITS UNDER THE PROVISIONS OF CHAPTER 25 OF THE BRENTWOOD CITY CODE THE DEVELOPMENT OF THAT SITE FOR USE AS A CHILD DAYCARE CENTER; PROVIDING THE CONDITIONS OF SUCH DEVELOPMENT; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE, its first and second readings.

Alderman Kramer read a synopsis of Bill No. 5600 as a Bill that would approve a site development plan and conditional use permit for Bright Beginnings for a child daycare center at 3135 S. Brentwood Boulevard. The Planning & Zoning Commission has completed its review of this application and recommends approval.

Alderman Marshall asked if Bright Beginnings is licensed by the State.

Director of Planning and Development Rottjakob responded that the State would have to issue them a license but she is not sure if they have completed that process yet.

Motion was made by Alderman Leahy, second by Alderman Wynn to approve and adopt Bill No. 5600. Roll call: Alderwoman Clements, yes; Alderman Marshall, yes; Alderman Leahy, yes; Alderman Kramer, yes; Alderman Robertson, yes; Alderman Wynn, yes; Alderman Harper, yes.

The Mayor thereupon declared Bill No. 5600 duly passed and signed same into approval thereof. Said Bill was given Ordinance No. 4280.

Bill No. 5601 – Conditional Use Permit/1210 Strassner Drive

City Attorney Albrecht gave Bill No. 5601, AN ORDINANCE GRANTING APPROVAL OF A SITE DEVELOPMENT PLAN AND CONDITIONAL USE PERMIT FOR A RESTAURANT WITH OUTDOOR SEATING AT PROPERTY NUMBERED 1210 STRASSNER DRIVE WHICH PERMITS UNDER THE PROVISIONS OF CHAPTER 25 OF THE BRENTWOOD CITY CODE THE DEVELOPMENT OF THAT SITE; PROVIDING THE CONDITIONS OF SUCH DEVELOPMENT; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE, its first and second readings.

Alderman Kramer read a synopsis of Bill No. 5601 as a Bill that would approve a site development plan and conditional use permit for Buffalo Wild Wings, a restaurant with outdoor seating at 1210 Strassner Drive. The Planning & Zoning Commission has completed its review of this application and recommends approval.

Alderman Kramer asked about the timeframe for opening.

David Jones, owner of Buffalo Wild Wings came before the Board and stated that they hope to be open in September or by October 1 at the latest.

Motion was made by Alderwoman Clements, second by Alderman Marshall to approve and adopt Bill No. 5601. Roll call: Alderwoman Clements, yes; Alderman Marshall, yes; Alderman Leahy, yes; Alderman Kramer, yes; Alderman Robertson, yes; Alderman Wynn, yes; Alderman Harper, yes.

The Mayor thereupon declared Bill No. 5601 duly passed and signed same into approval thereof. Said Bill was given Ordinance No. 4281.

Proclamation for Children's Mental Health Week

Mayor Kelly read a proclamation into the record for Children's Mental Health Week.

Motion was made by Alderman Leahy, second by Alderman Harper to approve the proclamation by acclamation. There were no objections.

ACCOUNTS AGAINST THE CITY

Motion was made by Alderman Marshall, second by Alderwoman Clements to approve the warrant list dated 5/2/11. All in favor none opposed.

Alderman Kramer asked about the expenditure for Thompson Coburn, West Community Credit Union and Sendio.

Interim City Administrator/City Clerk Rottjakob responded that the expenditure for Thompson Coburn is for the Meridian lawsuit. The expenditure for West Community Credit Union is regarding the updating of the International Building Codes and the iPads are part of the upgrade for the inspectors to work with the permit tracking system digitally in the field. The expenditure for Sendio is for the spam software.

REPORTS OF COMMITTEES AND DEPARTMENT HEADS:

Mayor's Report

Executive Session/Legal and Personnel Matter

Mayor Kelly stated that an executive session, legal and personnel matters would be held following the meeting.

Public Safety Committee – No report

Public Works Committee – No report

Director of Planning and Development

Mrs. Rottjakob reported that they have received word from East/West Gateway that the Litzsinger Road project was put on the draft project list for the next transportation improvement program for a resurfacing, mill and overlay of Litzsinger Road from McKnight to Brentwood Blvd. It includes new sidewalks and streetlights. Brentwood is sharing in the local cost with the City of Rock Hill.

Alderman Robertson asked how it would affect Litzsinger Road, since it is used unofficially as a walking, running path.

