

**CITY OF BRENTWOOD
BOARD OF ALDERMEN MEETING
SEPTEMBER 19, 2016**

MEETING CALLED TO ORDER

Mayor Christopher Thornton called the meeting to order at 7:00 pm, in the Council Room of City Hall located at 2348 S. Brentwood Blvd., Brentwood, MO 63144 and immediately led the Pledge of Allegiance.

ROLL CALL

The following members were present

Alderman Plufka	Present	Alderman O’Neill	Present
Alderman Wegge	Present	Alderman Leahy	Present
Alderman Lochmoeller	Present	Alderman Sims	Present
Alderman Kramer	Present	Alderman Dimmitt	Present
Mayor Thornton	Present		

Members present constituted a quorum. Also present were City Administrator Bola Akande, Planning Director/Assistant City Administrator Lisa Koerkenmeier, Attorney Kevin O’Keefe and City Clerk Octavia Pittman.

APPROVAL OF AGENDA

Board of Aldermen September 19, 2016

Motion was made by Alderman Plufka and seconded by Alderman Kramer to amend the agenda moving item #15Bi to #5A for presentation. Unanimous vote in favor was taken; **MOTION PASSED.**

Hearing no additional changes, the amended agenda was approved by acclamation.

CONSIDERATION AND APPROVAL OF MINUTES

Board of Aldermen Regular Meeting Minutes September 6, 2016

Hearing no changes, meeting minutes were approved, as submitted, by acclamation.

PRESENTATION/RECOGNITION

Recommendation To Erect A 3-Way Stop At The Intersection of Pine Ave. and Hatton Ave.

Lee Canon, Traffic Engineer, announced the evaluation of the concerned area on 9/8/16 and 9/14/16 between the peak periods of 7-9am and 2-6pm. He reported a low volume of cars (90 – 100 per hour), the calm character of the road (noted for residential streets), and sufficient sight distance. He added that there is no history of accidents and that based on MUTCD guidelines all way stop warrants are not met; erecting signs in these conditions could create other unintended problems. Canon therefore did not recommend all-way stop at the intersection of Hatton and Pine. Noted alternatives were to restrict on street parking within the sight triangle, to monitor the sight triangles to avoid blockage and to consider MUTCD W2-2 warning signs to alert of the upcoming intersection.

PUBLIC HEARING

Case #16-06: A Public Hearing to consider an amendment to a Conditional Use Permit (CUP) and Site Plan for property at 2944 S. Brentwood Blvd. zoned "GC" General Commercial District to delete the requirement of a stockade fence. The applicant is Andy Phealan. The legal description of the property is:

PART OF BLOCK 2 OF MADDENVILLE AS RECORDED IN PLAT BOOK 5, PAGE 6 IN ST. LOUIS COUNTY, MISSOURI.

Andy Phealan, owner, requested the guard rail in lieu of a fence to continue as it was. With new neighbors they are requesting the guard rail stay in place instead of a fence because a fence would impede their view.

BIDS

Bid Results – Request To Purchase 23 Structural Firefighting Gear

The fire department implemented a plan in 2012 to use new gear for no more than five years as a primary gear as the NFPA recommends a ten year usable service life for turnout gear as long as it passes inspection. Currently the fire department does not have two fully compliant sets of gear; this purchase will provide a new primary set of gear for all employees, and will allow for a secondary set of compliant gear for each employee. In 2012, the department was able to join Metro West Fire District RFP to purchase 23 sets of turnout gear which allowed lower pricing and is looking to continue with the next set of products. The 2012 gear will remain in secondary service for the remainder of its useful life. This will provide two sets of compliant gear for every employee with the plan to be cycled every four to five years.

The Fire Department budgeted the \$103,500 in the FY 16 Capital budget for this item. As a result of using the Metro West RFP we were able to save substantially on our gear pricing. The bids came back at: 23 sets of coats, pants, and boots from Sentinel Emergency Solutions in the amount of \$69,638.71 and 23 pairs of firefighting gloves from Leo M. Ellebracht Company in the amount of \$1,976.85.

