

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

**City Hall
Council Chambers**

**September 19, 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, Alderwoman Krewson, Alderman Kramer, Alderman Robertson, Alderman Wynn and Alderman Harper.

Staff present: City Clerk/Administrator Akande, Director of Planning and Development/Asst. City Administrator Rottjakob, City Attorney Albrecht, Public Works Superintendent Nahmensen.

Absent: None

CONSIDERATION AND APPROVAL OF THE SEPTEMBER 19, 2011 BOA MEETING AGENDA

Motion was made by Alderwoman Clements, second by Alderman Wynn to amend the Agenda of the Regular Board of Aldermen meeting of September 19, 2011 by moving Bill No. 5630 before Bill No. 5622. 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.

Motion was made by Alderwoman Clements, second by Alderman Marshall to approve the Agenda of the Regular Board of Aldermen meeting of September 19, 2011 as amended. 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.

CONSIDERATION AND APPROVAL OF THE AUGUST 31, 2011 SPECIAL BOA MEETING MINUTES

Motion was made by Alderwoman Clements, second by Alderman Robertson to approve the Minutes of the Special BOA Meeting of August 31, 2011 as submitted. All in favor none opposed.

CONSIDERATION AND APPROVAL OF THE AUGUST 22, 2011 SPECIAL BOA MEETING MINUTES

Motion was made by Alderman Leahy, second by Alderwoman Krewson to amend and approve the Minutes of the Special BOA meeting of August 22, 2011 by adding the following comments on page two (2):

Alderman Leahy asked what was the purpose of Bill No. 5620.

Mayor Kelly responded that the purpose was to agree on a second opinion for the service.

All in favor none opposed.

CONSIDERATION AND APPROVAL OF THE AUGUST 15, 2011 REGULAR BOARD OF ALDERMEN MEETING MINUTES

Motion was made by Alderman Leahy, second by Alderwoman Clements to approve the Minutes of the Regular Board of Aldermen meeting of August 15, 2011 as submitted. All in favor none opposed.

PRESENTATION OF GRADUATION CERTIFICATES TO CERT CLASS

Dan Fitzgerald, Asst. Police Chief came before the Board and stated that some citizens recently completed a CERT class, which is a Community Emergency Response Team. Brentwood's class had eleven students. CERT helps to educate people on how to deal with a disaster. It provides them with disaster response skills, fire safety, first aid, etc. The first and number one opportunity is that they will probably have to use many of the skills at home. It is a good confidence builder for them to learn how to do some things at home. Should Brentwood have some sort of large scale disaster they would be able to use the CERT volunteers to assist the police and fire departments. People were honored on September 11 who do service in our country. The volunteers are making a commitment to our community and they should be commended for the time and effort they have put into the program and for the time that they will put into it in the future. During the Brentwood Days parade, some of the volunteers were used to help block streets, which was a big help to the police department because police officers who work Brentwood Days normally block those streets. Because of the volunteers, the police officers did not have to come in an hour and a half early, which was a big help to them. Asst. Chief Fitzgerald introduced Officer Matt Morgan and stated that Officer Morgan was one of the instructors in the course. Richard Kerr and Matt Stoverink from the fire department were also instructors in the 20-hour course. Certificates were presented to Ted Wroblewski, Gail Wahlig, Karen Meyer, Marla Logan, Andy Leahy, Tom Hickey, Any Henke, Barbara Goodman, Nancy Gammon, Mike Emerson and Nancy Deering.

PRESENTATION OF CERTIFICATE TO SUPERINTENDENT NAHMENSEN

Mayor Kelly stated that it is a privilege to present a Certificate of Excellence to Superintendent Nahmensen. One of the things that the public works department did last year was to monitor the amount of salt used to make sure that they were not leaving too much in the streets. The follow up to that would be that when the snow melts it would wash the salt into the waterway. The certificate is presented for the lowest rate of salt usage during the 2010 winter to support the goals of the phase II storm water program.

PRESENTATION OF 2010 AUDIT

Tammy Alsop, Partner with Hochschild, Bloom & Company came before the Board and stated that she went over the audit with the Ways and Means Committee very thoroughly. Her presentation will cover the December 31, 2010 audited financial statements for the City of Brentwood. Ms. Alsop stated that Hochschild, Bloom & Company is independent in respect to the City's management and operations. Their audit was performed in accordance with U.S. generally accepted auditing standards. They obtained an understanding of the internal control to determine the nature, timing, and extent of their audit procedures. Per their independent auditor's report, they applied limited procedures to the management discussion and analysis and required supplemental information. They did not audit the data included in the introductory and statistical sections and did not express opinions on those sections. There were no significant changes to the City's accounting or estimate policies. There were no disagreements or difficulties encountered in performing the audit. There were no uncorrected misstatements aggregated by them during the audit that would be material individually or in the aggregate to the financial statements. The City's financial statements present fairly, in all material respects, its activities on U.S. generally accepted accounting principles. The audited financial statement for 2009 was sent to the Government Finance Officers Association and the City received the Certificate of Achievement. The 2010-audited financial statement will be sent in as well. The total revenues for 2009 were \$21.6 million. The total revenues for 2010 were \$23.1 million. That increase had to do with paying off the Promenade. The expenditures went from \$25.2 million to \$28.7 million. This had to do with paying off the Promenade bond and the capital outlay on the firehouse. The total fund balances for the total governmental fund went from \$17.4 million in 2009 to \$11.9 million in 2010. The reason for the decrease has to do with paying off the Promenade bonds, and the fire station project.

Alderman Marshall stated that one of the things that they talked about was the organizational chart. It has not been changed.

Ms. Alsop responded that it would be changed for 2011.

Alderman Kramer stated that they also talked about the liquid emergency fund that the City has access to. Their goal has always been to have about 10% of the total budget amount. He asked what page in the audit is the amount listed.

Ms. Alsop responded that it is on page 4 of the management discussion and analysis. The unreserved funds balance for the current fiscal year is \$1,232,762 or 11% of general fund expenditures. The cash would be available for the City to use within 60 days of year-end.