Director of Planning and Development Rottjakob responded that the sidewalks would be ADA compliant, making them at least five feet wide. In the areas where there are currently no ramps, ADA ramps will be put in place and there will be a complete connection on the north side where currently there are some areas without sidewalks. If the Board of Directors vote for the entire TIP and the project that is included in that currently, then they will get the award at the end of June and will be able to go out to bid for design right away. Design would start this year and right of way, if needed, would start the following year, then construction the year after that.

Ways and Means Committee – No report

City Attorney – No report

City Clerk/Administrator – No report

Excise Commissioner

Excise Commissioner Clements came before the Board and stated that the City received an application for a liquor license for Taste Wood Fired Fare at 1201 Strassner Drive. They are applying for a restaurant liquor license by drink and a Sunday liquor license by drink. Everything is in order and he recommends approval.

Motion was made by Alderman Robertson, second by Alderman Marshall to approve the liquor license for Taste Wood Fired Fare. All in favor none opposed.

Library – No further report

Municipal League

The annual Municipal League's Installation Dinner will be held on May 20 at the Holiday Inn Viking if anyone would like to attend.

Communication – No report

Historical Society – No report

UNFINISHED BUSINESS

Alderman Leahy asked for an update on the Executive Walk Apartment buyout proposal.

Director of Planning and Development Rottjakob responded that they were not awarded the grant for buyout.

Alderman Leahy asked if staff is in discussion with the property owner as to what will happen to the buildings that are currently there that are not inhabitable.

Director of Planning and Development Rottjakob responded that she has been talking with someone from SEMA trying to get more feedback on what they could do to improve the application in the future in case the property owner wants to reapply. She is still waiting to hear back from FEMA and SEMA before having that conversation with the property owner.

Alderman Marshall asked if they could contact the State about the sidewalks on Manchester Road. They are in horrible disrepair.

Director of Planning and Development Rottjakob responded that she and the Chairman of the P&Z Commission and the Redevelopment Corporation, John Geppert, met with an area engineer and a couple of other officials from MoDOT. They were told that it is on their radar but due to budget constraints, they do not have any plans currently to do anything on Brentwood's stretch of Manchester Road.

Alderman Marshall asked if there is any way they could talk about matching funds or grants to get the work done.

Mrs. Rottjakob responded that they could talk about combining forces to apply for future grant opportunities. Because of their serious budget constraints, MoDOT has put together a presentation that they are trying to present to different communities and businesses to address how they can work together to try to make improvements.

Alderman Marshall asked if the Public Works Department could clean up some of the debris.

Mayor Kelly stated that it is a monumental task for the City's equipment because it is mostly rock.

Mrs. Rottjakob stated that they could work with the area engineer to see if they could get MoDOT's maintenance crew in place to assist with some of that cleanup within their right of way.

Mayor Kelly stated that the applicants for the property located at Brentwood Boulevard and White Avenue are very optimistic that they will close on the property by the middle of May. The property owners have a new attorney and things are working smoother now.

Alderman Marshall asked for an update on the Cecelia/Helen/Litzsinger sewer project.

Mrs. Rottjakob reported that she would have to look into it. She is not directly involved in the project but she will check with Bob Kurtz and Jim Nahmensen and report back.

Alderwoman Clements asked for an update on the McKnight Road overlay.

Mrs. Rottjakob stated that the start date has been delayed until mid May. She has requested that Superintendent Nahmensen check for further delay because of all the rain.

Alderman Wynn asked about Drury Hotel.

Mayor Kelly reported that things are progressing in a more positive direction. Another good thing about the property is that they have another business that is interested as well. They should have a decision very shortly from Drury Hotel regarding the project.

NEW BUSINESS

Alderman Leahy announced a Ward 3 meeting would be held on Tuesday, May 31 at 7:00 pm in City Hall Council Chambers.

St. Mary Magdalen Parish is having their picnic on May 20 and 21. The public is invited for their 99th year celebration and next year will be their 100th year.

Recess

Motion was made by Alderwoman Clements, second by Alderman Wynn to recess the meeting at 7:55 pm. All in favor none opposed.

Reconvene

Motion was made by Alderman Leahy, second by Alderman Harper to reconvene the meeting at 7:58 pm. All in favor none opposed.

Executive Session

Motion was made by Alderman Leahy, second by Alderman Harper to enter into executive session on legal and personnel matters at 7:59 pm. All in favor none opposed.

After discussion, motion was made by Alderman Leahy, second by Alderman Wynn to return to open session at 9:54 pm. All in favor none opposed.

ADJOURNMENT

Motion was made by Alderman Leahy, second by Alderwoman Clements to adjourn the meeting at 9:55 pm. All in favor none opposed.

Pat Kelly, Mayor

Attest:

Ellen Rottjakob,
Interim City Administrator/City Clerk