

**Monday, May 15, 2023**  
**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 7:00PM with the Pledge immediately following.

B. Pledge of Allegiance

**2. ROLL CALL**

A. Roll Call – Seven Members were present.

Alderman Plufka – Present

Alderswoman Tice – Present

Alderswoman Sims – Present

Alderman Wegge – Present

Alderman Gould – Present

Alderman Lochmoeller – Present

Alderswoman O’Neill - Present

Alderman Shelton – Absent

Additional people present at the meeting included: Eric Gruenenfelder (Director of Parks and Recreation), Dan Gummshheimer (Director of Public Works), Whitney Kelly (Director of Planning and Development), Joe Spiess (Police Chief), Ronnie Cottrell (Fire Chief), Jason Kotz (Human Resources Manager), Bola Akande (City Administrator), Kevin O’Keefe (City Attorney), and Kelle Silvey (Deputy City Clerk).

**3. AGENDA APPROVAL**

A. Approval or Amendment of Agenda - The agenda was approved by acclamation.

**4. ANNOUNCEMENTS, APPOINTMENTS, PROCLAMATIONS & RECOGNITIONS**

A. Announcements, Appointments, Proclamations & Recognitions

Mayor Dimmitt shared, on behalf of the Brentwood Library Executive Director Gina Gibbons, that one of their Library Board members, Garry Truman, Ward 1, is at the end of his term. They have a candidate to fill the vacancy. Laura McAllister, Ward 1. Laura’s appointment would become effective June 2023, to serve for three years.

**Motion was made by Alderman Wegge and seconded by Alderman Plufka to approve the appointment of Laura McAllister to the Library Board.**

**Motion carried by unanimous voice vote.**

**5. CITIZEN COMMENTS**

A. Citizen Comments

Marie Plufka (York Village) and Steve Berkmeier (Florence Ave) spoke regarding the Brentwood Police Foundation and announced the fundraising event on June 15<sup>th</sup> from 5-8 PM at the new Brentwood Park Pavilion. They are looking to purchase a search and rescue dog, and to equip a service vehicle that has been provided. They reminded everyone that donations are tax deductible.

The dog they have acquired is a Labrador and its training starts in July. If all goes well, the dog will be available for service by the end of August.

**6. MAYOR AND ALDERMEN REPORTS**

A. Mayor David Dimmitt –shared that the legislative session has ended, and we made it, but he believes that they will (at some point) exclude the sale of groceries from sales tax. He noted the importance of working with legislators and letting officials in Jefferson City know the impact of that decision.

B. Alderman David Plufka - Ward 1 –shared that May 24<sup>th</sup> was the date for the Public Safety meeting, but it will need to be changed. We will let everyone know the new date once it is scheduled.

C. Alderswoman Nancy Parker Tice - Ward 1 –announced that the Ward 1 meeting will be held on Tuesday, May 23<sup>rd</sup> at 6:30 PM at the Parks and Recreation Center.

D. Alderswoman Sunny Sims - Ward 2 – announced that the June Ways and Means Committee meeting will be rescheduled. The new date for June is still to be determined.

E. Alderman Brandon Wegge - Ward 2 – No report

F. Alderman Jeff Gould - Ward 3 – announced that the Communications Committee meeting has moved to May 30<sup>th</sup> at 5:30 PM and is the same date as the Ward 3 meeting which will be at 6:30 PM at the Parks and Recreations Center.

G. Alderman Steve Lochmoeller - Ward 3 – No report

H. Alderwoman Kathy O'Neill - Ward 4 – No Report

I. Alderman Jack Shelton - Ward 4 - Absent

## **7. CITY ADMINISTRATOR REPORT**

### **A. Brentwood Bound Update**

Craig Schluter, Navigate Building Solutions, shared the Brentwood Bound updated expenditure report (Document is available in BoardDocs) stating soft costs, constructions costs, and categories of funding since the last Board meeting. He noted that they have spent beyond the COP dollars. They have pulled money from additional funding sources, but within a month or so, the COP's. will be expended, and they will be going into the additional funding categories that are listed. (Grants, Investment income, etc.) We are fortunate to have these. They are wrapping up and coming to the end of the Brentwood Bound Project.

