

Monday, May 16, 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
- B. Pledge of Allegiance – immediately followed.

2. ROLL CALL

- A. Roll Call – All Members were present.

Alderman Plufka – Present	Aldерwoman Tice – Present
Aldерwoman Sims – Present	Alderman Wegge – Present
Alderman Lochmoeller – Present	Alderman Gould – Present
Aldерwoman O’Neill – Present	Alderman Shelton - Present

3. AGENDA APPROVAL

- A. Approval or Amendment of Agenda –

Alderman Plufka wanted to add an item to New Business as a recommendation from the Public Safety Committee for continued increase police presence and traffic calming measures due to the Manchester detour - but City Attorney then determined that without a resolution this information would best be shared, and a motion made during Alderman Plufka’s Aldermanic report. With this, no changes were made to the agenda.

Agenda was approved by acclamation.

ANNOUNCEMENTS, APPOINTMENTS, PROCLAMATIONS & RECOGNITIONS

- A. American Society of Landscape Architects (ASLA) - Merit Award

Eric Gruenenfelder, Director of Parks and Recreation introduced Andy Franke, Principal with Planning Design Studio who presented the city with the ASLA Merit Award Certificate. Mr. Franke noted how happy they were to serve as the landscape architect on this amazing Brentwood Bound Project.

- B. Recognition of Significant Professional Achievement - Chief Fire Officer - Fire Chief Cottrell

Mayor Dimmitt introduced Fire Chief Ronnie Cottrell and shared his accomplishments noting his professional designation as Chief Fire Officer (CFO) – stating that Ronnie is one of only 1659 CFO’s world-wide, to receive this award. (Credentials for the award are available in Boarddocs) He demonstrates a high level of service and professional conduct, and we are proud of his achievement.

- C. Proclamation - Emergency Medical Services Week 2022

Mayor Dimmitt read the Proclamation for Emergency Medical Services week (available in Boarddocs) and declared the week of May 15- 21, 2022 as Emergency Medical Week.

5. PUBLIC HEARING

- A. Public Hearing on the Conditional Use and Permit Site Development for the Renovation and a 3,224 Square Foot Addition for the Animal Protective Association of Missouri (APA) facility at 1705 S. Hanley Road.

Mayor Dimmitt read the description and gavel opened this hearing and invited members to speak. Tracey Pupillo, representative for the APA addressed the Board, and asked from a legal perspective that her remarks be a part of the public record when they presented their information later in the meeting. The Mayor and City Attorney agreed. No other comments were made. The Mayor Gavel closed the public hearing on that matter.

- B. Public Hearing to rezone the property at 200 Hanley Industrial Court from the PD-Planned Development Overlay District to the UD-Urban Development District and site development plan and conditional use permit application for a new 273,659 square foot elevator apartment facility and 26,604 square foot Planet Fitness facility.

Mayor Dimmitt read the description and gavel opened this hearing and invited members of the public to speak. Mike Donister, member of the development team for Cornerstone Brentwood, LLC requested the same as above, asking that their remarks be made part of the public record when they are presented later in the agenda. Mayor agreed. There were no other comments. Mayor gavel closed the public hearing on that matter.

C. Public Hearing for a Conditional use Permit for Scissors and Scotch, Men's Hair Salon located within the Dierbergs Brentwood Pointe Shopping Center at the tenant space addressed as 8432 Eager Road.

Mayor Dimmitt read the description and gavel opened this hearing and invited members of the public to speak. No one addressed the matter, and the mayor gavel closed the Public hearing on this matter.

6. CITIZEN COMMENTS

A. Citizen Comments - None

7. MAYOR AND ALDERMEN REPORTS

A. Mayor David Dimmitt – No Report

B. Alderman David Plufka - Ward 1-Presented the information from the Public Safety Special Meeting on May 11, 2022, regarding the Manchester Road shut-down and detour, stating that the public provided input in a spirited discussion which resulted in asking Public Works to take temporary barricades and deploy them in areas as needed to discourage cut-through traffic and speeding. Also asked that they work with Police and Fire departments regarding the placement of barricades. Finally, they asked that the police presence continue and to consider the overtime costs as essential. This was recommended unanimously by the Committee and Alderman Plufka felt the full Board should weigh in on this decision.

Motion was made by Alderman Plufka and seconded by Alderwoman O'Neill to direct staff to use available barriers as decided by Public Works, in consult with the Police and Fire departments, to place these in neighborhoods discouraging cut-through traffic and speeding, and to encourage to recommend additional police presence with overtime pay.

