

The Minutes were amended as follows:

The first sentence Page 1, second paragraph under Requests for Business License to read "Alderman Hardy made a motion to approve the above request for business license. Alderman Webb seconded the motion, and it was unanimously approved." The fourth sentence of the second paragraph on Page 9 was amended to read "The original terms shall be (3) members will be appointed for three years (2) members for two years and (2) members for 1 year terms; thereafter each term shall be three years." The second sentence of the last paragraph on Page 10 was amended to read "The consultant has advised that the tile improves the appearance of the pools and lazy river and will give a finished look to the facility."

The second sentence of the first paragraph on Page 11 to read "He also displayed the pattern of the tiles on the pool chosen by the Park and Recreation Commission and the Pool Advisory as well as two other tile patterns provided by the designer."

MINUTES OF THE REGULAR MEETING
OF THE BOARD OF ALDERMEN
OF THE CITY OF SUNSET HILLS, MISSOURI
HELD ON TUESDAY, DECEMBER 8, 2009

BE IT REMEMBERED that the Board of Aldermen of the City of Sunset Hills, Missouri met in regular session at City Hall Quarters, 3939 S. Lindbergh Blvd., in said City on Tuesday, December 8, 2009. The meeting convened at 7:05 p.m.

The meeting began with those present standing for the reciting of the Pledge of Allegiance.

ROLL CALL

Present:	R. Michael Svoboda	-Mayor
	Frank Hardy	-Alderman – WARD I
	Scott Haggerty	-Alderman – WARD II
	Thomas Hrastich	-Alderman – WARD II
	Stephen Webb	-Alderman – WARD III
	Jan Hoffmann	-Alderman – WARD III
	Frank Gregory	-Alderman – WARD IV
	Patricia Fribis	- Alderman – WARD IV
	Laura A. Rider	-City Clerk
	William LaGrand	-Chief of Police
	Anne C. Lamitola	-City Engineer
	Ted Schuessler	-City Collector
	Robert C. Jones	-City Attorney
	Gerald Brown	-Director of Parks and Recreation
Absent:	William Nolan, Jr.	-Alderman – WARD I

APPROVAL OF THE MINUTES

Copies of the Minutes of the November 10, 2009 Board of Aldermen meeting were distributed to the members for their review. Alderman Hardy made a motion to accept the Minutes as submitted. Alderman Haggerty seconded the motion, and it was unanimously approved.

REQUESTS FOR BUSINESS LICENSE:

A) Vatterott College, 12955 Maurer Industrial Dr.

Mr. Jonathon Daniels, Campus Director, was present and stated the college is expanding.

Alderman Hardy made a motion to approve the above request for business license. Alderman Hardy seconded the motion, and it was unanimously approved.

B) Graphic Mailing Solutions, Inc., 11037 Gravois Ind. Ct., Suite F

Mr. Richard Schaefer, representative, was present and stated the nature of the business to be direct mail marketing.

Alderman Webb made a motion to approve the above request for business license. Alderman Fribis seconded the motion, and it was unanimously approved.

PUBLIC HEARING: Amend Appendix A of the Subdivision Regulations, Section 11, to allow for a variance to be obtained to decrease the minimum distance between street entrances that intersect major or collector streets from the required 300 feet.

Mrs. Lamitola explained that currently the Subdivision Regulations outlines in Section 11 the variances the Planning and Zoning Commission can authorize with a 2/3 vote. There are currently three variances that can be approved. The proposed variance would add a fourth variance that would be available, which would reduce the required distance between streets off a major or collector road.

Mrs. Lamitola further explained that the plans for the previously approved subdivision, Alberts Laumeier Subdivision, have expired and the subdivision needs to be approved again. She added that when looking through the requirements, it was discovered that the new street would be located closer than 300 feet from the existing street. Therefore, after considering ways to obtain a variance it was determined there were not any methods to seek a variance. The City Attorney has advised that one way for the subdivision to be approved would be to create variance criteria to allow a variance to be requested.

She added that this particular variance is not for a specific case, it is regarding whether or not the code should be changed to allow for a variance to be requested. The last significant update to the Subdivision Regulations occurred in 1993.

Mrs. Lamitola stated that there are other streets located in the City that are located within 300 feet; some are in annexed areas and some are not in annexed areas.

Alderman Hardy stated he has concerns regarding the proposed 120 feet between streets of the Alberts Laumeier Subdivision. He further stated he would have concerns with future requests as well.

Alderman Haggerty stated he feels that a variance between streets would depend on the site distance as well as other factors such as street grade.

Mr. Paul Doerring representing Five Star Homes was present and stated that Alberts Laumeier Subdivision would have five homes; however if there were a larger subdivision requesting a variance for distance between streets there could be a problem.

Mayor Svoboda declared the public hearing closed.

