

Monday, April 4, 2022
BOARD OF ALDERMEN REGULAR MEETING

AGENDA

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE

A. Call to Order – Mayor Dimmitt called the meeting to order at 7:00 pm, followed immediately by the Pledge of Allegiance.

B. Pledge of Allegiance

2. ROLL CALL

A. Roll Call – All members were present:

Alderman Plufka – Present

Alderdwoman Tice – Present

Alderdwoman Sims – Present

Alderman Wegge – Present

Alderman Lochmoeller – Present

Alderman Gould – Present

Alderdwoman O’Neill – Present

Alderman Shelton - Present

3. AGENDA APPROVAL

A. Approval or Amendment of Agenda – There was consideration to remove items from Consent Agenda and place under New Business, but it was determined that this could be done at the time of review of Consent Agenda. So the current Agenda was approved by Acclamation.

4. ANNOUNCEMENTS, APPOINTMENTS, PROCLAMATIONS & RECOGNITIONS

A. Recognition of Alex Cavallini - Alex Cavallini Day in the City of Brentwood, Missouri

Mayor recognized Alexandra and read a bio of her accomplishments. She was presented with the key to the City and the Mayor declared April 4th Alex Cavallini day in the City of Brentwood. Alexandra thanked everyone and the community for making her feel so welcome!

B. Meet & Greet with Team USA Women’s Hockey Goalie and Brentwood resident Alex Cavallini on April 10th starting at 4:30 p.m. at the Brentwood Ice Rink, 2505 South Brentwood Blvd., Brentwood, MO 63144

The Director of Parks and Recreation, Eric Gruenenfelder announced the information for the meet and greet and invited everyone to come to meet Alex and enjoy free skating at the Recreation Center.

5. PUBLIC HEARING

A. Text Amendment Amending Section 400.1400(C) Conditional Uses of The Urban District to Include Facilities Used for Animal Rescue, Shelter and Adoption and Related Support Activities as a Conditional Use

Mayor Dimmitt gavelled open the public hearing and read the text amendment as noted. He asked for members of the public to come forward and speak. There were no comments. The Mayor then gavelled closed the public hearing.

6. CITIZEN COMMENTS

A. Citizen Comments – There were no comments.

7. MAYOR AND ALDERMEN REPORTS

A. Mayor David Dimmitt – had several items for announcement:

- Eager Road Clean-up was done over the weekend. There were 60 volunteers who cleaned up 300 bags of trash on both sides of the street. It was a great success and is truly appreciated.
- MoDot update – preparing sidewalks Between Hanley Rd. and Brentwood Blvd. and between Brentwood Blvd. and High School Dr. (south side)
- The proposed 2nd shutdown of Manchester Rd., that was scheduled for April 22-24, has been canceled. They will do this work later, when they complete other road work on Manchester, to avoid so many closures on this road.
- The Manchester Road closure for bridge work over Black Creek will begin May 2nd and be completed by late August. Bridge is coming down. Have to get to Manchester Rd. via Brentwood Blvd. and not Hanley.
- The GRG/Deer Creek groundbreaking is scheduled for April 28th at 10:30 am – in the parking lot behind Arby’s restaurant. It will be announced and shared on social media. Susan Trautman will be the guest speaker.
- Election day is tomorrow, April 5th. Please vote. Registered voters can vote at any location in the county.
- Alderdwoman Sims won the 50/50 Mark Twain Raffle at the PTO and donated the winnings back to the PTO.

- B. Alderman David Plufka - Ward 1-No Report
- C. Alderwoman Nancy Parker Tice - Ward 1-No Report
- D. Alderwoman Sunny Sims - Ward 2- Echoed the work that volunteers did Saturday on Eager Rd. It was a great, fun day.
- E. Alderman Brandon Wegge - Ward 2-Announced the Public Works Meeting on April 14th at 6:00 at City Hall.
- F. Alderman Steve Lochmoeller - Ward 3- No Report
- G. Alderman Jeff Gould - Ward 3-No Report
- H. Alderman Jack Shelton - Ward 4 - No Report
- I. Alderwoman Kathy O'Neill - Ward 4- No Report

8. CITY ADMINISTRATOR REPORT

A. Brentwood Bound Update

Craig Schluter with Navigate Building Solutions presented the construction costs and soft costs since the last meeting and noted there were no acquisitions or additional funds received. There were no questions.

