

Tuesday, June 20, 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 6:09 PM, with technical difficulties creating the delayed start.

B. Pledge of Allegiance

2. ROLL CALL

A. Roll Call – All members were present.

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

Other staff members present for the meeting included: Joe Spiess (Police Chief), Angela Hawkins (Police Major), Jim Mc Intyre (Police Major), Kevin O’Keefe (City Attorney– joined virtually), Eric Gruenenfelder (Parks Director), Whitney Kelly (Planning and Development Director), Dan Gummersheimer (Public Works Director – joined virtually), Janet Levy (Communications Manager), Bola Akande (City Administrator), and Kelle Silvey (Deputy City Clerk).

3. AGENDA APPROVAL

A. Approval or Amendment of Agenda
Agenda was approved by Acclamation.

4. ANNOUNCEMENTS, APPOINTMENTS, PROCLAMATIONS & RECOGNITIONS

A. Police Department Recognition

Chief Spiess recognized the following promotions within the Brentwood Police Department and read their biographical information. (Bio’s available in BoardDocs.)

- Sergeant Ben Drexel and his family – Officer Drexel’s wife, Nicole, pinned his badge.
- Corporal Vince Mullen and his family – Officer Mullen’s his wife, Jessica, pinned his badge.

Major Mc Intyre recognized the following Detectives for their teamwork, commitment, and investigative skills, and read the Chiefs Letter of Commendation. (Commendations available in BoardDocs.)

- Detective Tim Bone
- Detective Rick Litschgi

Major Hawkins recognized the following officers for their service and read the Chiefs Letter of Commendation. (Commendations available in BoardDocs.)

- Police Officer Stephen Ortinau
- Police Officer Jamie Clark
- Police Officer Michael Collins
- Corporal Ben Drexel

Chief Spiess recognized Officer Stephen Ortinau as the selected as the Officer of the Quarter for his exemplary actions in noted incidents and his pursuit of firearms training and research of defensive tactics training. (Award information is available in BoardDocs).

5. PUBLIC HEARING

A. Public Hearing on the Application for the rezoning of property at 8817 Moritz Avenue from the from the PD-Planned Development Overlay District to the B Single Family Residential.

Mayor Dimmitt read the above description and gavel opened the public hearing.

Whitney Kelly presented the information noting that the applicant wanted to tear down and rebuild a new home in the existing footprint and keep with the B single family district. Planning and Zoning denied the rezoning of this property by a vote of 6 (no) to 2 (yes) as it was deemed inconsistent with comprehensive plan for the redevelopment of that area.

Resident Dan Duffy (8904 Moritz Ave.) stated he has lived in Brentwood for 20 years and feels the rebuilds in the area have been wonderful and it is great to see. He prefers the residential instead of the commercial building and reported that the neighbors across from and to the left of this property agree and would prefer to keep the whole street as residential.

Sam Beffa (Carmody MacDonald/120 S. Central Ave. Suite 1800, StL 63105) spoke on behalf of the applicant Kingsbridge Homes LLC and shared a power point presentation. Kingsbridge Homes wants to continue the trend of rebuilding in Brentwood. He noted that it is currently zoned PD (planned development overly) and has been that way for 30+ years. However, nothing could be constructed on this site because of the setbacks and area requirements, so would like to rezone to B (single family) to keep with the area. As a new home, it helps protect/add to property value and tax revenue, as an \$800K home. They felt that the precedent was set when the Board overturned Planning and Zoning’s decision on Powell Ave. construction and would like the same consideration, as this is a residential area. While intention for PD district is to hold property for further development, it has not been done in 30 years, and is not large enough for business to build on, so they would like it to be rezoned as single-family/residential.

Mayor confirmed that the reason they want to rezone is you cannot “rebuild” a home in the PD district, even though one is there now.

Whitey Kelly noted that the comprehensive plan called for it to be zoned PD for the redevelopment of the entire corner and building on Brentwood Blvd. The Planning and Zoning reviewed extensively and denied based upon the redevelopment of the whole corner.