Alderman Kramer stated that the amount is as of December 31.

Mayor Kelly stated that currently the City has around \$1.9 to \$2 million in reserves.

Bids – Traffic Control Equipment

City Administrator Akande stated that the City requested sealed bids for traffic control equipment, bids were opened on September 1, 2011, and four bids were received. The lowest bid came from Traffic Control Company for \$13,378.53. The bid is to replace street names, speed limit, and stop signs. In addition, new galvanized round, street signs post and brackets will be included. A total of \$20,000 was budgeted for sign replacement. The bids are as follows:

Safety Zone Specialists, Inc.	\$ 1,306.25	Barricades only
Econo Signs	\$13,691.75	
Traffic Control Company	\$13,378.53	
Trinity Supply, LLC	\$17,112.50	

Mayor Kelly stated that federal laws were changed a couple of years ago giving the City a certain number of years to replace all street signs. He believes that all the signs have to be updated by 2013.

City Administrator Akande stated that they have extended the deadline because most municipalities are having financial difficulties funding it.

Motion was made by Alderman Marshall, second by Alderman Wynn to accept the low bid from Traffic Control Company for traffic control equipment. All in favor none opposed.

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

Ed Catani, Walgreens District Manager, 813 Castle Ridge Court came before the Board and stated that on August 15, the Board considered a motion to allow Walgreens to have temporary storage behind the store. While he was not present at that meeting, he understands that the motion was shot down. In 2008 or 2009, he was before the Board asking for this very same thing. In early 2009, they presented to the Board a plan for a permanent storage building, which was approved at that time. Their company has gone through some transformational efforts and they have had many cost reductions since that proposal was approved. While the building was drawn and approved, getting someone to approve a \$100,000 for the budget to build the storage facility has been very difficult. During the fourth quarter of the year, their volume balloons from normal front end volume to a 50 to 60% increase. Unfortunately, after the clinic was added to the store, they do not have the stockroom space to support the kind of merchandise that has to come in, processed, sold, and then function in the same manner as they would the other nine months of the year. He is requesting that the Board reconsider the ability to drop a storage container for a period of no longer than four months beginning on October 1 and ending on January 31. Like many businesses in the area, this need continues to persist in the fourth quarter of the year. He was driving around Target and behind Bed, Bath and Beyond and noticed that they have 16 storage containers in back just to bring in the same amount of merchandise that Walgreens do in their fourth quarter. He asked if he could address some of the objections to dropping a container for a view months.

Mayor Kelly asked if there is any desire to reconsider the application.

Alderman Marshall stated that they have been allowing Walgreens to use the storage container for a couple of years. It is time to move the merchandise to a permanent facility. Moving forward, if they keep giving Walgreens the ability to use a temporary storage container, a building is never going to be built.

Mr. Catani stated that the objection that he continues to get is that it would take \$100,000 for them to build a storage facility for just a few months a year. It would cost them about \$600 to \$800 a year and about 100 years to pay off. The cost does not justify the building.

Alderman Marshall stated that Walgreens is looking at a 50% increase from October to January in revenue coming in. He thinks they could justify \$100,000 in that amount of time.

Mr. Catani responded that if they do not have the ability to function properly the 50 or 60% increase in volume, just for the holiday season, is at risk, and so is the tax revenue that comes with it. He wants to do what is right for the store to allow them to function and serve the constituents in Brentwood in the best possible manner.

Mayor Kelly pointed out that the storage containers have been out there much longer than four months previously because of the volume of that store. Promises were made to the City that a permanent facility was going to be built. Walgreens went through the Planning and Zoning Commission, got approval, and as soon as it was time to remove the storage shed, they decided not to build a new facility. Maybe the Board would be willing to consider allowing the temporary facility only if they can have some assurances that by next year Walgreens will have a permanent facility built.

Mr. Catani stated that those conversations are continuing to happen. He asked if he would have to reapply for approval of the permanent structure since it is three years old.

Mayor Kelly responded yes.

Alderman Marshall stated that he would not consider it unless there was some plan to put the project in place in the first half of the year.

Odean Serrano, resident at #1 Northcote Road came before the Board and stated that she is before the Board on behalf of interested citizens and patrons respectfully submitting a proposal for the City of Brentwood to fund an enhanced landscape project at the corner of the McKnight and I-64/40, eastbound intersection. They have a coordinated landscape plan to beautify the corner at I-64/40 and McKnight. They coordinated the plan with the York Village trustees as well as Brentwood residents and other patrons that utilize the intersection. They have done their due diligence in receiving preliminary approval from the Missouri Department of Transportation for the planting locations regarding safety, line of sight, and to reserve access to

the detention pond from McKnight Road. If the plan were to commence, a permit would need to be generated for execution of the plan. Section A is the corner that has already been landscaped to a certain degree by MoDOT. Section A1 of the plan is addressing the missing sound wall. The proposal for that section is to include vine-like plantings to help soften the look of that section. Section B is the unknown section because nobody is taking ownership of it. She thinks it is under the auspice of the County. MoDOT has said it is not their easement. However, in both Sections A and B, Brentwood has graciously provided for the maintenance of those areas. The third slide is regarding the drawing that was put together with different types of evergreen trees. They have collected some cost comparisons and the spreadsheet was provided to the Board last week. The cost only included plant cost and did not include any gravel, mulching and the proposed waterline. In talking with the MoDOT, it was suggested that if they do put in a waterline for this dedicated area would it need to be on the inside of her property fence line as opposed to being open and to the public. She stated that if there is anything they could do as a community effort just let them know.

Mayor Kelly stated that the request would be referred to staff. The City has an agreement to do the maintenance on the corner of McKnight Road and I-64/40, the main area that is depicted in the drawings. As part of that agreement, MoDOT was supposed to put some additional plantings to help screen the detention area that is behind it and the chain-link fence. When they did the plantings, most of them did not take. They tried to put some plants in last fall, which have done okay.