9. CONSENT AGENDA

A. Standing Committees Reports

B. Approval of Meeting Minutes

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

THE FOLLOWING 4 ITEMS WERE MOVED TO NEW BUSINESS PER REQUEST AND MOTION BELOW:

D. Resolution No. 1350 - A Resolution Approving a Change Order to the Contract with Jacobs Engineering Group for Continuing Construction Services as Well as the Design of a Retaining Wall in Phase 2

E. Resolution No. 1351 - A Resolution Approving a Change Order to the Contract with HOF Construction In., for Additional Work Needed for the Brentwood Park Pavilion and Event Lawn Project

F. Resolution No. 1352- A Resolution Approving A Temporary Roadway Agreement With Fred Luth & Sons Associated With MSD Project 11212

G. Resolution No. 1353- A Resolution Approving Change Order 3 With Ideal Landscape For GRG Connector A

Request was made by Alderman Wegge to move items D, E, & G from Consent agenda and to place all items under New Business to allow for further discussion. The same request was made by Alderman Plufka to move item F from the Consent Agenda to New Business. Resolutions No. 1350, 1351, 1352, and 1353 were moved to New Business.

Motion was then made by Alderman Lochmoeller and seconded by Alderwoman Sims to approve Consent agenda as amended, which now includes Standing Committee Reports, Meeting Minutes and Warrant lists.

Roll was called:

Alderman Plufka – Yes	Alderwoman Tice – Yes
Alderwoman Sims – Yes	Alderman Wegge – Yes
Alderman Lochmoeller – Yes	Alderman Gould – Yes
Alderwoman O’Neill – Yes	Alderman Shelton - Yes

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

10. OLD BUSINESS

11. NEW BUSINESS

A. Bill No. 6378 - An Ordinance Of The City Of Brentwood, Missouri, Approving Amendment To Lease With Renatales Inc. D/B/A Bauserhaus; Authorizing Certain Other Actions In Connection Therewith; Providing For The Effective Date Of This Ordinance; And Containing A Severability Clause. - **First and Second Reading**

City Attorney O’Keefe did the first reading.

Mark Murray, with Armstrong Teasdale, shared that the city purchased this property 18 months ago and agreed to a year long lease. They now want to extend the lease by 7 months and terminate in January 2023. There was no discussion.

A Motion was made by Alderman Plufka and seconded by Alderwoman Sims for 2nd Reading of the Bill. No discussion. Motion carried by unanimous voice vote.

City Attorney did 2nd Reading of the Bill. There was no additional information for presentation.

Motion was made by Alderman Gould and seconded by Alderwoman Sims to perfect Bill #6378 into Ordinance form. There was no discussion. Roll was called:

Roll was called:

Alderman Plufka – Yes	Alderwoman Tice – Yes
Alderwoman Sims – Yes	Alderman Wegge – Yes
Alderman Lochmoeller – Yes	Alderman Gould – Yes
Alderwoman O’Neill – Yes	Alderman Shelton – Yes

By a vote of 8 (yes) to 0 (no) Bill No. 6378 will become Ordinance No. 5010 upon signature of the Mayor,

B. Bill No. 6379 - An Ordinance Adopting And Enacting A New Code Of Ordinances Of The City Of Brentwood; Establishing The Same; Providing For The Repeal Of Certain Ordinances Not Included Therein, Except As Herein Expressly Provided; Providing For The Manner Of Amending Such Code Of Ordinances; Providing Penalty For The Violation Thereof; And Providing When This Ordinance Shall Become Effective - **First and Second Reading**

City Attorney O’Keefe did the first reading.

City Administrator Akande shared that this is a housekeeping item we bring forward each year in review of state laws. There were no questions or discussion,

Motion was made by Alderman Plufka and seconded by Alderman Gould to do a 2nd Reading of the Bill.

Motion Carried by unanimous voice vote.

City Attorney O’Keefe did the 2nd Reading of the Bill. There was no additional presentation or discussion.