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.)

Bill Abeln, 9339 Pine, expressed concerns about drivers speed on Pine and stated disagreed with engineer's recommendation.

Julie Roberts, 9335 Pine, expressed hope for a favorable vote to erect a stop sign at Pine and Hatton and noted previous attempts to show support by attending Public Safety meetings and submitting a signed petition from neighbors.

Aldermanic Response

Alderman Leahy clarified that the petition was shared with the Public Safety Committee.

Alderman Dimmitt stated his agreement that traffic has worsened over the years and support of the stop sign.

Alderman Plufka stated his support for the stop sign and shared concerns received from other citizens.

Alderwoman O'Neill announced her understanding of the concerns expressed and stated her believed that many are unhappy with extra stop signs.

UNFINISHED BUSINESS

None

BILLS TO BE GIVEN A FIRST READING ONLY

Bill No. 6085 – An Ordinance Granting An Amendment To The Site Development Plan And Conditional Use Permit To Andy Phealan For A Drive-Through Kiosk For Property Numbered 2944 S. Brentwood Boulevard, Which Permits Under The Provisions Of Title IV, Chapter 400 Of The Brentwood Code Of Ordinances The Development Of That Site; Providing The Conditions Of Such Development; And Providing For The Effective Date Of This Ordinance

Attorney O’Keefe read Bill #6085 by title only. Alderman Kramer provided the synopsis, “This bill is an ordinance granting an amendment to the site development plan and conditional use permit at 2944 S. Brentwood Boulevard to delete the requirement of a stockade fence along the curb line of the drive through as it exceeds code requirements. The Planning & Zoning Commission passed a motion by a vote of 6-1, recommending the Board of Aldermen approve said request”.

Director Koerkenmeier announced that in 2002, the Planning and Zoning Commission reviewed a site plan and a conditional use permit for property at 2944 S. Brentwood Blvd. to operate a coffee kiosk. The Board of Aldermen adopted Ordinance No. 3858 approving the CUP and site plan for the development. The property is presently vacant, and the owner has a prospective tenant. Upon inspection and reviewing for site plan and conditional use permit compliance, it was determined that improvements would be required prior to issuing an occupancy permit and business license. The following improvements are required:

- Five (5) street trees along Manchester shall be planted as depicted on the site plan and the species authorized by the Brentwood City Code.
- Stockade fence shall be installed along the rear curb line of the drive-through and along the rear property line as depicted on the site plan.
- Trash enclosure shall be installed around trash receptacle.

The owner desires to make these improvements to become compliant with the site plan and conditional use permit requirements as noted in the ordinance and site plan. However, the owner asserts that following the adoption of the ordinance, the City agreed to the installation of the guard rail along the curb of the drive through in lieu of the stockade fence for safety reasons. The guard rail would provide more protection for vehicular traffic navigating the drive through than a fence barrier. Staff has not been able to verify the approval of the guard rail in lieu of installing the stockade fence. The stockade fence is not specifically listed in the ordinance as a condition of approval. However, the site plan depicts the installation of both the guard rail and a stockade fence along a portion of the curb of the drive through lane. This was reviewed and recommended by the Planning and Zoning Commission at the August 16th meeting.

Bill No. 6087 – An Ordinance Of The City Of Brentwood, Missouri, Authorizing The Mayor And/Or City Administrator To Enter Into And Execute A Cooperative Fire Training Officer Agreement; And Providing For The Effective Date Of This Ordinance

Attorney O’Keefe read Bill #6087 by title only. Alderman Kramer provided the synopsis, “This bill is for an ordinance authorizing the mayor and/or city administrator to enter into and execute a cooperative fire training officer agreement. The fire training officer will be dedicated solely to the training and development of firefighters, paramedics and other personnel of the fire department of the cities of Brentwood, Clayton and Maplewood. This Agreement shall continue in effect for a minimum duration of three (3) years unless earlier rescinded by unanimous consent of the participating municipalities, or after such minimum duration, any City may withdraw by written notice to the City Managers of the other cities given at least 90

days prior to the end of a contract year. In 2012, the City entered into a similar cooperative shared training program with the cities of Glendale, Rock Hill, and Maplewood). This was a successful program and the recommendation is to restart this program. Public Safety Committee members voted unanimously to forward the request to the Board of Aldermen with a positive recommendation”.