Denise Soebbing, resident at 2612 Porter Avenue came before the Board and stated that she had previously approached the Board to ask for some assistance in dealing with the noise issue in her area. Mayor Kelly was kind enough to suggest that the prosecuting attorney work with them because there are ordinances dealing with the sound issue. At this point, they are at a stalemate because he is saying that he has not heard the noise, even though they have several households file peace disturbance reports in their own language and their own words. They have had police officers who were kind enough to come over and listen to the noise. It is on dispatch reports showing that there is a noise. Former security from KV Pharmaceutical has acknowledged the noise. It sounds like a freight train coming through their yard. There is a noise but because Mr. Shelton has not had the opportunity to hear it, he says that he cannot enforce the rules. She is reaching out to the Board and asking for help. They feel like it is just going in circles, getting nowhere, and the noise continues to occur, not every day but when it does occur, it can be 24 hours, seven days week. It is to the point where they cannot sleep because they can still hear the noise with their windows closed, fans and televisions on.

Alderman Marshall stated that they have done sound studies in the past.

Mayor Kelly stated that a sound study was done a number of years ago. He thinks the issue needs to go to the Public Safety Committee to see what alternatives they have. They offered to do another sound study within the last year or so, and there were some issues with where the equipment would be located or whether Mrs. Soebbing's husband felt that it was going to do any good if they did it or not.

Alderman Leahy stated that the problem is that they have done three sound studies in ten years. In the last sound study, he was present for about half of the surveys being taken, specifically at the property, both front and backyards. The only time that the sound study at that time registered higher than the City's ordinance level was when a semi-truck was going down Hanley Road. All the other studies showed that the readings were below ordinance levels. That does not mitigate that there is a noise. The problem is that there is a noise, but the City's ordinances do not prevent that noise from being prevalent. It is a disturbance of the peace because it affects the neighbors, but he is not sure that anybody is in violation. KV Pharmaceutical went out of their way to try to identify and mitigate some of the sound problems but none of it seems to yield a better resolve.

Mayor Kelly repeated that is why it needs to go to committee to review those things and then the City has to come up with a stance one way or another.

Mrs. Soebbing stated that PDI has indicated that the City sent a letter saying that they could run the blower at any given time. Whether that is true or not, she does not know. If there were such a letter, she would like a copy.

Mayor Kelly stated that they could look into that. Mrs. Soebbing will be notified of the next Public Safety Committee meeting.

Larry Hasselfeld, Vice President of the Drury Development Corporation came before the Board and stated that Chuck Drury, President of Drury Development Corporation is also in attendance. The City of Brentwood has entrusted Drury with the development of a very important corner at the southeast corner of Eager Road and Brentwood Boulevard. The biggest news is that they have the majority of the site under contract. In July, they were able to reach agreement with MoDOT on the primary parcel within the development, and that was just approved by the commission for MoDOT last week, so that contract is solid. In addition, they were able to sign last Friday the contract for the retail building and office building that fronts Brentwood Boulevard, so all of those parcels would be included in the project as they will submit it later next month. There are still discussions going on with the owners of the Promenade as well as the office building to the south. The discussions relate to extending the access between Eager Road and Rose Avenue. While they do not have those discussions completed, and do not have the access easements completed as of today, the discussions are ongoing and they hope to complete that before they make submission of the plan. They are working with the City on the details and economics of the project. Their target is to submit application by the end of October, which will include full detail site plan as well as the economics for the project. Assuming that they are able to get that approval, they are planning in the development schedule to start in 2012, which would mean a late 2013 opening for the hotel and the restaurant.

Alderman Kramer stated that Mr. Hasselfeld talked about the Eager Road to Rose Avenue connection. Once upon a time, there was the open topic of the creek containing.

Mr. Hasselfeld responded no. That it was cut back a bit to be a good access street between Eager Road to Rose Avenue. It will actually be on the property that they are purchasing from MoDOT on their parcel. Assuming that they are able to work out the agreement with the office building to the south, it would include a portion of their rear parcel as well as a small tip that is extended from the Promenade. Their property line extends onto the west side of the creek.

Alderman Kramer asked if it is an open item that could still fall into place or is it totally ruled out at this point.

Mr. Hasselfeld responded that as part of the private development, it is not an open item.

Mayor Kelly stated that the original estimates just for that project were in excess of \$6 million, so if that is going to be done at some point, it will have to come through some other source.

Alderman Kramer asked if the road would transgress from the east of the creek.

Mr. Hasselfeld responded that it would be immediately west of the creek. The access point for the site would move farther east than where it is today to get away from the stop light at Brentwood Boulevard and would be 20 feet west of the creek and entering into the current MoDOT parcel would be the access point to the development off Eager Road.

Alderman Kramer asked if they would be able to accomplish what they would like to.

Mr. Hasselfeld stated that it would mean additional structured parking beyond what they had originally intended but it is achievable.

Alderman Leahy stated that in working up the plan as to where they will take them, would Drury address how the construction period will affect the traffic at Eager Road and Brentwood Boulevard.

Mr. Hasselfeld responded absolutely.

Public Hearing – Setting of the 2011 Property Tax Rate

Mayor Kelly announced the public hearing for the setting of the 2011 property tax rate would now be heard.

City Administrator Akande stated that annually the City is required by state statute to hold a public hearing prior to establishing the tax rate on real and personal property. The proposed tax rate for general fund residential remains at zero. The City continues to take a voluntary reduction of 100% and no residential tax is assessed. The commercial tax rate for general fund is \$.1858, personal property tax rate is \$.2070, library fund residential tax rate is \$.1503, commercial is \$.1654 and personal property is \$.1790. The pension fund is \$.3526 for

residential, commercial is \$.4110 and personal property is \$.3850. For the debt service, the City continues to assess a significantly lower tax rate. A majority of the cost is funded through the general revenue. As such the residential tax rate for debt service residential is \$.1100, commercial is \$.1100 and personal property is \$.1100.