Motion was made by Alderwoman Sims and seconded by Alderman Shelton to perfect Bill No. 6379 into Ordinance form. There was no discussion. Roll was called:

Alderman Plufka – Yes	Alderwoman Tice – Yes
Alderwoman Sims – Yes	Alderman Wegge – Yes
Alderman Lochmoeller – Yes	Alderman Gould – Yes
Alderwoman O’Neill – Yes	Alderman Shelton – Yes

By a vote of 8 (yes) to 0 (no) Bill No. 6378 will become Ordinance No. 5011 upon signature of the Mayor,

C. Bill No. 6380 - #22-005: Text Amendment Amending Section 400.1400(C) Conditional Uses Of The Urban District To Include Facilities Used For Animal Rescue, Shelter, And Adoption, and Related Services For Those Animals Such As Veterinary Care, Pet Owner Resources Support And Educational Programming As A Conditional Use **First Reading**

City Attorney O’Keefe did the first Reading of the Bill.

Information was presented by the Director of Planning and Development, Whitney Kelly, who shared that the applicant is seeking an addition to the existing building (a second story) and requesting a text amendment for a conditional use permit. Sarah Havier, President and CEO of Animal Protective Association of MO, spoke stating that they are an animal adoption agency that has been in Brentwood since 1947. She shared a power point presentation showing the building that was built in 1947 and the need for updates to the facility to provide better care for the animals and also the employees. She shared statistics and historical data along with project needs. They provide a great service to the community – 108 volunteers from our community and over 1000 residents have adopted from the APA. They have raised several million dollars for this project to complete the work that needs to be done.

Tracy Pupillo, legal counsel for applicant spoke. The APA is a legal non-conforming use, and it needs to be a conditional or permitted use to make the renovations. The ordinance would modify the urban district regulations to allow as a conditional use animal rescue, shelter and adoption services which provides custodial veterinary care for domestic animal pets, and pet owner resources, support and educational programs but not including farm, exotic, or other wild animals not normally kept as household pets. This use is consistent with the comprehensive plan and provides valuable public service. Use is also consistent with surrounding districts.

They respectfully request Board approval of this ordinance allowing for the text amendment. Also asked to enter into the record the City’s comprehensive plan Municipal Code Section 400.1400, 400.1370, 400.1380, 400.1390, and the proposed ordinance.

Alderman Plufka clarified that what is before them tonight is only the text amendment – not an application for conditional use or zoning variance. Director Kelly is still reviewing whether a variance is needed or not. The text amendment has to go first to review for the CUP. If no variance needed, it is tentatively scheduled for the May meeting.

Alderman Lochmoeller asked why they did not seek a rezoning of the parcel as opposed to a text amendment?

Director Kelly responded that the property was rezoned in 2017 for the hotel use and for various reasons don't want to go back. It was also noted that the plan failed in 2017 as a permitted use but Planning and Zoning unanimously approved the plan this time.

Resolutions below were moved from Consent Agenda for discussion and approval:

D. Resolution No. 1350 - A Resolution Approving a Change Order to the Contract with Jacobs Engineering Group for Continuing Construction Services as Well as the Design of a Retaining Wall in Phase 2

Director Eric Gruenenfelder presented the information available in Boarddocs. Need Jacobs to design a small retaining wall by Bauserhaus to support an Ameren electric pole that had to be moved by Brentwood Bound. The cost was already included so no increase to budget.

Motion was made by Alderwoman O'Neill and seconded by Alderwoman Sims to approve Resolution 1350. No further discussion. Roll was called:

Alderman Plufka – Yes	Alderwoman Tice – Yes
Alderwoman Sims – Yes	Alderman Wegge – Yes
Alderman Lochmoeller – Yes	Alderman Gould – Yes
Alderwoman O'Neill – Yes	Alderman Shelton – Yes

Motion carries by a vote of 8 (yes) to 0 (no).

E. Resolution No. 1351 - A Resolution Approving a Change Order to the Contract with HOF Construction Inc, for Additional Work Needed for the Brentwood Park Pavilion and Event Lawn Project

Director Gruenenfelder and Craig Schluter with Navigate Building Solutions presented this information stating that during MSD's final site review, they indicated that the site utilities cannot run underneath the parking lot. The change order is to move all the utilities that were under the parking lot. Design cost is covered. This is only a construction cost. Moving the utilities that may go under the trail path is not a cause for concern.