Fire Chief Kurten explained the cost of the program to be \$2,134.11 per employee (based a total number of 78 employees in all three departments. Annually for the city of Brentwood this would equal \$49,084.53.

Bill No. 6088 – An Ordinance Authorizing The City Administrator To Enter Into Temporary Construction Easement And Permanent Sidewalk Easement Agreements Between The City Of Brentwood And 1335 Strassner Drive LLC, 1419-1423 Strassner Drive LLC, Kenty LLC And Hanley Industrial Associates, LLC

Attorney O’Keefe read Bill #6088 by title only. Alderman Kramer provided the synopsis, “This bill is for an ordinance authorizing the city administrator to enter into temporary construction easement and permanent sidewalk easement agreements for said properties. This is a Surface Transportation Program (STP) grant. Total project cost is \$938,881 (Federal Match 80% - \$751,105, Local Match – 20% - \$112,776, HIC Association (\$50,000) and Pelagic Match (\$25,000). This project will expand the sidewalk system within the Hanley Industrial Court. The project starts from the intersection of Strassner Drive and Hanley Industrial Court west along Strassner Drive to Memorial Park. Also from the north side of the Hanley Industrial Complex along Hanley Industrial Court south to the intersection of Hanley Industrial Court and Bernard Drive. This project is related to another pedestrian improvement project located along the northern edge of the Hanley Industrial Complex, STP 5577(629) (\$830,000). That project added a pedestrian pathway from Brentwood Promenade near the Metro Link station/bus loop to Memorial Park by adding sidewalk along the most northern Hanley Industrial Court Street. Of the 12 parcels impacted by the project, one is owned by the City of Brentwood (272 Hanley Industrial Court – Police Building). Staff will present the remaining seven parcels once negotiations are complete”

BILLS TO BE GIVEN A SECOND READING ONLY

Bill No. 6073 – An Ordinance Authorizing The Mayor And/Or City Administrator To Enter Into And Execute A Service Agreement With The REJIS Commission; And Providing For The Effective Date Of This Ordinance

Attorney O’Keefe read Bill #6073 by title only. Alderman Kramer provided the synopsis, “This bill is for an ordinance authoring the mayor and/or city administrator to enter into an execute a service agreement with REJIS Commission for desktop support and network services. The support will assist in the ongoing implementation of the IT Strategic Plan. Additionally, the services provide a level of backup planning for the IT Manager should an emergency arise or as such time like now, when the position is vacant. The Ways and Means Committee members voted unanimously in recommending the initial REJIS Services Agreement with a base commitment of 200 service hours per year to the full Board of Alderman for consideration. The revised agreement is for a base commitment of 500 hours beginning June 1, 2016 and terminating December 31, 2016”. Motion was made by Alderman Leahy and seconded by Alderman Wegge to perfect Bill #6073 into ordinance form. **ROLL CALL:** Alderman Dimmitt – yes; Alderman Kramer – yes; Alderman Leahy – yes; Alderman Lochmoeller – yes; Alderwoman O’Neill – yes; Alderman Plufka – yes; Alderwoman Sims – yes; Alderman Wegge – yes; **MOTION PASSED.**

BILL #6073 IS HEREBY PASSED BY THE BOARD OF ALDERMAN AND UPON SIGNATURE BY THE MAYOR BECOMES ORDINANCE #4734

Bill No. 6084 – An Ordinance Amending Schedule IV Of The Brentwood City Code Regarding Residential Parking Restrictions