Mayor Kelly asked if there were any comments from the audience.

Alderman Marshall stated that there have been some changes since the proposed tax rates were presented at the Ways and Means Committee meeting.

City Administrator Akande stated that they heard back from the Board of Equalization two hours before the meeting, so the assessed valuations have changed resulting in the calculation of voluntary reductions on some of the tax rates and that was reflected on the form that was handed out tonight and in the numbers that she read.

Alderman Kramer stated that they originally had proposed the increase in the debt reduction, which they found out that they could rollback because they have the funds to cover it. For some of the residents that had read the minutes from the Ways and Means Committee meeting, what is happening tonight is proposed at staying where they were.

City Administrator Akande responded that was correct and added staying where they were last year. They had proposed during the Ways and Means Committee meeting to raise it up to \$.160

Alderman Marshall stated that he has been on the Board for ten years and they have had the residential rate on the general fund set at zero and that is important to mention.

Mayor Kelly stated that the City also maintains zero on the residential utility rate as well.

Public Hearing – Text Amendment for ARB Review Procedures

Alderman Marshall requested that the Bill for the ARB review procedures be placed on hold.

Mayor Kelly asked Mrs. Rottjakob if they should proceed with the public hearing.

Mrs. Rottjakob responded that they wouldn't necessarily have to go ahead with the public hearing, but she was wondering if the Board would consider moving forward with the legislation and then staff could bring further changes back to the Board later.

Alderman Marshall responded that he would rather just have one final bill.

Mrs. Rottjakob stated that the text amendment has to go back to the Planning and Zoning Commission before it could come back to the Board.

Alderman Marshall stated that he has spoken to one of the members of the Architectural Review Board and it was expressed to him that he was not aware of some of the changes. He would prefer the member to look at the changes before they move forward.

Mrs. Rottjakob stated that it was taken to the ARB back in May and they recommended approval before it went to the Planning and Zoning Commission.

Motion was made by Alderman Marshall, second by Alderman Robertson to place Bill No. 5627 on hold.

Alderman Kramer asked if the person that Alderman Marshall has spoken to was thinking about new things on top of the existing ones or was it the proposed changes that he was not aware of.

Alderman Marshall stated that Mr. Foreman, member of the ARB, was not aware of the changes to the ARB procedures.

Roll call on placing Bill No. 5627 on hold: Alderwoman Clements, yes; Alderman Marshall, yes; Alderman Leahy, yes; Alderwoman Krewson, yes; Alderman Kramer, yes; Alderman Robertson, yes; Alderman Wynn, yes; Alderman Harper, yes.

Motion was made by Alderman Marshall, second by Alderman Wynn to continue the public hearing for the ARB text amendment, review procedures. All in favor none opposed.

Public Hearing – Text Amendment for Public Hearing Notification

Mayor Kelly announced a public hearing for text amendment for public hearing notification would now be heard.

Director of Planning and Development Rottjakob stated that the Planning and Zoning Commission is recommending revising Section 25-23 of the zoning code to eliminate the posting of signs throughout the city as part of the notification process. Currently, the public is notified of a public hearing by letters mailed to property owners within 300 feet of the petition site, public hearing notice published in the St. Louis Countian, which is a newspaper of general circulation, posting of meeting agendas on the Brentwood website, posting agendas in two locations in city hall, and placing 20 cardboard signs throughout the city. The text amendment was taken to the Public Works Committee before it went to the Planning and Zoning Commission. The P&Z Commission reviewed it and gave it a favorable recommendation. They are recommending approval of eliminating the 20 cardboard signs being placed throughout the city because they have other means of notification. While it is not part of the text amendment, as a policy, staff will start to place a notice of public hearing on the petition site each time there is a public hearing. The notice on the site will list a phone number for questions.

Mayor Kelly asked if there were any comments from the audience.

Alderman Wynn stated that a number of years ago the cardboard signs were important for communication. Now there are so many ways to communicate and he would like to see them get rid of the cardboard signs.

Alderman Marshall asked if the sign holders would be removed.

Mrs. Rottjakob responded yes.

With no further comments, Mayor Kelly announced the public hearing closed.

Public Hearing – Conditional Use Permit/1909 S. Brentwood Blvd.

Mayor Kelly announced a public hearing for a conditional use permit at 1909 S. Brentwood Boulevard would now be heard.

Director of Planning and Development Rottjakob came before the Board and stated that the request is for a conditional use permit and site plan approval for an 850 square foot addition to construct a patio and outdoor seating area at the existing Bread Company located in Brentwood Square. The patio addition would be located in what is currently a grassy area. She believes just one tree would be relocated. The developer is going to construct the patio with pervious pavers, which has been approved by the City Engineer to not increase the impervious area on the site. Crawford Bunte Brammeier conducted a parking analysis and found that no additional parking would be required per their analysis. They said that if they break up the Brentwood Square parking lot into eleven zones, in the two zones that are closest to Saint Louis Bread Company, they found that there was ample parking with the 850 square foot addition. They did not feel that it would increase the volume of customers so much. It is just to provide an alternate dining location for the existing patrons. The Planning and Zoning Commission recommended approval.

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

Alderman Leahy stated that if they go through with the increased size of the pavement to put in outside seating, how the 25-foot setback is addressed in that area.

Mrs. Rottjakob mentioned that it is not considered a building so it does not have to comply with the 25-foot setback.

Alderman Leahy stated that even if fencing is put up, there is no ordinance violation.

Mrs. Rottjakob responded that is correct.

INTRODUCTIONS, READINGS, AND PASSAGE OF BILLS AND RESOLUTIONS

Motion was made by Alderwoman Clements, second by Alderwoman Krewson to give Bills No. 5630, 5622, 5623, 5624, 5625, 5626, 5628 and 5629 first and second readings. All in favor none opposed.