Aldermen Wegge supports motion but suggested amending the motion to include deploying temporary speed humps when they come in, as well as the traffic monitors when they come back, to get quantitative data to support this a-typical traffic pattern.

Alderman Plufka agreed to amend the Motion to include the traffic monitors and speed humps when they are delivered, and Alderwoman O'Neill agreed to second the amended motion. 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 (Yea) to 0 (Nay).

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

D. Alderwoman Sunny Sims - Ward 2 – Announced the Ways and Means Meeting was rescheduled for May 17th at 5:30 PM.

E. Alderman Brandon Wegge - Ward 2 – No Report

F. Alderman Jeff Gould - Ward 3 – Announced that the Ward 3 meeting will be Tuesday, May 31st at the Recreation Center.

G. Alderman Steve Lochmoeller - Ward 3 – Reminded everyone to remember to use the businesses in the traffic area on Manchester and to support them during this construction time.

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

I. Alderman Jack Shelton - Ward 4- No Report

8. CITY ADMINISTRATOR REPORT

A. Brentwood Bound Update

Craig Schluter with Navigate Building Solutions presented the Brentwood Bound update, since the last Board Meeting, sharing the construction costs, soft costs, and the additional funding which was the rent received from Bauserhaus. There were no questions.

B. YMCA Summer Camp Temporary Structures

Director of Planning and Development, Whitney Kelly, presented that the YMCA would like to request a special use permit for temporary structure to put up three (3) tents for the duration of the summer (82 days), instead of what was done previously for a single day use. She felt this warranted additional consideration as this is not what has been approved in past.

Mayor asked if there were any objections.

Lina Ireman, Executive Director of YMCA, addressed Alderwoman Tice's concern for safety and reassured the placement of tents further back and away from the road as well as possible fencing barriers if needed.

There were no other comments. They were granted permission to do this.

9. CONSENT AGENDA

A. Standing Committees Reports

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

C. Special Use Permit for Temporary Liquor License

D. Resolution No. 1365 - 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

Alderman Wegge asked about Item D for additional information. Eric Gruenenfelder addressed the change order stating that the additional communication conduit and inground concrete box will allow the city to use other service providers besides AT&T (if needed) in the future, and not have to lay new lines. A preventative measure that the IT department helped identify.

Motion was made by Alderwoman Sims and seconded by Alderwoman Tice to approve the items on the consent agenda. 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 carried by a vote of 8 (Yea) to 0 (Nay).

10. OLD BUSINESS

A. Bill No. 6386 - Municipal Housing and Community Development (CDBG) Supplemental Cooperation Agreement - 2nd Reading

City Attorney, Kevin O’Keefe, did the second reading of the Bill.

Motion was made by Alderman Lochmoeller and seconded by Alderman Shelton to perfect Bill #6386 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 (Yea) to 0 (Nay), Bill #6386 will become Ordinance #5017 when signed by the mayor.

11. NEW BUSINESS

A. Bill No. 6385 - An Ordinance Amending Chapter 135 of the Brentwood City Code Relating to Purchasing First Reading

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

Director Gruenenfelder presented information on revisions to the purchasing code (see memo in Boarddocs) and explained that due to rising costs for everyday items, the lower limits slow the daily purchasing process and impedes progress. He noted this was first presented in 2019 but not moved forward, and so was presented again to Ways and Means at the April 12, 2022, meeting and was unanimously approved. Bringing forward to the Board for approval.

No action at this time.

B. Bill No. 6387- An Ordinance Approving a Fire Hydrant Relocation with Missouri American Water Company For Mary Avenue Water Facility Relocations For The Brentwood Bound Improvements Project First and Second Reading

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

Director Dan Gummersheimer presented the information stating that the current hydrant is in conflict on Mary Ave. and will be in the way of the playground. He is seeking approval for Mo. American Water to relocate the hydrant. There is no charge for this.

Motion was made by Alderwoman Tice and Alderwoman Sims for a second reading of the Bill.

City Attorney O’Keefe did second reading.

Motion was made by Alderman Gould and seconded by Alderman Lochmoeller to perfect Bill #6387 into Ordinance form. 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

By a vote of 8 (Yea) to 0 (Nay), Bill #6387 will become Ordinance #5018 when signed by the Mayor.

