

Tuesday, February 22, 2022
BOARD OF ALDERMEN REGULAR MEETING

Minutes

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE

A. Call to Order – Mayor Dimmitt called the meeting to order at 7:00 PM with Pledge immediately following.

B. Pledge of Allegiance

2. ROLL CALL

A. Roll Call – All Members were present.

Alderman David Plufka - Present

Alderman Sunny Sims - Present

Alderman Jeff Gould -Present

Alderman Kathy O'Neill -Present

Alderman Nancy Parker Tice -Present

Alderman Brandon Wegge - Present

Alderman Steve Lochmoeller - Present

Alderman Jack Shelton - Present

3. AGENDA APPROVAL

A. Approval or Amendment of Agenda

Mayor added an item to the agenda – Item 4.1 – to Move to Executive Closed Session following Item 4A, Swearing in of Provisional Judge.

Motion was made by Alderman Plufka and seconded by Alderman Shelton to amend the agenda to include Item 4.1 and move to Executive Session, under RSMo, Section 610.021 (1) Legal and return to open meeting upon completion.

Motion carried by unanimous voice vote.

4. ANNOUNCEMENTS, APPOINTMENTS, PROCLAMATIONS & RECOGNITIONS

A. Swearing in for Provisional Judge - Katie Markenson

Judge Patrick Dignam read the Oath and asked Ms. Markenson to repeat after him. After the swearing-in, pictures were taken. The Provisional Judge temporarily serves in the absence of elected Judge Dignam.

4.1 CLOSED SESSION

A. Legal - RSMo 610.021 (1)

Motion was made by Alderman Plufka and seconded by Alderman Wegge to move to Executive Session pursuant to Section 610.021 (1) Legal. Roll was called:

Alderman David Plufka - Yes

Alderman Sunny Sims - Yes

Alderman Jeff Gould - Yes

Alderman Kathy O'Neill - Yes

Alderman Nancy Parker Tice - Yes

Alderman Brandon Wegge - Yes

Alderman Steve Lochmoeller - Yes

Alderman Jack Shelton – Yes

Motion carried by vote of 8 (Yes) to 0 (No).

Meeting paused at 7:05 PM

Regular Meeting Resumed at 7:26 PM

5. PUBLIC HEARING

A. Public Hearing - Text Amendment amending Sections 400.1370 and 400.1380 of the Zoning Code relating to Conditional Uses in the “GC” General Commercial district and the “PD” Planned Development Overlay District to remove certain auto-oriented and other uses as conditional uses.

Mayor Dimmitt gavel opened the Public Hearing and read the above statement, asking if anyone in the audience would like to address the Board. Several community members shared comments:

- 1) Lynn Wallace – 2120 S. Brentwood – has spoken at P&Z meetings as well - has the family-owned company of Wallace companies and operates the Mobile on the Run at 2120 S. Brentwood. Has invested over \$7 Million in business to purchase facility, do remodeling and to purchase property behind them that is zoned “PD” for expansion. Current facility is outdated. Wants to update and make facility competitive. Stated it is the only

convenience store on Brentwood Blvd. north of Manchester and is willing to work with the City. Feels this text amendment is picking winners and losers and is discriminatory and vindictive.

- 2) Lynn Good – 8783 Brentwood Place – Lives by Mobile. Mobile wants to rebuild on other side of street from their current property, which would technically mean two auto-related businesses in same area. When remodel occurred last time, changes were not positive: larger trucks, noisy, fumes, busy traffic and does not feel expanding the business is compatible to neighborhood area safety and ideals of the city’s comprehensive plan.
- 3) Elizabeth Barbieri – 8784 Bridgeport – First house that looks at gas station lot across from her, with huge trucks that come in and out. To expand on that lot and the extra properties impacts the entire street and homes behind there and does not represent the upgraded look and feel of Brentwood Blvd.
- 4) Mark Jordan with Wallace Companies – 2120 S. Brentwood Blvd.- when property was purchased it was a service station that has been converted to convenience store that offers food and merchandise-it is not just committed to gas. The proposed text amendment would permit the store without use of gas, yet electric chargers EV stations are auto related use, and are permitted. Why does city exclude gas over electric for auto use service?
- 5) Kate Walker – 8771 Brentwood Place – Supports the change in the text amendment. Concerned with traffic issues if station is bigger and feels it would be safer for families without expansion as there is only one entrance and exit to this street. No other way in an out to avoid congestion.
- 6) Marcus Fosten - 8777 Brentwood Place – Voiced support for text amendment. Not picking winners and losers but feels we should embrace the community plan. Appreciates the business, but feels zoning is better for area.
- 7) Adam Moss – 8762 Brentwood Place - We have small community of neighbors and feels expansion of station has not been done in a neighborly fashion. Wallace companies has not shared any environmental impact or studies to putting in a larger station for current one, or the environmental abatements for the empty lot they leave. Feels strongly about approving the text amendment.
- 8) Michelle Kraus –property at 8779 and 8769 Brentwood Place – Also in support of the text amendment. Area has changed extensively, more noise and traffic getting in and out of neighborhood. Appreciates the business but it takes away from neighborhood feel.
- 9) Karen Smith – lives on Harrison - addressed Board virtually via Zoom –stated that the expansion of commercial corridors bac into residential areas is not wanted. We need to select the right business for the right locations. The current business is busier than wanted and generates traffic, noise, big trucks, and bright lighting which is not conducive to what community wants to build.