Bill No. 5630 – New Procedures Chapter 353

City Attorney Albrecht gave Bill No. 5630, AN ORDINANCE OF THE CITY OF BRENTWOOD, MISSOURI, RESCINDING ORDINANCE NO. 3883 AND ESTABLISHING NEW PROCEDURES BY WHICH THE CITY OF BRENTWOOD MAY AVAIL ITSELF OF THE PROVISIONS OF CHAPTER 353 OF THE REVISED STATUTES OF MISSOURI, AS AMENDED, KNOWN AS THE URBAN REDEVELOPMENT CORPORATIONS LAW, INCLUDING PROVISIONS WHICH MAY EXTEND PARTIAL REAL PROPERTY TAX ABATEMENT TO URBAN REDEVELOPMENT CORPORATIONS PURSUANT TO APPROVED DEVELOPMENT PLANS WITHIN AREAS OF THE CITY FOUND AND DECLARED BY THE BOARD OF ALDERMEN TO BE BLIGHTED; PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE, its first and second Readings.

Alderman Kramer read a synopsis of Bill No. 5630 as a Bill that requests that Ordinance No. 3883 be rescinded and establishes new procedures by which the City may avail itself of the provisions of chapter 353 of the Revised Statutes of Missouri, as amended, known as the urban redevelopment corporations law, including provisions which may extend partial real property tax abatement to urban redevelopment corporations pursuant to approved development plans within areas of the city found and declared by the board of aldermen to be blighted; providing for the effective date of this ordinance.

Mayor Kelly stated that the legislation is updating the existing Chapter 353 to comply with some changes at the state level. Mark Grimm with Gilmore & Bell is here to answer questions.

Alderman Leahy stated that he would like to read into page 6, section 7, supporting evidence of blight, that the City must show evidence of code enforcement or failure for the current owners to comply with code enforcement in order to support a finding of blight. He thinks that it will go a long way to help make it at least reasonable as to whether or not the City chooses or not to use eminent domain later in the process. He would like that to be documented as a requirement for the redevelopment groups to put into its evidence to the City.

Mark Grimm, Gilmore & Bell asked for clarification from Alderman Leahy on his request.

Alderman Leahy stated that section 7, under the supporting evidence of blight, does not require the person seeking the City's involvement to show or document evidence where the City has repeatedly requested code violations to conform to current code as part of evidence to show that a blight condition exist, and for whatever reasons it has never been corrected, versus a photo that shows there is trash because they don't get around to picking it up. He does not think that is sufficient to get a blight reading.

Mr. Grimm stated that the prior version of the ordinance specified three or four provisions that provided evidence of blight. Those provisions were deleted in this proposed amendment because presumably the Board has legislative discretion on any ordinance. In fact, it is required by law to make a factual determination of legislative findings as to whether the property is blighted within the meaning of the statutes. The statutes sets forth the definition of blight, so they thought that it was rather random that the ordinance itself set forth three or four blight criteria when clearly there are other criteria of blight that are not listed that might on any given project be applicable. They deleted those provisions in order to recognize that the Board has legislative discretion on any given project to determine if an area meets the criteria.

Alderman Leahy stated that they are deleting the requirements and making it more subjective. He is not in favor of doing that. He would like hard evidence showing that property owners had the opportunity to conform to code and failed to do so, versus no evidence at all. He thinks they have gone too far in diluting the requirements to be able to determine a blight condition.

Mr. Grimm asked Alderman Leahy if he wants it to spell out the additional statutory requirements and the legislative findings, to have additional criteria or legislative criteria for the findings applied.

Alderman Leahy responded yes.

Alderwoman Clements pointed out that section 7 states “supported by factual and sufficient evidence” is exactly what Alderman Leahy is talking about because the Board has the right to blight an area, if they have factual and sufficient evidence.

Alderman Leahy responded that he agrees but he wants more definition. For example, with the original proposed Costco project, there were photos of Hanley Industrial Court showing standing water and trash along a fence line that constituted that it was a blighted area because it was not maintained.

Mayor Kelly clarified that was not the only thing that was in the blight for that area.

Alderman Leahy stated that all nine issues that were in that declaration were all temporary, and not one of them had a code violation notice to the owners. It was only subjected to the photos presented to the Board the night of the finding. He would like hard evidence to the Board that states that those conditions have been going on for a while, what the City has been doing to try to get them corrected, and the owner has failed to do so, to help support a finding of blight.

Mayor Kelly stated that he thinks that a professional urban planner, in order to put his seal and designate an area as blight, would have to have more in a document than just pictures of trash on somebody’s parking lot.

Mr. Grimm stated that four items were previously in the ordinance, which stated that the evidence must relate to the area generally, evidence must relate to specific property proposed to be acquired, evidence must be sufficient to show that, by reason of age, obsolescence, inadequate or outmoded design . . . etc., and evidence must be sufficiently complete that the board of aldermen can make a finding of blight as required by state statutes. It was not broader than the statute or more limiting than the statute. The statutes always bind you, so there is no point in referencing those items.

Alderman Kramer stated that he would defer to City Attorney Albrecht and Director of Planning and Development Rottjakob. He understands what Alderman Leahy is after. Nobody wants to make it easy or increase the opportunity to call blight out when blight is not warranted. However, the way the legislation is currently written, his understanding is that the more you add into it, the way it can be enforced is compromised.

City Attorney Albrecht stated that on some aspects he would have to defer to Mr. Grimm. State statutes sets out a set of criteria, which the Board is required to follow. If you make the ordinance more restrictive, you will have to comply with requirements that are more restrictive, and may to some degree, tie your hands. He could foresee difficulties in drafting something that says how many opportunities or code violations have to be given. Are you going to specify which code violations or the severity of them?

Mrs. Rottjakob stated that she thinks the Board would want to avoid specifically speaking to code violations because there are so many different factors that go into what is considered a blight finding. If you are requiring a code enforcement effort or time for a property owner to be notified, have response and to make repairs per code violation notices, that is not going to be the case with every redevelopment area. Sometimes blight is more based upon obsolete platting, lack of infrastructure, location in a floodplain and things of that nature that the property owner has no control over.