Attorney O’Keefe read Bill #6084 by title only. Alderman Kramer provided the synopsis, “This bill is for an ordinance removing the restriction for residential parking by permit only on the north and south sides of the 8800 block of Bridgeport Ave. that were put in place years ago when parking spaces were limited due to commercial patrons parking on a residential street. Public Safety Committee members voted unanimously to forward the request to the Board of Aldermen with a positive recommendation”. Motion was made by Alderwoman O’Neill to perfect Bill #6084 into ordinance form. Motion seconded by Alderman Plufka. **ROLL CALL:** Alderman Dimmitt – yes; Alderman Kramer – yes; Alderman Leahy – yes; Alderman Lochmoeller – yes; Alderwoman O’Neill – yes; Alderman Plufka – yes; Alderwoman Sims – yes; Alderman Wegge – yes; **MOTION PASSED.**

BILL #6084 IS HEREBY PASSED BY THE BOARD OF ALDERMAN AND UPON SIGNATURE BY THE MAYOR BECOMES ORDINANCE #4735

BILLS TO BE GIVEN A FIRST AND SECOND READING

Bill No. 6086 – An Ordinance Authorizing The Mayor And/Or City Administrator To Execute A Professional Services Agreement On Behalf Of The City Of Brentwood, Missouri With Higbee Associates, To Update The City’s Current Compensation System; And Providing For The Effective Date Of This Ordinance

Attorney O’Keefe performed the 1st and 2nd readings of Bill #6086 by title only. Alderman Kramer provided the synopsis, “This bill is for ordinance authorizing the mayor and/or city administrator to enter into and execute a professional services agreement with Higbee Associates to update the city’s current compensation ranges. The Board of Aldermen authorized the comprehensive compensation study in 2014 to ensure comparability and competitiveness with similar positions in the industry, region and related fields. The agreement with Higbee Associates is to perform an update of the compensation ranges by evaluating job descriptions that have changed significantly or new roles that have been developed that require market evaluation”. Motion was made by Alderman Leahy and seconded by Alderman Lochmoeller to perfect Bill #6086 into ordinance form. **ROLL CALL:** Alderman Dimmitt – yes; Alderman Kramer – yes; Alderman Leahy – yes; Alderman Lochmoeller – yes; Alderwoman O’Neill – yes; Alderman Plufka – yes; Alderwoman Sims – yes; Alderman Wegge – yes; **MOTION PASSED.**

BILL #6086 IS HEREBY PASSED BY THE BOARD OF ALDERMAN AND UPON SIGNATURE BY THE MAYOR BECOMES ORDINANCE #4736

RESOLUTIONS

Resolution No. 1057 – A Resolution Of The City Of Brentwood, Missouri Regarding The Removal Of Certain Trees From City Property And Authorization Of Funds To Accomplish This Objective

Alderman Kramer provided the synopsis, “This resolution authorizes the City Administrator to spend up to \$100,000 from the Stormwater and Parks Improvement Fund assigned fund balance to remove and dispose of certain trees from city property designated as “high risk” and “moderate risk”. Alderman Dimmitt explained that the city has conducted an inventory of city trees in residential right of way, and that many of which have been designated for removal based on their risk level. As a safety concern, there is an immediate need to focus on the high and moderate risk level trees for removal however the project needs to be outsourced due to staffing. A discussion was held and Alderman Lochmoeller made a motion to amend the Resolution by removing language in Section 3 related to the use of Storm Water & Parks Improvement Fund. After continued discussion regarding the previous removal of 31 of the 100 trees, Motion was made by Alderman Wegge and seconded by Alderman Plufka to call for the question. By show of hands; 7 – yes; 1 – no; **MOTION PASSED.** Vote was taken to adopt the Resolution as amended; **ROLL CALL:** Alderman Dimmitt – yes; Alderman Kramer – no;

Alderman Leahy – yes; Alderman Lochmoeller – yes; Alderwoman O’Neill – yes; Alderman Plufka – yes; Alderwoman Sims – yes; Alderman Wegge – yes; **MOTION PASSED.**