With no further comments, the Mayor closed the Public Hearing.

6. CITIZEN COMMENTS

A. Citizen Comments

William Sanders – owns 9100 Manchester – spoke and asked for a copy of the Comprehensive plan. It was noted that this is available online on the website. He noted this was the first notice he received and was not aware of previous meetings where this was discussed.

7. MAYOR AND ALDERMEN REPORTS

A. Mayor David Dimmitt – stated he received a petition a while ago concerning the state of Broughton Park and playground equipment from Elly Disbennett (9 years old) who gathered about 100 signatures from Ward 2 and Ward 3 – and he wanted her to know her message did not go unnoticed. Mayor read her letter and concerns into the record:

Dear Mayor, this is my petition about Broughton Park. We would like you to read our ideas: “Big kid” swings, Merry-go-round, Bars, Monkey bars, and how long has that steering wheel been gone? I want you to tear the steering wheel wall down and add a slide and a zip line and a teeter-totter. Thank you. P.S. This playground has been there since my mommy was there.

Mayor checked with Parks Director, Eric Gruenenfelder and Broughton Park is scheduled to get a major facelift including new playground equipment. We’re waiting to see what happens with the new trail system that connects all the parks. Mayor wanted to make sure she was aware that Park is in the Master Park Plan, and it will be addressed.

B. Alderman David Plufka - Ward 1-stated it was a happy day last week to drive down to Breckenridge Industrial and onto the bridge after 12 hours of rain and see the creek still in its banks in Brentwood Bound. It was wonderful to see the efforts of this project at work. This is a welcome addition to our community!

C. Alderwoman Nancy Parker Tice - Ward 1- No Report

D. Alderwoman Sunny Sims - Ward 2- stated the Ward 2 meeting on March 8th at 6:00pm will be in the Recreation Center.

E. Alderman Brandon Wegge - Ward 2 – stated there will also be a Ward 1 meeting at the same time and place. Also gave thanks to Eric and team for hosting the Brentwood Ice Festival- it was great event. And finally, Happy Engineers week!

F. Alderman Jeff Gould - Ward 3 – No Report

G. Alderman Steve Lochmoeller - Ward 3 – Announced the Public Safety Committee meets tomorrow, February 23rd at 5:30pm at City Hall. They will go over the Manchester Road closure, future closures, and communications with citizens.

H. Alderwoman Kathy O'Neill - Ward 4- Accolades to share: Several senior citizens are happy to see senior programs back in the Brentwood catalogue, as are others outside the community, and are taking advantage of the opportunities. Also, a personal thanks for The Magic Bus. Having used the service, she noted how easy it is to use, how helpful, and hopes this service continues.

I. Alderman Jack Shelton- Ward 4- No Report

8. CITY ADMINISTRATOR REPORT

A. City Administrator Report – Bola introduced Director of Public works, Dan Gummersheimer to provide update on road closures on Manchester. Dan highlighted information that is available in BoardDocs and noted that inclement weather delayed original project dates. Things to be learned from last closures:

- Message Boards to be used for next closure
- Local traffic only is allowed on side streets – signs will be posted
- Metro notified during closures

Summer closures should not affect the businesses. Road will be open on both sides of bridge – just harder to get there. It was asked if there is a way to update GPS platforms to help re-route during this time. Dan stated that MoDOT uses Ways but not sure about Google maps or other platforms. When bridge goes down, there will be one-lane traffic East and West during that time. They will be doing the tunnel at the same time.

B. Brentwood Bound Update – Craig Schluter, Navigate Building Solutions, shared the regular report noting construction costs, soft costs, and funding sources, which Craig noted the city received the GRG reimbursement check. There were no questions.