Alderman Wynn stated that the public remains very skeptical. Anything that you remove, whether it is good, bad or anything else will be looked like you are somehow watering it down.

Mr. Grimm stated that on eminent domain, the statute brings this ordinance up to date. The current ordinance provides that redevelopment corporations may use the power of eminent domain. This removes that ability consistent with state law that a redevelopment corporation no longer has the power of eminent domain.

Mayor Kelly stated that this is specifically for a blight study in order to give the City the ability to offer some assistance for the redevelopment. It removes the eminent domain.

Mr. Grimm stated that the provision that more or less track the definition is broader than the current statutory definition of blight in that your code requires that property involved in economic or a social liability, whereas Chapter 353 requires economic and social liability. The former code provision had been broader than the statutory definition of blight, so the changes

that were made were designed to make the code consistent with state law, which in each case of the revision is more restrictive than the current code.

Alderman Leahy stated that page two, section 4 (b), establishes the economic and social liabilities.

Mr. Grimm stated that he agrees that there are inconsistencies. He also agrees that no matter what the code says if the state law is more restrictive you are going to be bound by that.

Alderman Marshall requested redline copies of changes in the future.

Motion was made by Alderman Marshall, second by Alderwoman Clements to approve and adopt Bill No. 5630. Roll call: Alderwoman Clements, yes; Alderman Marshall, yes; Alderman Leahy, no; Alderwoman Krewson, yes; Alderman Kramer, yes; Alderman Robertson, yes; Alderman Wynn, no; Alderman Harper, no.

The Mayor declared Bill No. 5630 duly passed and signed same into approval thereof. Said Bill was given Ordinance No. 4302.

Bill No. 5622 – Setting of 2011 Property Tax Rate

City Attorney Albrecht gave Bill No. 5622, AN ORDINANCE TO CONFIRM, RATIFY AND APPROVE THE RATE OF TAX TO BE ASSESSED AND COLLECTED FOR EACH ONE HUNDRED DOLLARS (\$100) OF ASSESSED VALUATION FOR THE YEAR 2011 FOR: (A) GENERAL MUNICIPAL PURPOSES; (B) TO PAY PRINCIPAL AND INTEREST AS THE SAME MATURES ON INDEBTEDNESS OF THE CITY OF BRENTWOOD EVIDENCED BY BONDS; (C) TO PAY FOR THE MAINTENANCE OF THE PUBLIC LIBRARY; AND (D) TO PROVIDE THE ANNUAL CONTRIBUTION TO THE CITY OF BRENTWOOD'S POLICE AND FIREMEN'S RETIREMENT FUND; PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE; AND PROVIDING FOR THE REPEAL OF ALL CONFLICTING ORDINANCES, its first and second readings.

Alderman Kramer read a synopsis of Bill No. 5622 as a Bill that would annually, the City of Brentwood is required by State Statute to hold a public hearing prior to establishing the tax rate on real and personal property. This Bill authorizes the mayor to set the 2011 tax rate for the General Fund, Library Fund, Pension Fund and Debt Service Fund. The City of Brentwood assesses no residential ad valorem taxes. In addition, the City assesses a much lower tax rate than the ceiling would allow at some savings to the taxpayer. There are handouts on the table right outside the door with more information.

Alderman Kramer reminded everyone that there is no change in the residential from last year.

Motion was made by Alderman Marshall, second by Alderman Wynn to approve and adopt Bill No. 5622. 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. 5622 duly passed and signed same into approval thereof. Said Bill was given Ordinance No. 4303.

Bill No. 5623 – Agreement with ADP, Inc.

City Attorney Albrecht gave Bill No. 5623, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF BRENTWOOD, MISSOURI TO ENTER INTO A MAJOR ACCOUNTS AGREEMENT WITH ADP, INC., AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE, its first and second readings.

Alderman Kramer read a synopsis of Bill No. 5623 as a Bill that authorizes the mayor to execute a Time and Labor Management agreement with ADP. The system will track hours worked by all non-exempt employees (hourly), and vacation, sick compensatory time for both exempt (salaried) and non-exempt employees.

Alderman Marshall asked if there is any way to track vacation and sick time for employees/management that are exempt.

City Administrator Akande responded that the system would track exempt employees as well.

Alderman Kramer stated that additionally there is no way for employees to clock in from home.

City Administrator Akande responded absolutely, no way.

Alderman Marshall asked what would be the procedure if somebody forgets to clock in. There should also be very select people who can sign off on an employee forgetting to clock in. He would like one person to be responsible for that. He does not want to have multiple people signing off on time sheets.

Mayor Kelly stated that the Ways and Means Committee could outline the procedures.

Alderwoman Krewson asked when the time clocks would be installed.

City Administrator Akande responded that they would start the process at the end of the month.

Motion was made by Alderwoman Clements, second by Alderman Marshall to approve and adopt Bill No. 5623. 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. 5623 duly passed and signed same into approval thereof. Said Bill was given Ordinance No. 4304.

Bill No. 5624 – Agreement with Missouri State Council on the Arts

City Attorney Albrecht gave Bill No. 5624, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF BRENTWOOD, MISSOURI TO ENTER INTO A GRANT AGREEMENT WITH THE MISSOURI STATE COUNCIL ON THE ARTS, AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE, its first and second readings.

Alderman Kramer read a synopsis of Bill No. 5624 as a Bill that authorizes the mayor to execute an agreement with the Missouri State Council on the Arts for reimbursement of 35% and/or \$1,400 of the expenses for the Performing Arts Workshop put on this past summer. The Parks Department collaborated on this workshop with Star Entertainment.

Motion was made by Alderman Leahy, second by Alderwoman Krewson to approve and adopt Bill No. 5624. 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. 5624 duly passed and signed same into approval thereof. Said Bill was given Ordinance No. 4305.