## **8. CONSENT AGENDA**

### **A. Standing Committees Reports**

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

C. Approval of Meeting Minutes from April 3, 2023

D. Approval of Meeting Minutes from April 17, 2023

E. Approval of Meeting Minutes from April 24, 2023 - Special meeting

F. Approval of Meeting Minutes from May 1, 2023

G. Information regarding Healthcare and Visioncare premiums for FY 2023-24.

H. Approval of Special Use Permit Applications - Temporary Liquor Licenses for the Brentwood Park Grand Opening and Brentwood Summer Beats in the Brentwood Park System

I. Resolution No. 1441 - A Resolution Approving a Memorandum of Understanding with the Missouri botanical Garden for the Design, Installation and Signage for the Brentwood Wetland Arboretum Project

J. Resolution No. 1442- A change order with L. Keeley Construction associated with Brentwood Bound- Deer Creek Flood Mitigation Phase 2

K. Resolution No. 1443- A Resolution Approving An Agreement With Sourcewell/Carrier Commercial Services For HVAC Replacement At City Hall

L. Resolution No. 1444 - 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

The Mayor asked Craig Schluter to address item J – Resolution No. 1442 – the Keeley change order. Craig noted the correct amount of change order is \$37,142.58.

**Motion was made by Alderman Lochmoeller and seconded by Alderwoman Sims to approve the Consent Agenda.**

### **Roll Call:**

Alderman Plufka – Yes

Alderwoman Tice – Yes

Alderwoman Sims – Yes

Alderman Wegge – Yes

Alderman Gould – Yes

Alderman Lochmoeller – Yes

Alderwoman O'Neill - Yes

**Motion carried by a vote of 7(Yes) to 0 (No).**

## **9. OLD BUSINESS**

A. Bill No. 6456 - An Ordinance authorizing an Intergovernmental agreement with the cities of Clayton and Richmond Heights to create a commission for fire department training services.

Chief Cottrell shared that since the last meeting, we continue to negotiate with the property owner. Assisting the cities with this is Bob Jones (attorney). here is no final lease agreement for presentation tonight.

Alderman Plufka shared concern regarding configuration of the ByLaws - stating that the way this is written the Commission, by majority vote, could spend money and contract on behalf of the consortium and bind the cities (financial or contractual) with their votes. That is troubling, since they are not elected by the public, and they could be spending taxpayer money without Board consent. He noted there needed to be more control over the process. He suggested changing the By Laws to a unanimous consent and some ratification control on the cities themselves. He asked if there is a status update on this.

The City Attorney shared that the Commission is created first, and then the Commission approves the By Laws. He stated that he will look at the terms of the Intergovernmental agreement and will work with Bob Jones on this.

Alderman Gould inquired how to manage the water used. He understood that the utilities bring the water in, but what do we do to manage the water being used, such as a basin to hold the runoff; or does MSD permit process allow runoff to go wherever.

Chief Cottrell noted there is only one facility he knows of that has a retention area on site for run off. We would comply with permit process by MSD.

Alderman Wegge questioned that by not approving the lease, they are not approving the Commission? But it was stated that right now they are wanting to approve the formation of the commission and not approving the lease – but it seems to the members that they go together.

Mayor Dimmitt suggested we table the matter again until we get the Intergovernmental agreement as well. His thoughts are that when we meet again, the Board would be able to ratify any long-term agreement/lease for the training center and that votes be unanimous at commission level and to have those things put into intergovernmental agreement.

**Motion was made by Alderman Gould and seconded by Alderman Lochmoeller to table Bill No. 6456 to a later date until they have the revised Intergovernmental agreement.**

Alderman Sims stated that the Bylaws should conform to the changes in the lease, and they need conclusion on all documents (the revised agreement, lease, and by laws) in final form.