Alderman Plufka asked if instead of rezoning with P&Z, if the Board of Adjustment could consider another option. Whitney responded that they could but is not sure how they might do this.

Alderman Gould stated that the lot is undevelopable for PD zoning currently, and asked if the three lots adjacent to that are also undevelopable according to the PD Zoning? Whitney Kelly responded that those homes are all non-conforming, but lots are undevelopable individually.

Alderman Lochmoeller knows one of the commercial properties talked about is for sale, and asked if there is a developer wanting to assemble all three or four of those properties for a commercial development. Whitney is not aware of one at this time.

Alderwoman Tice asked how this is different from what was done on Powell Ave. Whitney Kelly noted she does not have the statistics regarding this (as it was done prior to her employment) but it is similar, and she would have to do some analysis of this. Alderwoman Tice asked if this could be researched and shared before they vote on this at the next meeting.

Alderman Plufka noted that the three buildings South of Veterinary clinic fronting Brentwood Blvd. to Moritz combined are not an acre and not enough real-estate to make it developable. Whitney was not comfortable responding, as it would be speculation what could be done.

John Suelthaus, Kingsbridge Homes, shared that his property and other parcels combined do not equal an acre.

Mayor Dimmitt gavel closed the public hearing. He noted that the item will be taken up under New Business tonight for a first reading.

6. CITIZEN COMMENTS

A. Citizen Comments

Lois Truman (8710 Rosalie) asked what is happening with the Post Office. She stated that they are not always open and this building is prime property for the city, and could be better utilized. She noted some alternatives, and proposed an automated machine that is available 24/7 where you can get postage and drop packages, etc. She plans to continue to work on this project.

Karen Smith (Harrison Ave.) had a question regarding Bill #6466 regarding urban redevelopment. It sounds like we are aligning with the MO statute. One of the amended areas seems to be changing the definition of blight. She asked what the old and new definitions are- for comparison. Also, revising and modernizing certain other provisions of the city chapter – which includes eliminating the need for new request for proposal and also eliminating the need for a filing fee. Does this have to do with the redevelopment along Manchester.

Mayor Dimmitt shared that the Bill will be discussed under New Business items tonight and the Redevelopment plan is to be discussed by the 353 Redevelopment corp. tomorrow night (June 21st) at 7:00.

7. MAYOR AND ALDERMEN REPORTS

A. Mayor David Dimmitt – shared the following items:

- When Brentwood Bound projects are all done, Parks will have added over 5500 trees to the Park area. Many came down during this project, but we have put back that many and more, for a net plus of trees. We have received several awards which supports our view for tree city USA.
- The 353 Redevelopment Corp. is reviewing the Greenstreet Redevelopment plan tomorrow (June 21st) at 7:00 PM. It will be livestreamed on You Tube and there will be an opportunity for public comment. The mayor noted the agreement is still being negotiated and will be brought to the Board for discussion and review on July 5th (First reading) and July 17th (Second reading).

B. Alderman David Plufka - Ward 1 –

- Shared that the Ward 1 meeting will focus on the Redevelopment plan - and the meeting will be held on Tuesday, June 27th at 6:00 PM at the Community Rec. Center.

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

D. Alderwoman Sunny Sims - Ward 2

- Ward 2 meeting will be held on Tuesday June 27th at the Community Rec. Center as well (in a different room) and they too will be taking about the Redevelopment Plan.
- Ways and Means June meeting will be tomorrow, June 21st at 5:30 PM.

E. Alderman Brandon Wegge - Ward 2 – No Report

F. Alderman Jeff Gould - Ward 3

- Ward 3 meeting will be held on Wednesday, June 28th at 6:30 PM at the Community Rec. Center- Room A

G. Alderman Steve Lochmoeller - Ward 3

- Thanked staff for a successful Grand Opening of Brentwood Park.

H. Alderwoman Kathy O'Neill - Ward 4

- Noted the new Property Management Company (CPM) for Brentwood Forest coming in. No longer self-managed.
- Shared that she will be leaving Brentwood and moving to Colorado and that her last meeting will be July 17th.