C. 2022 Brentwood Days Discussion – Director of Parks and Recreation, Eric Gruenenfelder shared thoughts regarding Brentwood Park and Brentwood Days for 2022. Staff recommends Reimagining Brentwood Days for several reasons: Want to move event to Brentwood Park with all the amenities – and consider this the site for future Brentwood Days. What this means however is that Carnival rides need to be considered, as they do a lot of damage and are costly. City could better utilize costs with upgrades to sports complex and other park needs. Since we have not had the traditional Brentwood days and carnival rides for a few years with Covid, etc., and since the community event went so well last year, now may be a good time to make changes. Staff is seeking direction as planning starts this month.

Mayor noted that budgeted amount includes carnival rides right now.

Mayor entertained motion to affirm recommendation from Public Works Committee. Motion so moved by Alderwoman O'Neill and seconded by Alderwoman Tice. Discussion took place.

Alderman Wegge stated that residents want the carnival rides, so he is no longer in favor of his recommendation at Public Works Committee. Alderman Gould asked what else we could do? Eric noted there would be better utilization of the Park in 2023 when complete, but for 2022 they can bring in inflatables and other activities for entertainment. Alderwoman Sims asked what we have or can do to appeal to the older kids – those who really enjoy the carnival rides? Eric suggested a climbing wall and looking at other structures that are less damaging and will involve the entire family. Alderwoman O'Neill likes the rides but felt it lost community feel by attracting people from outside of Brentwood. She'd like to know of better substitutions. Alderwoman Tice suggested maybe we consider a compromise – consider rides in a different location or not doing them in 2023 to avoid damage. Alderman Lochmoeller stated many liked fireworks, and wanted to know if we could do that with the rides? Eric commented that they would be better seen without rides, but it can be done. Alderman Shelton prefers keeping the rides but again asked about a separate location. Eric noted this is not so feasible.

Rebecca Karlen- sent Chat message via Zoom – “Love Carnival Rides”

Roll was called:

Alderman David Plufka - No	Alderwoman Nancy Parker Tice - No
Alderwoman Sunny Sims - No	Alderman Brandon Wegge - No
Alderman Jeff Gould - No	Alderman Steve Lochmoeller - No
Alderwoman Kathy O'Neill - Yes	Alderman Jack Shelton - No

Motion fails by vote of 1 (Yes) to 7 (No).

9. CONSENT AGENDA

A. Standing Committees Reports

B. Warrant Lists - Operating Funds and 2021 and 2022 Expenditures from the 2019 Series Certificates of Participation Proceeds (COPs)

C. Approval of Meeting Minutes

D. Special Use Permit Application for St. Mary Magdalen School

E. Resolution No. 1340 - Reinstating the Pandemic Leave - A Resolution Authorizing The Amendment Of The City Of Brentwood's Current Employee Handbook To Include A Pandemic Sick Leave For All City Employees.

F. Resolution No. 1341 - A Resolution Approving A Change Order To L. Keeley Construction For Brentwood Bound- Deer Creek Flood Mitigation Phase 1

G. Resolution No. 1342 - A Resolution Approving A Change Order To L. Keeley Construction For Brentwood Bound- Deer Creek Flood Mitigation Phase 2

H. Resolution No. 1343 - A Resolution Approving A Change Order To Ideal Landscape For GRG Connector Part A

I. Resolution No. 1345 - A Resolution approving a change order with TWM, Inc. to provide additional design services related to the Deer Creek connector- Russell Avenue- Brentwood Boulevard to Bremerton Road pedestrian improvements (TIP #7154-22).

J. Liquor License Approval - Maize and Wheat

Motion was made by Alderman Plufka and seconded by Alderwoman Sims to approve the Consent Agenda. Roll call:

Alderman David Plufka - Yes Alderwoman Nancy Parker Tice - Yes

Alderwoman Sunny Sims - Yes Alderman Brandon Wegge - Yes

Alderman Jeff Gould - Yes Alderman Steve Lochmoeller - Yes

Alderwoman Kathy O'Neill - Yes Alderman Jack Shelton - Yes

Motion carried by vote of 8 (Yes) to 0 (No).

10. OLD BUSINESS

A. Bill No. 6373- A Request To Remove Temporary ADA Signage At 8910 Madge Avenue

City Attorney O'Keefe did the first reading.

Director of Public Works, Dan Gummersheimer, presented thee information, noting this repeals Ordinance 4953 passed in January 2021. It was noted the Ordinance was temporary, and the purpose for this no longer exists.