**Motion carried by unanimous voice vote.**

B. Bill No. 6459 - An Ordinance Amending Section 400.1320(C) and Section 400.1330(C) Regarding Conditional Use of Property in the A and B Single-Family Zoning Districts for Adult Day Care Services. Second Reading

The City Attorney gave the Second Reading of the Bill.

**Motion was made by Alderwoman Tice and seconded by Alderman Gould to Perfect Bill No. 6459 into Ordinance form. Roll call:**

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

**By a vote of 7 (yes) to 0 (no), Bill No. 6459 will become Ordinance No. 5090.**

## 10. NEW BUSINESS

A. Request for an Extension to Ordinance 5023 -An Ordinance Granting A Conditional Use Permit And Site Development Plan Approval For The Animal Protective Association Of Missouri (APA) At 1705 S. Hanley Road

Whitney Kelly shared the information and noted that this was originally approved on June 21, 2022 (which is typically good for a year) but due to staff changes, they have not been able to submit for their building permit. They would like to ask for the allowed 180 day extension.

**Motion was made by Alderman Wegge and seconded by Alderwoman O’Neill to approve the 180 day extension.**

**Roll call:**

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

**Moton carried by a vote of 7 (Yes) to 0 (No).**

B. Request for an Extension to Ordinance 5024 An Ordinance Authorizing The Rezoning Of 200 Hanley Industrial Court From PD-Planned Development Overlay District To UD-Urban Development District And Granting Site Plan And Conditional Use Permit Approval For A 256 Unit Apartment Complex And Fitness Facility.

Mike Doester, Land Use Attorney for the development team for Cornerstone, spoke noting the complicated environment in putting this \$100 Million project together. They are still working and gathering information and would appreciate a one-year extension.

**Motion was made by Alderman Wegge and seconded by Alderwoman Tice to approve the 1-year extension.**

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

**Motion carried by a vote of 7 (Yes) to 0 (No).**

C. Bill No. 6461- An Ordinance Approving An Agreement With Missouri Highways And Transportation Commission For Brentwood Boulevard Railroad Crossing. First and Second Reading

City Attorney did the First Reading of the Bill.

Craig Schluter shared that this is a critical piece to the trail connection from Rogers Pkwy to Marshal Road which was agreed to happen to further the Great Rivers Greenway project and also a part of the East/West Gateway grant. There are many dollars tied to this project to make it happen. He noted that the cost share agreement that was negotiated is for 85% by MoDOT, 5% by Union Pacific, and 10% by the City of Brentwood for the improvements in the Union Pacific right of way. Many ups and downs over these 5-years. If Bills 6461 and 6462 are passed, it will allow for the East/West Gateway to go out to bid for the Green Rivers Greenway Part B. These are the last pieces to the project.

He noted that another agreement would come forward later this month on the maintenance agreement for the resurfacing and lights that we agreed to, but this will finalize that.

The general estimate would be for this project to start late summer 2023 if all the approvals happen and be done by Spring of 2024. They are ready to go, and this is the bid package for us to do the trail. Union Pacific does the resurfacing and lights and are on their own timeline. May be later.

Alderman Plufka clarified that this is the final section - east of Brentwood Blvd, south of Brentwood Park to the connection of the Great Rivers Greenway (at Marshal Rd and Brentwood Blvd.). Craig confirmed that this releases the work to be done for this area and also taking Brentwood Park along Russel and connecting to the Brentwood Sports complex. Kudos were given for all the work on this project.

**Motion was made Alderman Wegge and seconded by Alderman Plufka to do a second reading of Bill #6461. Motion carried by unanimous voice vote.**

City Attorney gave the Second Reading of Bill No. 6461

**Motion was then made by Alderman Gould and seconded by Alderwoman Tice to Perfect the Bill into Ordinance form. Roll call:**

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

**By a vote of 7 (yes) to 0 (no), Bill No. 6461 will become Ordinance No. 5091.**

D. Bill No. 6462- An Ordinance Approving A Supplemental Agreement With Missouri Highways And Transportation Commission For Union Pacific Rail Road (UPRR) Crossing. First and Second Reading

City Attorney did the First Reading of the Bill.

