

**CITY OF BRENTWOOD
BOARD OF ALDERMEN MEETING
MARCH 28, 2016**

MEETING CALLED TO ORDER

Mayor Christopher Thornton called the meeting to order at 7:00 pm, in the Brentwood Recreation Complex located at 2505 S. Brentwood Blvd., Brentwood, MO 63144 and immediately led the Pledge of Allegiance.

ROLL CALL

The following members were present

Alderman Plufka	Present	Alderman Toohey	Present
Alderman Slusser	Present	Alderman Leahy	Present
Alderman Lochmoeller	Present	Alderwoman Manestar	Present
Alderman Kramer	Present	Alderwoman Saunders	Present
Mayor Thornton	Present		

Members present constituted a quorum. Also present were City Clerk/Administrator Bola Akande, Attorney Helmut Starr (In the absence of Kevin O'Keefe), Treasurer Greg Reynders, Planning Consultant Todd Streiler and Deputy Clerk Pittman.

APPROVAL OF AGENDA

Board of Aldermen March 28, 2016

Upon unanimous consent, the meeting agenda was approved as submitted.

CONSIDERATION AND APPROVAL OF MINUTES

Board of Aldermen Regular Meeting Minutes March 7, 2016

Motion was made by Alderman Leahy and seconded by Alderman Slusser to approve the meeting minutes as submitted. Unanimous vote in favor taken; **MOTION PASSED.**

Special Board of Aldermen Meeting Minutes March 15, 2016

Motion was made by Alderman Leahy and seconded by Alderman Plufka to approve the meeting minutes as submitted. **VOICE VOTE TAKEN; 7 – yes; Slusser – abstain; MOTION PASSED.**

PRESENTATION/RECOGNITION

None

PUBLIC HEARING

A Request To Rezone From “PD” Planned Development District To “UD” Urban Development District Property Located At The Northwest Corner Of Manchester Road And Hanley Road To Authorize The Construction Of An 80 Unit Apartment Complex

Mayor Thornton opened the public hearing at 7:04 pm. It was clarified that the public hearing being held is to authorize the rezoning of the subject parcels only, not for consideration of a use proposal; that will be presented at a later date.

There were no comments from the public. The public hearing closed at 7:05 pm.

BIDS

None

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

PRESENT (Each person addressing the board shall give his/her name, address and organization or firm represented, if any. He/she shall speak for a period not to exceed three (3) minutes; though additional time may be granted by the presiding officer of the board.)

Karen Smith, Harrison, followed up on the status of the comprehensive plan update. She added that it would be helpful to have guidelines at planning and zoning to relay to interested developers.

Barry Williams, 9001 Pine, offered comments of 3 healthy trees at 9119 Lawn and 8830 Madge that are in jeopardy due to the board's approval of a project allowing the property owner to flip their driveway and garage on the other side of their property. He added his concern that Brentwood is a Tree City USA and yet is removing healthy trees. He asked for suggestions of how to protect the stock of public and private trees within the city, and, added for similar projects, the city should have a compelling reason to allow property owners to flip their driveway parcels.

Aldermanic Response

Alderman Leahy offered comments that another issue with allowing the property owner to flip their driveway is that they will find their sewer lines underneath the driveways and they will also have to be replaced.

Alderman Kramer recalled previous discussions regarding policies from neighboring communities however nothing has been set in place. He added whenever possible, we should preserve the trees and the city should reconsider drafting a policy. Administrator Akande reminded that the Public Works Committee reviewed the policy from Webster Groves as some had suggested and it was agreed that it was not a good fit for Brentwood; no other had been taken.

Alderwoman Saunders agreed that it had been discussed and was not suitable to Brentwood and suggested the review of a policy from a city more similar to Brentwood.

Mayor Thornton added that when people seek permits for removal, in most cases, a replacement is made in the same easement and there must be space to do so. Mayor Thornton also commented that plans to update the comprehensive plan remain on hold until the position Planning Director is filled.

UNFINISHED BUSINESS

None

BILLS TO BE GIVEN A FIRST READING ONLY

Bill No. 6054 – An Ordinance Amending The Zoning Map Of The City Of Brentwood To Rezone Certain Property Numbered 8071 And 8075 Manchester Road “PD” Planned Development District To “UD” Urban Development District And Establishing The Effective Date Of This Ordinance

Attorney Star read Bill No 6054 by title only. Alderman Kramer provided the synopsis, “this is a bill for an ordinance amending the zoning map of the City of Brentwood to rezone certain property numbered 8071 and 8075 Manchester Road “PD” Planned Development District to “UD” Urban Development District. This is being requested by Gary Hassenflu, on behalf of

Garrison Development. The rezoning application of a 2.19 acre site to construct a six (6) story multi-family structure with 80 units at 8071 and 8075 Manchester Road was submitted to the Planning and Zoning Commission for its investigation and report, and further, that the Planning and Zoning Commission has returned its final report and recommended that such rezoning be granted. Planning and Zoning Commission by a vote of 7-1 passed a motion to recommend approval of the rezoning”.