Bill No. 5625 – Agreement with Executive Associates Limited, LP

City Attorney Albrecht gave Bill No. 5625, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF BRENTWOOD, MISSOURI TO ENTER INTO AN AGREEMENT WITH EXECUTIVE ASSOCIATES LIMITED, LP, AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE, its first and second reading.

Alderman Kramer read a synopsis of Bill No. 5625 as a Bill that authorizes the mayor to execute an agreement with Executive Associates Limited, LP to pay for the appraisal of the Executive Walk Apartments. The Ways and Means committee recommends paying for an appraisal of this property, which the owner is considering donating to the City. If the property is not transferred to the city, the property owner will reimburse the cost of the appraisal.

Alderman Leahy stated that he sincerely appreciates Mr. Baron considering donating of the property. He asked, because of the age of the property, if there were any asbestos issues that may have to be resolved before anything is done with the buildings.

Phil Baron, Owner of Executive Walk Apartments came before the Board and responded that to his knowledge there is no asbestos problem.

Alderman Leahy asked if there are any liens on the property.

Mr. Baron responded no liens.

Mayor Kelly stated that Mr. Baron was generous to consider donating the property, which is located adjacent to Norm West Park, and the City is working with MSD to get funds for the demolition and removal of the buildings. It is not 100% guaranteed that they will get the funds but that is the goal.

Alderman Marshall asked if there is a sunset clause in the agreement that states a three-year time limit on getting something done to the property and what happens if nothing is done.

City Administrator Akande responded that she believes it was removed.

Alderman Marshall asked if a five-year clause could be put into the agreement.

Mrs. Rottjakob stated that the agreement states that if the property is not donated after PDM application, the owner shall reimburse the City.

City Attorney Albrecht stated that under the agreement, if the property is not either donated or purchased with the PDM grant, Mr. Baron has agreed to reimburse the City for the cost of the appraisal that the City is paying for. Mr. Baron pointed out and he has requested that if the property is donated that he be released from reimbursement. City Attorney Albrecht suggested that "unless the City refuses to accept the donation" could be added to the last sentence in the agreement.

Motion was made by Alderman Marshall, second by Alderman Leahy to amend Bill No. 5625 by adding, "unless the City refuses to accept the donation" to the last paragraph of Bill No. 5625. 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.

Motion was made by Alderwoman Clements, second by Alderman Robertson to approve and adopt Bill No. 5625 as amended. 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. 5625 duly passed and signed same into approval thereof. Said Bill was given Ordinance No. 4306.

Bill No. 5626 – Reaffirming the Gross Receipts Tax

City Attorney Albrecht gave Bill No. 5626, AN ORDINANCE REAFFIRMING THE GROSS RECEIPTS TAX TO BE IMPOSED UPON ELECTRIC CORPORATIONS CONDUCTING BUSINESS WITHIN THE CITY

OF BRENTWOOD, MISSOURI AND MATTERS RELATING THERETO; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE, its first and second readings.

Alderman Kramer read a synopsis of Bill No. 5626 - the City received notification the Public Service Commission approved rate increases for Ameren UE in the amounts of 7.11%. Because the approved rate exceeds 7%, 393.275 RsMO is triggered, which requires that cities either 1) roll-back their gross receipt rate so as to generate the same revenue, plus a growth factor equal to the average revenue increase over the past three (3) years, OR 2) pass an ordinance to retain the current rate (no vote of the public is required since this is not a tax rate increase). The City currently receives revenues based on Ameren's gross receipts for electrical service multiplied by 7.5 for non-domestic usage and zero (0) percent for domestic usage. This Bill approves an Ordinance to maintain the current utility tax rate 7 and ½ percent by opting out of the rollback.

Mayor Kelly pointed out that it would only apply to commercial properties.

Motion was made by Alderman Kramer, second by Alderman Marshall to approve and adopt Bill No. 5626. 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. 5626 duly passed and signed same into approval thereof. Said Bill was given Ordinance No. 4307.

Bill No. 5628 – Procedures for Public Hearing Notification

City Attorney Albrecht gave Bill No. 5628, AN ORDINANCE AMENDING CHAPTER 25 OF THE REVISED CODE OF THE CITY OF BRENTWOOD, MISSOURI BY AMENDING THE PROCEDURES FOR POSTING NOTICE OF PUBLIC HEARING IN SECTION 25-23; PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE; PROVIDING FOR THE CURRENT MAINTENANCE OF THIS CODE; AND PROVIDING FOR THE REPEAL OF ALL CONFLICTING ORDINANCES, its first and second readings.

Alderman Kramer read a synopsis of Bill No. 5628 as a Bill that amends Section 25-23 of the Revised Code of Ordinances to eliminate posting of signs throughout the City as part of the notification process. Currently, the public is notified of a public hearing via (1) letters mailed to property owners within 300 feet of a petitioned site, (2) public hearing notice published in the *St. Louis Countian* (3) meeting agendas posted on the City website, (4) meeting agendas posted in two locations in city hall and (5) 20 cardboard notice signs placed throughout the City. The Public Works Committee reviewed this text amendment and recommended the change to the Planning & Zoning Commission. The Planning & Zoning Commission has completed its review of this application and recommends approval.

Motion was made by Alderman Leahy, second by Alderwoman Clements to approve and adopt Bill No. 5628. 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. 5628 duly passed and signed same into approval thereof. Said Bill was given Ordinance No. 4308.

Bill No. 5629 – Conditional Use Permit/1909 S. Brentwood Blvd.

City Attorney Albrecht gave Bill No. 5629, AN ORDINANCE GRANTING APPROVAL OF A SITE DEVELOPMENT PLAN AND CONDITIONAL USE PERMIT TO PANERA, LLC FOR AN 850 SQUARE FOOT OUTDOOR SEATING ADDITION AT PROPERTY NUMBERED 1909 SOUTH BRENTWOOD BOULEVARD 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. 5629 as a Bill that introduces an Ordinance granting approval of a site development plan and conditional use permit to Panera, LLC for an 850 square foot outdoor seating addition at the property numbered 1909 South Brentwood Boulevard, Brentwood, Missouri.