Motion was made by Alderman Gould and seconded by Alderwoman Tice to approve Resolution 1351. No further discussion, Roll was called:

Alderman Plufka – Yes	Alderwoman Tice – Yes
Alderwoman Sims – Yes	Alderman Wegge – Yes
Alderman Lochmoeller – Yes	Alderman Gould – Yes
Alderwoman O'Neill – Yes	Alderman Shelton – Yes

Motion carries by a vote of 8 (yes) to 0 (no).

F. Resolution No. 1352- A Resolution Approving A Temporary Roadway Agreement With Fred Luth & Sons Associated With MSD Project 11212

Director Dan Gummertsheimer presented the information as noted in Boarddocs, stating that this proposed plan will help decrease construction time, and was shared at March meetings with both Public Works and Public Safety Committees who were favorable. Fred Luth and Sons representative was available to field questions. Extensive discussion took place.

It was stated that the project could not be delayed until later in summer due to contract with MSD to complete the project. Safety for resident and children in the area was presented as a main concern, as well as the traffic issues that are anticipated on Swim Club Dr. if this moves forward, and on Brentwood Blvd. if they have to turn trucks around. Safety concerns were addressed by Chief Cottrell and Chief Spiess. The Fred Luth Company was willing to accommodate any and all concerns.

Motion was made by Alderman Gould and seconded by Alderman Plufka to table the decision and review at the Public Works meeting on April 14th and to consult with area residents and Swim Club administration.

Motion carried by 7(yes) to 1(no) voice vote. Alderwoman O'Neill was opposed to the delay.

G. Resolution No. 1353- A Resolution Approving Change Order 3 With Ideal Landscape For GRG Connector A

Director Gummertsheimer presented the information for the change order. There are three components to the change order: Time and Material, unforeseen concrete removal, and Ameren electric service relocation for MSD. Changes are still under the projected cost of the original project.

Motion was made by Alderman Wegge and seconded by Alderman Plufka to approve Resolution 1353. There was no further discussion. Roll was called:

Alderman Plufka – Yes	Alderwoman Tice – Yes
Alderwoman Sims – Yes	Alderman Wegge – Yes
Alderman Lochmoeller – Yes	Alderman Gould – Yes
Alderwoman O'Neill – Yes	Alderman Shelton – Yes

Motion carries by a vote of 8 (yes) to 0 (no).

12. CITIZEN COMMENTS

A. Citizen Comments

1. Megan Harris - 8706 Rosalie Ave. spoke regarding her concerns for Resolution 1352 and an exit onto Swim Club Dr. She appreciated being able to address the Board and she will be at the Public Works meeting on Aril 14th.

2. Lois Truman 8710 Rosalie Ave. also stated her concerns for the number of children in the area walking and riding bikes in regard to Resolution 1352.

3. Kerry Trostel appreciates tabling this Resolution. Feels that this is a thoroughfare for the kids and there might need to be police representation in addition to the crossing guard they have. This will affect her business (The Snow Cone Shop at the park). This street is packed solid during the 7-8 weeks of swim club season. This need to be communicated well to residents on White Ave. to all residents (especially those who have language barriers). Hope all scenarios are being reviewed.

4. Matt Ahlers 9004 Moritz Ave. the former President of Brentwood Swim Club. He also sent email – primary concern is for the volume on that street and the traffic from Memorial Day to Labor Day which is extensive.

13. CLOSED MEETING

A. Legal - RSMo 610.021 (1)

B. Real Estate - RSMo 610.021 (2)

Motion was made by Alderwoman Tice and seconded by Alderwoman Sims to move to Closed Session pursuant to RSMo Section 610.021 subsections 1 & 2. Legal and Real Estate respectively. Roll was called:

Alderman Plufka – Yes	Alderwoman Tice – Yes
Alderwoman Sims – Yes	Alderman Wegge – Yes
Alderman Lochmoeller – Yes	Alderman Gould – Yes
Alderwoman O’Neill – Yes	Alderman Shelton - Yes

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

14. ADJOURN

A. Adjournment

Open Meeting adjourned at 8:26PM. Closed session to reconvene in approximately 5 minutes.

This meeting was livestreamed on YouTube and/or recorded. The recording will be made available on the City’s YouTube channel. Please be aware that your presence may be recorded.