Planning Consultant Streiler explained the request for rezoning from PD (mixed use commercial district) to UD (commercial district) and added that the site restraints made it difficult to develop many projects which may have caused it to sit vacant for such a period. He highlighted key rationale for the planning commission to forward a favorable recommendation to rezone this site:

- 1) The current zoning (PD) is too restrictive; it does not allow residential uses at the density and intensity proposed. The proposed development consists of approximately 40 units per acre; the “PD” district only allows 20 units per acre.
- 2) The compactness of the development is a result of pre-existing development constraints that prohibit development of the eastern third of the site. This portion of the site is encumbered by a flood hazard zone, a riparian no-build area and a 72” MSD trunk line easement. As a result, the parking had to be designed under the 4-story apartment structure in a 2-story structured parking facility to optimize the site vertically as opposed to horizontally.
- 3) The proposed post-development footprint is the same as the pre-development footprint-which is currently paved. The stormwater management goal for the site is to maintain the same water runoff ratios as pre-development conditions. If the development footprint was any larger, MSD Phase 2 regulations would kick in requiring on-site detention and stormwater treatment.

As inquired, it was clarified that P&Z specifically discussed the rationale highlighted. It is not uncommon for a future applicant to request rezoning on behalf of the current property owners. With development, the eastern 3rd of the site will not be used. County and MoDOT have been contacted regarding access and after their improvements to the roadway, access to the site will have some difficulty for many types of uses. It was clarified that approving the zoning separate from the project is not setting any precedence as it is only required to have the site plan approval in conjunction with rezoning if you are going to a PD; in this case it is being changed from PD to UD. Comments were offered that rezoning the site would provide more flexibility for uses and a high density development is allowed per the city code.

Bill No. 6059 – An Ordinance Amending Section 225.040 And Section 600.040 Of The Brentwood City Code Relating To Glass Containers And Alcoholic Beverages In City Parks And Recreational Facilities

Attorney Star read Bill #6059 by title only. Alderman Kramer provided the synopsis, “no person is allowed to bring intoxicating liquors, including all beer, wines or liquors into any public park, City park, public recreational facility, City owned recreational facility, public parking lot, upon any private property without the permission of the owner or occupant of such property, or to any place open to the public without the prior approval of the Board of Aldermen. Adoption of this ordinance removes the restriction for both Brentwood Parks and the Brentwood Recreation Complex, and grants that authority to the Director of the Parks and Recreation Department and/or his or her designee. The Public Works Committee made a unanimous motion that the request be forwarded to the Board of Aldermen with a positive recommendation”.

Parks Director Gruenenfelder announced the request to amend the city’s code to allow certain alcoholic beverages in the recreation complex and Brentwood Parks (located on Russell and on

Strassner). On occasion, the city turns away a number of potential patrons and sport teams due to the restriction and the parks department is also looking to expand its programming opportunities. Currently, resolutions are presented for the temporary allowance of alcoholic beverages at events and with this amendment, that step would no longer be necessary. There are also plans for the city to obtain a catering license.

BILLS TO BE GIVEN A SECOND READING ONLY

None

BILLS TO BE GIVEN A FIRST AND SECOND READING

Bill No. 6055 – An Ordinance Authorizing The Mayor And/Or City Administrator To Enter Into And Execute A Computer-Assisted Report Entry And Record Analysis And Mapping System Service Agreement With St. Louis County, Missouri; And Providing For The Effective Date Of This Ordinance

Attorney Star read Bill #6055 by title only. Alderman Kramer provided the synopsis, “this is a bill for an ordinance authorizing the mayor and/or city administrator to enter into and execute a Computer-Assisted Report Entry and Record Analysis and Mapping System Service Agreement with St. Louis County. With this agreement, St. Louis County will provide basic CARE services which consist of 24 hour a day telephone entry by personnel of the St. Louis County Police Department’s CARE unit of police reports from Brentwood police officers performing exclusively patrol duties. This agreement is renewed annually”.

Major Jim McIntyre explained that this agreement allows officers to phone in reports to county and saves time when; the estimated cost of the service \$448.20 based on last years usage.