I. Alderman Jack Shelton- Ward 4

- Shared he will also be leaving Ward 4 but is staying in Brentwood. His last meeting will also be July 17th. He and Kathy hope to work with the Mayor for replacements.

Mayor Dimmitt shared that because of the Ward 4 members leaving, he felt it important to set the Board meetings for July 5 (special scheduled meeting) and July 17 (regular scheduled meeting) to have a first and second reading of the Redevelopment Plan and ensure that Ward 4 was fully represented with a voice in that vote.

He also noted that the Parks Master Plan is up for review again and that this is an opportunity for public input to weigh-in on the vision for the Parks. He stated that the city is looking for public input going forward. The first meeting will be Thursday, June 22nd from 4:00 – 7:00 PM at the Community Center.

8. CITY ADMINISTRATOR REPORT

A. Brentwood Bound Update

Craig Schluter (Navigate Building Solutions) shared his report stating construction costs, soft costs and no changes in categories of funding since the last Board meeting. The detailed report is available in BoardDocs.

B. Evans Howard Monument Ribbon Cutting - Scheduled to take place on Saturday July 8th, at 10:00 a.m.

The City Administrator shared information on behalf of Dan Fitzgerald (Brentwood Historical Society), stating the time and date of the ribbon cutting event, and that the information will also be shared via social media and other media outlets.

C. Brentwood Bound - Kerb, Eck & Braeckel, LLP 1st Quarter (January 1, 2023, through March 31, 2023) Audit Presentation

The City Administrator presented that on behalf of the audit firm, there were no finding this quarter and they did not need to be present.

D. Extend Lease of United States Postal Service St. Louis Brentwood Retail Branch at 8764 Rosalie Avenue, St. Louis, MO 63144

The City Administrator shared that the Postal Service is exercising their option to extend the lease for five years and continue to occupy the current space.

9. 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 May 15, 2023

D. Approval of Meeting Minutes from Special Meeting May 31, 2023

E. Liquor License Annual Renewal

F. 8750 Manchester Road Community Improvement District - Approving 2023 Board of Directors for Community Improvement District

G. Resolution No. 1446 – Professional Services Change Order – Jacobs Engineering - A Resolution approving a change order to the contract with Jacobs Engineering Group for professional services.

Motion was made by Alderman Lochmoeller and seconded by Alderwoman Tice to approve the Consent Agenda. Roll was called:

Alderman Plufka – Yes

Alderwoman Tice – Yes

Alderman Wegge – Yes

Alderwoman Sims – Yes

Alderman Gould – Yes

Alderman Lochmoeller – Yes

Alderman Shelton – Yes

Alderwoman O'Neill- Yes

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

10. OLD BUSINESS - None

11. NEW BUSINESS

A. Bill No. 6465 - An Ordinance Approving the City of Brentwood Sustainability Plan

The City Attorney did the first reading.

Director Gruenenfelder introduced Andy Burkemper (Chairman of the Sustainability Commission). Andy presented some background information on the group, noting the Commission was formed in early 2021 and that this is the first plan to be developed. He shared that the members were polled for ideas, of which 100+ were identified, and they grouped the items into categories and prioritized them. They developed a plan outline and draft document with the help of the subcommittee. They completed the draft and presented to the Public Works Committee who unanimously approved, and he would appreciate the Boards consideration as well.

A second reading will take place at the next Board of Aldermen meeting.

B. Bill No.6466 An Ordinance Amending Ordinance No. 4302 Of The City Of Brentwood Relating To Urban Redevelopment Under Chapter 353 Of The Revised Statutes Of Missouri - First and Second Reading

The City Attorney did the first reading.

Mark Grimm (Gilmore & Bell) presented the information. He stated that they have been aware for some time that Ordinance #4302 was inconsistent with the amendment of Chapter 353 passed by the General Assembly in 2022.

- He noted the General Assembly amended the definition of blight to cross reference the TIF definition of blight. All cities they work with are being advised to revise this information according to state law. In the Ordinance presented here, it matches and conforms with the new definition of blight for Chapter 353. The General Assembly tightened up what it takes to qualify for a blighted area.