Craig Schluter shared the information stating this is the agreement between Brentwood, MoDOT, and Union Pacific (last agreement was just Brentwood and MoDot). This one takes into consideration all the work that is going to occur and the payment structures that will occur.

**Motion was made by Alderman Gould and seconded by Alderwoman Sims for a Second Reading of Bill # 6462. Motion carried by unanimous voice vote.**

The City Attorney did the Second Reading of Bill NO. 6462.

**Motion was then made by Alderman Plufka and seconded by Alderwoman Tice to Perfect the Bill into Ordinance form. Roll call:**

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

**By a vote of 7 (yes) to 0 (no), Bill No. 6462 will become Ordinance No. 5092.**

E. Bill No. 6463- An Ordinance Amending Table III-A No Parking At Any Time- Brentwood Place. First and Second Reading.

City Attorney did the First Reading of the Bill.

The Public Works Director shared that the item had been discussed at the Public Works Committee to add north side of street prohibition to parking and extend the no parking signs further down on the south side of the street. He stated that they have started to paint yellow on the curbs and will put up signs as well.

Alderman Wegge noted this was an issue that residents brought forward, and this code change solution helps with clarification and enforcement.

**Motion was made by Alderman Plufka and seconded by Alderman Gould for a Second Reading of Bill #6463. Motion carried by unanimous voice vote.**

City Attorney gave the Second Reading of Bill No. 6463.

**Motion was made by Alderman Gould and seconded by Alderwoman O’Neill to Perfect Bill # 6463 into Ordinance form. Roll call:**

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

**By a vote of 7 (yes) to 0 (no), Bill No. 6463 will become Ordinance No. 5093**

F. Bill No. 6464 - An Ordinance Terminating Tax Increment Financing Within the Hanley/Eager Redevelopment Area; Dissolving the Special Allocation Fund Related Thereto; And Authorizing Certain Actions Relating Thereto. First and Second Reading

City Attorney did the First Reading of the Bill.

The City Administrator was happy to report that the Meridian Brentwood Development (known as the Hanley/Eager Tax Increment Financing District) has been paid off. The recommendation is for the special allocation fund to be dissolved and the remaining surplus be sent to different taxing entities. Starting in Fiscal year 2024, the city should expect to receive \$662,000 annually in additional revenue coming to the city.

Alderman Plufka noted the only remaining TIF is Hanley Station, and inquired if it is set to expire soon. City Administrator stated she did not know the exact date but would confirm this.

**Motion was made by Alderman Plufka and seconded by Alderman Gould for a Second Reading of the Bill. Motion carried by unanimous voice vote.**

City Attorney gave the Second Reading of Bill NO. 6464

**Motion was made by Alderman Plufka and seconded by Alderman Lochmoeller to Perfect Bill #6464 into Ordinance form. Roll call:**

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

**By a vote of 7 (yes) to 0 (no), Bill No. 6464 will become Ordinance No. 5094.**

## 11. CITIZEN COMMENTS

A. Citizen Comments - None

## 12. CLOSED MEETING

**Motion made by Alderwoman Tice and seconded by Alderman Plufka to move to Closed Session pursuant to RSMo 610.021 (1) and (12) Roll call:**

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

**Motion carried by a vote of 7 (Yes) to 0 (No).**

A. Legal - RSMo 610.021 (1)

B. RSMo 610.021 (12) Sealed bids and related documents, until the bids are opened; and sealed proposals and related documents or any documents related to a negotiated contract until a contract is executed, or all proposals are rejected.

## 13. ADJOURN

A. Adjournment --- Public meeting ended and Board moved to close session at 7:40 PM

This meeting was livestreamed and recorded. Recording will be made available on the City’s YouTube channel.