Attorney Star read Bill #6055 by title only. Motion was made by Alderman Leahy and seconded by Alderman Toohey to perfect Bill #6055 into ordinance form. **ROLL CALL:** Alderman Kramer – yes; Alderman Leahy – yes; Alderman Lochmoeller – yes; Alderwoman Manestar – yes; Alderman Plufka – yes; Alderwoman Saunders – yes; Alderman Slusser – yes; Alderman Toohey – yes; **MOTION PASSED.**

BILL #6055 IS HEREBY PASSED BY THE BOARD OF ALDERMAN AND UPON SIGNATURE BY THE MAYOR BECOMES ORDINANCE #4707.

Bill No. 6056 – An Ordinance Of The City Of Brentwood, Missouri, Authorizing The Mayor And/Or City Administrator To Execute The Attached 2016 Community Development Block Grant Municipal Housing And Community Development Supplemental Cooperation Agreement

Attorney Star read Bill #6056 by title only. Alderman Kramer provided the synopsis, “This bill is for an ordinance authorizing the mayor and/or city administrator to execute the 2015 Community Development Block Grant Municipal Housing and Community Development Supplemental Cooperation Agreement between the City of Brentwood and St. Louis County. This program allows for income eligible homeowners to receive forgivable loans up to a maximum of \$5,000. Total amount available is \$20,000. Funds are generally used for roofs, heating and cooling, plumbing and electric work. Individuals wishing to participate in the Community Development Block Grant program should contact the St. Louis County Office of Community Development at 314-615-4405. Applications are being accepted by phone.

It was explained that this is a popular program and currently has a waiting list. A couple of years ago the city looked into options to add funding to the program and it was determined that the city is unable to do so and in operating our own grant would be too problematic to manage. It was added that the city will continue to waive permit fees for residents using CDBG grant funding.

Attorney Star read Bill #6056 by title only. Motion was made by Alderman Leahy and seconded by Alderman Slusser to perfect Bill #6056 into ordinance form. **ROLL CALL:** Alderman Kramer – yes; Alderman Leahy – yes; Alderman Lochmoeller – yes; Alderwoman Manestar – yes; Alderman Plufka – yes; Alderwoman Saunders – yes; Alderman Slusser – yes; Alderman Toohey – yes; **MOTION PASSED.**

BILL #6056 IS HEREBY PASSED BY THE BOARD OF ALDERMAN AND UPON SIGNATURE BY THE MAYOR BECOMES ORDINANCE #4708.

Bill No. 6058 – An Ordinance Authorizing The City Of Brentwood, Missouri, To Enter Into A Participation Agreement For The Missouri Highway Safety Program For Traffic Enforcement; And Providing For The Effective Date Of This Ordinance

Attorney Star read Bill #6058 by title only. Alderman Kramer provided the synopsis, “this is a bill for an ordinance authorizing and directing the mayor and board of aldermen to enter into and execute the Missouri Highway Safety Program for Traffic Enforcement. The City of Brentwood has participated in this program for several years. The grant provides financial assistance for added traffic enforcement. In addition, this grant provides the opportunity for Brentwood officers to work overtime hours so they can devote their time specifically to traffic enforcement”. Attorney Star read Bill #6058 by title only. Motion was made by Alderman Leahy and seconded by Alderman Slusser to perfect Bill #6058 in to ordinance form. **ROLL CALL:** Alderman Kramer – yes; Alderman Leahy – yes; Alderman Lochmoeller – yes; Alderwoman Manestar – yes; Alderman Plufka – yes; Alderwoman Saunders – yes; Alderman Slusser – yes; Alderman Toohey – yes; **MOTION PASSED.**

BILL #6058 IS HEREBY PASSED BY THE BOARD OF ALDERMAN AND UPON SIGNATURE BY THE MAYOR BECOMES ORDINANCE #4709.

RESOLUTIONS

Resolution No. 1050 – A Resolution To Accept CTM Services, Inc. As The Sole Source Provider To Perform Repairs On The Olympia Ice Resurfacer At The Brentwood Recreation Complex

Alderman Kramer provided the synopsis, “this is a resolution to accept CTM Services, Inc. as the sole source provider to perform repairs on the Olympia Ice Resurfacer at the Brentwood Recreation Complex. Section 135.100 of the Brentwood Municipal Code says the Board of Aldermen may by resolution approve negotiated procurement of goods or services of a value in excess of ten thousand dollars (\$10,000.00) without requiring formal competitive bids if the Board of Alderman determines from all information submitted to it by the purchasing agenda and/or the using agency that such goods or services are such specialized or non-standard nature that they can be acquired only from a sole source of supply and that no similar standard goods or provider would reasonably satisfy the City’s requirement”. Motion was made by Alderman Leahy and seconded by Alderman Slusser to adopt Resolution #1050. Unanimous vote in favor taken; **MOTION PASSED.**