Alderman Leahy stated that if you allow the outdoor seating would the area become a smoking environment if the owners chose to do it that way.

Mayor Kelly responded that it could be mentioned to the Bread Company that if they want it to be smoke free, they need to designate it.

Eric Morff, Core States Group, 50 Crestwood Executive Center, St. Louis, MO 63126 came before the Board and stated that he does not believe it is Panera's intent to have smoking in the outdoor seating area. He will note that they need to designate the area "no smoking" as the Mayor suggested.

Alderman Kramer stated that he has a huge amount of respect for Lee Cannon and Crawford, Bunte, Brammeier regarding their traffic study for the area. However, he knows without this addition, there are many times when you need nothing short of a helicopter to get anywhere near the Bread Company in peak usage times. It is tight in Brentwood Square. They have some issues over there that have been going on for a while. After discussing it with one of the P&Z Commission members, it will require some folks to park farther away but they still have usable spaces. He wishes it were different but it cannot be different. They love the Bread Company so they are glad that they are moving upward and onward.

Motion was made by Alderman Leahy, second by Alderman Harper to approve and adopt Bill No. 5629. 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. 5629 duly passed and signed same into approval thereof. Said Bill was given Ordinance No. 4309.

ACCOUNTS AGAINST THE CITY

Motion was made by Alderman Marshall, second by Alderwoman Clements to approve the warrant list dated 9/19/11.

Alderman Marshall asked about the expenditure for Richmond Heights. Initially, in the Ways and Means Committee meeting they had stated that it was going to be \$46,000 but part of the equation was missing. After further review, it came out to be \$55,379. 23.

Alderman Kramer asked for clarification on the bills for the Rock Hill phone system, which was the subject of some questions that came up in his ward. The agreement is for Rock Hill to make the payments. If for some reason, they do not make the payments they have the ability to go back and collect the phone system.

City Administrator Akande stated that they could collect the phone system and ask that they pay the balance remaining for that point in time. They have made the first payment on this phone system as well.

Alderman Leahy stated that he and Ms. Akande had a discussion earlier about Mr. Hesse's bill for the legal services, both sunshine laws and personnel matters. He asked if the issue of making the records available to the second labor attorney been resolved?

City Administrator Akande responded they are still working with Mr. Hesse. He has not made it available to the City. She and City Attorney Albrecht talked about it before the meeting and they are going to be asking again tomorrow by way of another letter for him to provide those documents to the City.

Alderman Leahy asked if he is correct in saying that part of the bill involves an action that if they postpone paying the bill it gives them an advantage, or does it hurt them.

City Administrator Akande stated that if the City does not pay the bill within 30 days, she is sure they will start to incur interest.

Alderman Leahy stated that he would like to consider removing the bill from the warrant list but he needs to make sure that the \$9,633.75 is connected and associated to the action.

City Administrator Akande responded that it is connected.

Alderman Leahy asked about the expenditure for Home Depot and the usage of the lava rock.

City Administrator Akande responded that she would have to research it and get back to Alderman Leahy.

All in favor of approving the warrant list, none opposed.

Motion was made by Alderman Leahy, second by Alderman Wynn to hold the check for Hesse Martone of \$9,633.75 until current issues can be resolved amicably. 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, no.

Alderman Kramer asked City Attorney Albrecht if the language in the motion is okay or would he prefer it to read until the City receives the requested information.

City Attorney Albrecht stated that the language is fine. The matter needs to be resolved.

REPORTS OF COMMITTEES AND DEPARTMENT HEADS:

Mayor's Report

Executive Session

Mayor Kelly announced that an executive session would not be held. There are no updates.

Committee Appointment

Mayor Kelly requested the appointment of Fire Chief Jury to the Human Resource/Personnel Committee, as well as to the Pension Board.

Motion was made by Alderwoman Clements, second by Alderman Leahy to approve the appointment of Fire Chief Jury to the Human Resource Committee and Pension Board. All in favor none opposed.

Public Safety Committee

Alderwoman Clements announced a meeting would be held tomorrow at 4:00 pm.

Public Works Committee

Alderman Robertson stated that the Public Works Committee minutes were submitted.

Director of Planning and Development – No report

Ways and Means Committee – No further report

City Attorney – No report

City Clerk/Administrator – No report

Excise Commissioner – No report

Library – No report

Municipal League

Mayor Kelly announced that he and City Administrator Akande attended the MML Conference a few days ago and there were some very good breakout sessions. It was a worthwhile conference. Their numbers were down because cities nationwide and statewide are having some issues and did not send as many representatives.

Communication

Alderman Kramer stated that for the residents watching the meetings on Charter Cable Channel 993 there were some issues with it about a month or so ago which has been taken care of. Right now, it is all meetings, all the time. However, the committee whenever they have their next meeting is going to be looking at putting some more information onto the channel for residents.

Historical Society – No Report

UNFINISHED BUSINESS – None

NEW BUSINESS

Alderman Leahy announced a Ward 3 meeting would be held on Tuesday, September 27 at 7:00 pm in Council Chambers.

Alderman Marshall stated that City Administrator Akande mentioned in her report that there was a substantial amount of vandalism on the concrete rails in Oak Tree Park. They have talked in the past about removing the posts and putting a buffer with evergreens or something else because of the fact that they can no longer purchase those rails. Are there plans to remove the rails?

City Administrator Akande stated that she has not discussed it with Superintendent Nahmensen but she can follow up with him tomorrow and bring it to the Public Works Committee meeting. Alderman Kramer stated that Borders is out of business. He understands from news reports that the leases for those locations are up for grabs. Is there any information on Brentwood's location?

Mayor Kelly responded he couldn't say publicly, but there are at least three interested parties in the site.

ADJOURNMENT

Motion was made by Alderwoman Clements, second by Alderman Wynn to adjourn the meeting at 8:43 pm. All in favor none opposed.

Pat Kelly, Mayor

Attest:

Bola Akande,
City Clerk/Administrator