Motion was made by Alderman Plufka and seconded by Alderman Lochmoeller to have a second reading of the Bill.

Motion carried by unanimous voice vote.

City Attorney O'Keefe did second reading of the Bill. There was no further discussion.

Motion was made by Alderman Plufka and seconded by Alderman Lochmoeller to perfect Bill into Ordinance form approving the removal of the temporary ADA parking sign at 8910 Madge Ave, Roll was called:

Alderman David Plufka - Yes Alderwoman Nancy Parker Tice - Yes

Alderwoman Sunny Sims - Yes Alderman Brandon Wegge - Yes

Alderman Jeff Gould - Yes Alderman Steve Lochmoeller - Yes

Alderwoman Kathy O'Neill - Yes Alderman Jack Shelton - Yes

By a vote of 8 (Yes) to 0 (No), Bill No. 6373 will Become Ordinance No. 5007 when signed by the Mayor.

11. NEW BUSINESS

A. Bill No. 6374 - An Ordinance Amending Sections 400.1370 And 400.1380 Of The Zoning Code Relating To Conditional Uses In The "GC" General Commercial District And The "PD" Planned Development Overlay Districts To Eliminate Certain Auto-Oriented And Outdated Uses. **First Reading**

City Attorney O'Keefe did the first reading.

Director of Planning and Development, Whitney Kelly presented the information on the text amendment, reading the staff report (available in Board Docs) citing support for City's intended development goals and the comprehensive plan. She shared a list of uses for elimination, and clarified the public noticing requirements, which were met. Alderman Wegge asked about the potential for an EV charging stations (like Tessler that is in a different area) and if this would be allowed. Whitney stated that would have to be reviewed as this may be more of a utility facility, in conjunction with a permitted use (shopping area) and a convenience for existing land use.

A staggered reading tonight, no second reading. Will take up again at the March 7th Meeting.

B. EV Charging Station Discussion - Public Purpose vs. Private Benefit

Director of Parks and Recreation, Eric Gruenenfelder provided an overview of the recommendation from Public Works Committee and the research on free versus fee-based stations. He cited cities that provide the service for free and stated that this was originally a sustainability initiative. He also stated that we have the option to make a change and to charge through Charge Point's cloud-based system. It is an application that user would download, if that is decided. The city pays an annual fee to have the charging stations, whether we charge users or not.

Motion was made by Alderman Lochmoeller and seconded by Alderman Gould to approve the recommendation from Public Works Committee to start charging users for the use of the EV station. Discussion took place.

Alderman Lochmoeller feels we build things with public money, but we then charge for use of the services, i.e skating, room rental, etc. and should do the same for EV charging stations to cover costs that are incurred. Alderman Gould feels they can afford the fees and there is a principle involved as to whether taxpayers should pay for the services for a few. Alderman Plufka feels the free services make us more community oriented and attractive to users for a minimal cost. Alderwoman Sims feels the benefits of not charging outweighs the cost. Mayor Dimmitt suggests that this falls under the Sustainability Commission umbrella, along with other services that are free of charge like the quarterly recycling and shredding event. Alderman Wegge feels at some point in the future we might charge, but not now. We should be like our comparator cities. Roll was called: Mayor clarified: Yes vote means to start charging and a No vote means to remain status quo.

Alderman David Plufka - No	Alderwoman Nancy Parker Tice - No
Alderwoman Sunny Sims - No	Alderman Brandon Wegge - No
Alderman Jeff Gould - Yes	Alderman Steve Lochmoeller Yes
Alderwoman Kathy O'Neill - No	Alderman Jack Shelton - No

Motion fails by vote of 2 (Yes) to 6 (No).

12. CITIZEN COMMENTS

A. Citizen Comments – Adam Moss (spoke earlier) suggested that with the carnival rides, maybe we utilize only the most popular rides and not all of the rides to reduce damage that is done to the grounds. Also, regarding EV charging stations, maybe there is a way to utilize/distribute QR code to local businesses to determine if those who are using the charging stations are bringing in revenue to city and do a more data-based approach to this decision.

13. CLOSED MEETING –Closed session occurred under Item 4.1 of agenda.

14. ADJOURN

A. Adjournment – Motion was made by Alderwoman Tice and seconded by Alderman Plufka to adjourn the meeting. Motion carried by unanimous voice vote. Meeting ended at 8:48 PM

This meeting was livestreamed on YouTube and recorded. The recording will be made available on the City's YouTube channel.