ACCOUNTS AGAINST THE CITY

Alderman Dimmitt announced review of the warrant list in the amount of \$119,770.39 and made a motion to approval. Motion seconded by Alderman Kramer. **ROLL CALL:** Alderman Dimmitt – yes; Alderman Kramer – yes; Alderman Leahy – yes; Alderman Lochmoeller – yes; Alderwoman O’Neill – yes; Alderman Plufka – yes; Alderwoman Sims – yes; Alderman Wegge – yes; **MOTION PASSED.**

REPORT OF COMMITTEES AND DEPARTMENT HEADS

Mayor Thornton announced that the city is in the process of planning the comprehensive plan update and Brentwood 20/20 workshops have been scheduled; the community meeting is scheduled on 10/13 and the business meeting is scheduled on 10/14. He added that the school district is also conducting long term planning meeting at each school; parents and the community at large will be invited to share their visions. He also announced appreciation to the Parks Department and other involved staff for their work with the Annual Parade and cancellation of the most of the events due to the weather. He expressed the desire that if it is all possible to work towards a makeup date.

Public Safety Committee Alderman Plufka offered comments of staff’s efforts with the Annual Fest and Parade and also with regards to the Traffic Engineer’s presentation, questioning what other action can be taken. Attorney O’Keefe clarified that pursuant to the city code, the traffic engineer is delegated to determine the location of stop sign and traffic signals. Action opposite this would require a change to the ordinances. The next meeting of the committee is scheduled on 10/20.

Public Works Committee Alderman Leahy announced that the next meeting of the committee is 10/12 at 4:30pm.

Director of Planning & Development
Director Koerkenmeier had no report.

Ways and Means Committee Alderman Dimmitt announced that the next meeting of the committee is 10/6 at 6:00pm.

City Attorney Kevin O’Keefe had no report.

City Administrator, Administrator Akande had no report.

Excise Commissioner Alderman Dimmitt had no report.

Library Board, Alderwoman O’Neill had no report.

Municipal League, Mayor Thornton had no report.

Historical Society, Chief Fitzgerald had no report.

ANNOUNCEMENTS

Alderman Leahy announced that the Ward 3 meeting will be held on 9/27, immediately following special meeting of the board.

Alderman Kramer announced that the Ward 4 meeting will be held on 9/27 at 6pm; Ameren representatives will be in attendance.

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)

Louise Charboneau, Madge, commented that the right decision was made to cancel the annual fest and announced help that there are plans to reschedule. She also suggested replanting like caliber trees upon removal and the need for improvements to the Public Works Building appearance.

CLOSED SESSION

Legal – RSMo 610.021(1)

Motion was made by Alderman Wegge and seconded by Alderman Plufka to enter into executive session at 9:12 pm to discuss Legal matters pursuant to RSMo 610.021(1). **ROLL CALL:** Alderman Dimmitt – yes; Alderman Kramer – yes; Alderman Leahy – yes; Alderman Lochmoeller – yes; Alderwoman O’Neill – yes; Alderman Plufka – yes; Alderwoman Sims – yes; Alderman Wegge – yes; **MOTION PASSED.**

Motion was made by Alderman Leahy and seconded by Alderman Plufka to adjourn the executive session and reconvene the open meeting at 9:47 pm. **ROLL CALL:** Alderman Dimmitt – yes; Alderman Kramer – yes; Alderman Leahy – yes; Alderman Lochmoeller – yes; Alderwoman O’Neill – yes; Alderman Plufka – yes; Alderwoman Sims – yes; Alderman Wegge – yes; **MOTION PASSED.**

ADJOURNMENT

Motion was made by Alderman Leahy and seconded by Alderwoman O’Neill to adjourn the meeting at 9:47 pm. Unanimous vote in favor taken; **MOTION PASSED.**

Attest:

Christopher A. Thornton, Mayor

Bola Akande, City Clerk/Administrator