C. Bill No. 6388 An Ordinance Granting Site Development Plan Approval an Office Building At 241 Hanley Industrial Court -First Reading

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

Planning and Development Director, Whitney Kelly, presented the information stating that this project was reviewed on June 9, 2021 at Planning and Zoning Commission but it did not proceed forward to the Board at that time. The site plan review is good for one (1) year and is currently within that timeframe. The applicant, Mr. Phil Cannon, with CBB Cornerstone was present, and is also requesting a tax abatement, but information for that was received late and Director Kelly has not had time to review that portion. The Tax abatement is not a part of the CUP- this is just for site development. That part can be separate. There were no questions. There was no action on this item.

Brian Snail, representative with Grimes Consulting, spoke and stated that their group prepared the site development plan, noting a few conditional approval items that were changed:

- The light temperature needed to be changed to 3000-3500 kelvin, which was done. Information available on lighting cut-sheet.
- Screening was required on HVAC units toward rear of building, and it needed to match the color of building, which has been addressed
- Orange pipe from property to the north off their property, has now been combined into one and problem has been mitigated.

He noted that all items were addressed and submitted to Planning and Zoning.

D. Bill No. 6389 - Fiscal Year 2021 Budget Amendment First and Second Reading

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

Finance Director Robin Jones presented the Budget amendment for 2021 noting that she has reviewed the financials and presented information to Ways and Means at the April meeting. There were a few expenditures that exceeded budget, attributed to increased costs of goods and services and some overtime expenses (Items are noted in Memo on Boarddocs). It was noted that most departments were within budget.

Mayor noted that while this is listed as a Bill, it should be a Resolution – so there is no second reading. Mayor called for a motion to approve the Resolution for the 2021 budget amendment.

Motion was made by Alderwoman Tice and seconded by Alderwoman Sims to approve the Resolution for the 2021 budget amendment. 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 |

Motion carried by a vote of 8 (Yea) to 0 (Nay). Resolution will be No. 1366.

E. Bill No. 6390- An Ordinance Approving Easement Agreements for Russell Avenue STP 5577 (638) Shared Use Path First and Second Reading

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

Director Gummersheimer presented information regarding easements for the shared use path to enable right of way for MoDOT. These are the residential easements; the commercial easement will have to come at a later date. It was noted that residents have to accept the offers based on fair market value assessment.

Motion was made by Alderman Gould and seconded by Alderman Lochmoeller for a second reading of the Bill

Motion carried by unanimous voice vote.

City Attorney did the second reading of the Bill.

Motion was made by Alderman Gould and seconded by Alderwoman Sims to perfect Bill # 6390 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 (Yea) to 0 (Nay), Bill #6390 will become Ordinance #5019 when signed by the Mayor.

F. Bill No. 6391 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 First Reading

City Attorney O'Keefe did the First Reading of the Bill.

Director Kelly presented the information stating that back in March there was a text amendment to allow for the conditional use permit in anticipation of the needed expansion of the site. This is now the CUP and site development plan for the expansion, which was approved unanimously by Planning and Zoning on May 9th. All concerns for landscape and site access were addressed and applicant was available to make presentation.

Tracy Pupillo counsel for APA, along with Sarah Havier, president and CEO of APA, and Amy Sheerer the project architect with Keely construction presented information. Sarah did a Power Point presentation with historical information about the APA (100 years old) and their current location here in Brentwood since 1947 as well as the need for the project. Amy shared building plans, re-design and construction information. Tracy shared the requirements and why they meet the requirements for this project, requesting all information become part of public record. (Information is available in Boarddocs and video is available on YouTube).

*Side note – All plans were submitted, and issues were addressed prior to meeting with Planning and Zoning, so the Site-Plan Subcommittee did not have to meet on this project. P&Z did review the site plan and there were no issues.

No action at this time. Second reading at the June 20th meeting.

G. Bill No. 6392 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 First Reading

City Attorney O'Keefe did the First Reading of the Bill.

Director Kelly presented the information stating that this application was brought forward before as a text amendment to the planned development overlay district but was resubmitted now as a rezoning and conditional use permit under the UD district instead. She stated that the traffic engineer reviewed and discussed, and landscaping was also reviewed and revised to meet with intention for reduced parking that is also part of this application. It was noted that the application had incorrect sq. footage for elevator apartment, but the drawings were correct and did not change. The application and ordinance will be revised with correct sq. footage amount.

Alderman Lochmoeller inquired about the parking, and Director Kelly stated that they are asking for a reduction to 1.5 parking spaces per unit instead of 2 spaces per unit. The Landscape architect reviewed and said it meant with the intent. Even with the 1.5 reduction, they are over-parked by 71 spaces.