- He noted that according to Ordinance #4302, plans had to be submitted within 90 days of the Request for Proposal (RFP). Brentwood did two RFPs for this Redevelopment. Greenstreet responded to the second one about year ago and since the ordinance notes 90 days, it seemed unnecessary to require a new one, since we have the proposal they submitted. The Ordinance change is not to get around submitting an RFP, but if one has already been submitted, there is no need to do another one.
- He also noted Ordinance #4302 has a \$1000 filing fee. Since Greenstreet has a funding agreement with the city and has deposited funds with the city to pay the city's required fees, there is no need to have to pay a separate filing fee. If funds are already in place to pay the city costs, there is no need to have a separate filing fee.
- In Ordinance #4302 on the notice of requirements, the tax impact statement was required to be sent by registered or certified mail. It has been their experience that this takes a long time to get delivered and so have added provisions for overnight or hand delivery service as well because it could be quicker.

The Mayor clarified that the change in the law is based on legislation passed in August 28, 2022 by General Assembly, so we are wanting to update ours as well. We could have done earlier, but these are the same changes that would have been made then, as are being made now.

Mr. Grimm noted that the need for a second reading tonight is to have this complete because of the 353 Redevelopment Board meeting tomorrow night. We noted that this could have done it earlier, but wanted to get this housekeeping done now as we get closer to having an agreement.

Alderman Plufka asked about the definition of blight and the language for what was tightened up – asking if we now have to go back to PGAV to re-blight or rediscuss the areas that remain?

Mr. Grimm noted the information includes a new qualification analysis and looks at the new definition of blight and under current law does qualify as a blighted area.

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

Motion carried by unanimous voice vote.

The City Attorney did the second reading of the Bill.

Motion was made by Alderwoman Tice and seconded by Alderman Plufka to perfect Bill #6466 into Ordinance form. Roll called:

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

By a vote of 8 (Yes) to 0 (No), Bill # 6466 will become Ordinance # 5096.

C. Bill No. 6467 - An Ordinance To Rezone Certain Property Numbered 8817 Moritz Avenue From "PD" Planned Development Overlay District To "B" Single-Family Residential District - First Reading

The City Attorney did a first reading of the Bill,

Sam Beffa (Carmody MacDonald) responded that the three properties along Brentwood Blvd. with the subject property combined equals .63 acres which is shy of the one acre required for the PD district.

Alderman Lochmoeller commented that Planning and Zoning has a plan, but it is just a guide, and was designed mostly for box stores, which are not wanted anymore, and that we may need to look at this for current needs. Single family homes are "hot" (popular) now and an \$800K home should be considered.

Alderman Plufka noted that maybe obtaining a variance was suggested when they went to Planning and Zoning for the property as it exists.

Sam Beffa responded that this was not suggested. He stated they were told that single family is not allowed in the PD district, however after investigating, they found it is allowed in the PD, and felt this route was easier to pursue.

Mayor Dimmitt stated that we will bring this item back next month for a second reading.

12. CITIZEN COMMENTS

A. Citizen Comments

Karen Smith (Harrison Ave) is interested in knowing what the characteristics are, and if we are doing some sort of tax incentives for this plan. Do the plan and agreement go hand in hand. The plan is vetted by Redevelopment Corp. but who does the agreement. Why was a new RFP needed in the first place/or legislation made so they do not have to do a new RFP.

Mayor Dimmitt explained that the Redevelopment agreement is not finalized yet and is still being negotiated, and the Redevelopment plan is going before the 353 Board tomorrow night. The plans are available online with supporting documents.

Mr. Grimm shared that the RFP submitted for this project was 15 months ago and would not comply with the 90-day requirement.

13. CLOSED MEETING

A. Legal - RSMo 610.021 (1)

B. Real Estate - RSMo 610.021 (2)

C. Personnel - RSMo 610.021 (3)

D. 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.

Motion was made by Alderman Plufka and seconded by Alderwoman O'Neill to move to Closed Session pursuant to RSMo 610.021 subsections 1, 2, 3, & 12. Roll was called:

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

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

The meeting ended and moved to closed session at 7: 23PM

14. ADJOURN

A. Adjournment

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