ACCOUNTS AGAINST THE CITY

Alderman Slusser presented the warrant listed in the amount of \$683,479.67 and made a motion for approval. Motion seconded by Alderman Kramer. Unanimous vote in favor taken; **MOTION PASSED.**

REPORT OF COMMITTEES AND DEPARTMENT HEADS

Mayor Thornton announced in response to requests for updates regarding municipality’s pooled taxes and the City of Chesterfield’s objections, Former Mayor Kelly who is now the executive director of the Municipal League will attend the April 18th meeting and provide an update.

Appointments

Mayor Thornton recommended the appointment of Gerald Truman to the Library Board. **ROLL CALL:** Alderman Kramer – yes; Alderman Leahy – yes; Alderman Lochmoeller – yes; Alderwoman Manestar – yes; Alderman Plufka – yes; Alderwoman Saunders – yes; Alderman Slusser – yes; Alderman Toohey – yes; **APPOINTMENT APPROVED.**

Comprehensive Plan – a letter to citizens has been placed in the city newsletter explaining the importance as it is the basis or guides zoning decisions. It is necessary to be kept up to date because as situations and times changes it should reflect what the citizens want. Although desirous of getting the project moving, the city does not currently have the expertise on staff to move the project forward; this will be continued when the planning director vacancy is filled. Everyone was encouraged to review the current plan and contact city hall if they are interested in becoming a part of the project.

Brentwood Blvd – Mayor Thornton agreed that the roadway is in unacceptable condition however it is under the leadership of County and the city is being polite but firm. Both the Mayor and Administrator Akande met with County Councilman Dolan and the highway department director over the project and learned that they are proceeding according to plan. The material being used (super pave) requires that the ground temperature to be at 55° and rising, meaning it would not be completed until summer. If the project is not completed at this time, the city may consider options of challenging county. Mayor Thornton asked for continued patience and noted that if any one notices unsafe conditions to report them the city administrator and staff will contact county; they have promised a 24 hour response. Residents should also make contact if they would like to submit a claim of damage caused by roadway conditions.

Public Safety Committee,

Request To Authorize An Expenditure To Identify The Solution For The Egress Of Brentwood Court Apartment Area On Eager Road – Alderman Plufka announced that this request is no longer needed as CBB has agreed to conduct this study without cost due to the number of projects that are currently underway. CBB will be at the next meeting on April 21st and discussions will be held regarding multiple traffic issues; the stop sign at Pine and Hatton, the crosswalk at Sonora and McKnight/Strasser near Memorial Park/Wrenwood and Brentwood Blvd.

Public Works Committee, Alderman Toohey reported that the April meeting will be cancelled to the elections.

Director of Planning & Development, Todd Streiler Planning Consultant

The Site Plan Sub Committee will meet on March 30th; 6pm at city hall; to review the site plan of the Metro on Manchester and the CUP as well as 2 residential plats in the city's B district and the amended site plan for Uncle Bob's Storage on Manchester.

Ways and Means Committee, Alderman Slusser had no report.

City Attorney Helmut Star had no report.

City Clerk/Administrator Akande offered a reminder of the election on April 5th of Prop B which allows the city to continue to collect local sales tax of titling of motor vehicles and such purchased from out of state dealers. The estimated calculation was \$300,000.

Excise Commissioner Manestar had no report.

Library, Alderwoman Manestar had no report.

Municipal League, Mayor Thornton had no report.

Historical Society, Chief Fitzgerald had no report.

ANNOUNCEMENTS

Alderman Leahy announced the Ward 3 meeting to be held on March 29th at 7pm.

Mayor Thornton offered a reminder of the April 5th municipal election; everyone was encouraged to get out and vote.

NEW BUSINESS

None

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

PRESENT (Each person addressing the board shall give his/her name, address and organization or firm represented, if any. He/she shall speak for a period not to exceed three (3) minutes; though additional time may be granted by the presiding officer of the board. Total time allotted for this section shall not exceed 15 minutes)

None

ADJOURNMENT

Motion was made by Alderman Leahy and seconded by Alderwoman Saunders to adjourn the meeting at 8:23pm. Unanimous vote in favor taken; **MOTION PASSED.**

Approved on the 4th day of April, 2016.

Attest:

Christopher A. Thornton, Mayor

Bola Akande, City Clerk/Administrator