The applicant was available with a Power Point presentation. (Information and presentation are available in Boarddocs and video is available on YouTube) Mike Doster, the land use attorney on the development team for the petitioner, spoke and gave some history and background on the project. He then introduced Josh Barcus who is with Stock and Associates Consulting Engineers, and Jeff Mugg with Cornerstone Brentwood LLC who spoke about the architectural items and proposed elevations.

Alderman Lochmoeller asked if the development group was also the final management group and Jeff responded yes, the Lipton Group.

Alderman Wegge asked about the estimated number of residents based on number of units, a possible model for number of kids to present to the Board of Education, and estimated opening date? Mr. Mugg addressed questions stating he was not sure about estimated numbers but would get back with model predictions. Estimated construction is approximately 18 months, and if all goes smoothly, they could potentially start late this year or early next year. They want to continue enhancing what has been done along Hanley corridor.

Alderman Plufka asked about Fire safety plan and was assured by Jeff that this has been reviewed as well.

Alderman Lochmoeller then addressed EV parking spaces. Josh stated that the EV spaces will be in parking garage. Currently 59 spaces identified based on ordinance, but if the option exists to do less and prepare for more, they will prefer that right now, as this seems like a lot. However, spaces are not reserved, so anyone can park in them.

Alderman Shelton asked about the Hanley Park sign, asking that it can be considered to be re-done as it is old. Josh noted that the comprehensive sign package is not yet done and can be addressed. Existing signs will be reviewed for easements, etc. Alderman Gould asked about Water run-off. Josh addressed concerns and explained the flow for water run-off and shared that they did a conceptual review with MSD, turned in calculations and paid the fee, for criteria they have to meet.

No action is required on this item. Discussion will continue at the June 20th meeting.

H. Bill No. 6393 An Ordinance Granting Site Development Plan Approval for Modifications To The Exterior Of The Building And Site For The Veterinarian Emergency Group, A 24 Hour Emergency Veterinarian Or Animal Hospital, At 2101 S. Brentwood Boulevard First Reading

City Attorney O'Keefe did the First Reading of the Bill.

Director Kelly presented information sharing this was the former P&Z Bank at 2101 South Brentwood Blvd. The applicant wants to enclose the drive-thru canopy and removing the drive-thru lane for excess green space. The landscaping was reviewed and approved by Planning and Zoning.

The applicant, Brett Dahlman with Quattro Development, owner and developer of property was available to present along with Jennifer Hanlon with VEG (Veterinary Emergency Group) who was available via Zoom. Mr. Dahlman explained physical changes to the location and can bring rendering to the next meeting. Ms. Hanlon shared specifics about the veterinary emergency operation, and addressed noise, the HVAC system and cleaning priorities as part of proximity to residential location. (Materials presented are available for review in Boarddocs).

No action is required on this item. Discussion will continue at the June 20th meeting.

I. Bill No. 6394 An Ordinance Granting A Conditional Use Permit For 2,229 Square Foot Tavern And Cocktail Lounge, Scissors And Scotch, A Men's Hair Grooming Salon And Bar First Reading

City Attorney O'Keefe did the First Reading of the Bill.

Director Kelly explained the application as a hair grooming salon that includes a bar so under the Ordinance for the Conditional use permit for drinking establishments under the CUP, they are presenting tonight. The applicant is available on-line if there are questions. They are leasing a tenant space located in the Dierbergs shopping center next to the Subway. It was noted there would be no changes to the exterior of the building or site. Planning and Zoning unanimously approved.

Alderman Wegge asked for clarification if this was a bar that anyone can use or really just for the patrons? Applicant did not respond via zoom, and Mayor noted that we can get answer at next meeting in June.

12. CITIZEN COMMENTS

A. Citizen Comments

Brian Sneel, with Grimes Consulting, asked for point of clarification thinking that they were getting approval tonight since they have been through P&Z three times and have received approval regarding project noted in Bill #6388, City Attorney addressed that it was on the agenda for only the first reading tonight, but if Board wants to reconsider and make a motion for a second reading that could be done. Mayor asked Board if they wanted to make that motion. No members responded. Will take this item up at next meeting.

13. CLOSED MEETING

A. Legal - RSMo 610.021 (1)

B. Real Estate - RSMo 610.021 (2)

C. Personnel - RSMo 610.021 (3)

Mayor entertained motion to move to Closed Session pursuant to RSMo 610.021 subsections 1, 2, &3.

Motion was made by Alderwoman Tice and seconded by Alderman Shelton. 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

Motion carried by a vote of 8 (Yea) to 0 (Nay).

Meeting will reconvene in few minutes.

Regular session ended at 9:17 PM

14. ADJOURN

A. Adjournment

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