PUBLIC HEARING: Amended Development Plan submitted by Gene Maurer to expanded the parking lot at 12955 Maurer Industrial Drive to provide additional parking for Vatterott College student

Mr. Joe Dale, Architect, Mr. John Daniels, Campus Director of Vatterott College and Mr. Gene Maurer, property owner, were present. Mr. Joe Dale stated the proposal is to expand the parking lot at 12955 Maurer Industrial Drive; there would be 38 parking spaces added. Plans have been submitted to the Metropolitan Sewer District (MSD); however feed back has not yet been received. He added that comments from MSD will be forwarded to the City Engineer.

Mrs. Lamitola stated that she visited the site today and there were cars parked in the grass; therefore she agrees there is a need for additional parking.

Alderman Hrastich asked if permeable pavement has been considered. Mr. Dale replied no, not at this point.

Mrs. Lamitola stated that the requirements for parking and green space will be met.

Mayor Svoboda declared the public hearing closed.

OLD BUSINESS

Bill #13 An ordinance approving a contract with St. Louis County, Missouri for computer-assisted report entry and record analysis and mapping system service. **SECOND READING**

Mayor Svoboda read Bill #13 by title only.

Alderman Hardy made a motion to approve Bill #13. Alderman Webb seconded the motion, and the members voted:

Alderman Hardy	AYE
Alderman Haggerty	AYE
Alderman Fribis	AYE
Alderman Webb	AYE
Alderman Hrastich	AYE
Alderman Hoffmann	AYE
Alderman Gregory	AYE

There being 7 AYE votes and 0 NAY votes, the motion passed.

Mayor Svoboda declared Bill #13 adopted and placed in the custody of the City Clerk and entered as Ordinance #1759 of the City of Sunset Hills.

Resolution #320 A resolution adopting the 2010 Budget. **SECOND READING**

Mayor Svoboda read Resolution #320.

Alderman Hrastich stated that the previously submitted budget had an approximate \$24,000 General Fund deficit and the current budget has a General Fund deficit of \$119,000. The previously submitted budget did not include salary increases. He explained that a personnel policy was put in place in January

2008 with a step increase which is approximately 3%. It is recommended the personnel policy continue to be implemented; almost all employees will be eligible to receive an increase. He also explained that the personnel policy states that if an employee is at their top of the grade they will receive a \$500 increase. However, the employees that are at the top of the grade are not included in the proposed 2010 salary increase.

Alderman Hrastich made a motion to approve amended Resolution #320.

Alderman Hardy stated that there eight employees that are at Step 12, top of their grade, and would be eligible for a \$500 increase if approved by the supervisor.

Alderman Gregory seconded the motion to approve amended Resolution #320.

Alderman Gregory stated that he is Chairman of the Personnel Committee, the step and grade system was designed and communicated to the employees that the schedule is subject to the annual discretion of the Board of Aldermen. The city is in the people business and the greatest asset of the city is the staff.

Alderman Gregory made a motion to add to the 2010 Budget the employees that are at the top of their grade to receive a \$500 salary increase. Alderman Hardy seconded the motion, and the members voted:

Alderman Webb	AYE
Alderman Hoffmann	AYE
Alderman Gregory	AYE
Alderman Fribis	AYE
Alderman Hardy	AYE
Alderman Haggerty	AYE
Alderman Hrastich	AYE

There being 7 AYE votes and 0 NAY votes, the motion passed

The members voted on the above motion made by Alderman Hrastich and seconded by Alderman Gregory to approve amended Resolution #320:

Alderman Haggerty	AYE
Alderman Hoffmann	AYE
Alderman Webb	AYE
Alderman Fribis	AYE
Alderman Hardy	AYE
Alderman Gregory	AYE
Alderman Hrastich	AYE

There being 7 AYE votes and 0 NAY votes, the motion passed.

Mayor Svoboda commented that the expenditures in the 2010 budget are estimated; the exact numbers will not be known until the end of 2010.

CITY OFFICIAL AND COMMITTEE REPORTS

- (A) TREASURER/COLLECTOR – Mr. Schuessler presented these reports.
- (B) CITY CLERK – Mrs. Rider had nothing to report.
- (C) CHIEF OF POLICE – Chief LaGrand reported an employee will be attending a military training that exceeds the 15 days allowed by the Personnel Manual.

Alderman Hrastich made a motion to approve the employee to be absent for military training which will exceed 15 days. Alderman Webb seconded the motion, and it was unanimously approved.

- (D) CITY ATTORNEY – Mr. Jones had nothing to report.
- (E) CITY ENGINEER – Mrs. Lamitola explained that it is currently unknown when the city will receive reimbursement for two federally funded projects; however it is anticipated to be in fiscal year 2010. She added that a budget amendment may be needed when reimbursement is received. Mrs. Rider stated that a budget amendment will most likely be necessary as revenue will not be met in 2009 and there will be an excess in 2010.

Mrs. Lamitola stated that funds will need to be moved from the engineering/surveying category in the amount of approximately \$31,000 to \$39,291.95 from fiscal year 2009 to fiscal year 2010. She explained an exact amount is currently not known as an invoice has not yet been received as the work for the engineering project is still ongoing.

Mrs. Lamitola referred to a memorandum included in the meeting packet regarding the Community Center: Phase II update. She stated that a motion was approved at the October 27, 2009 Board of Aldermen meeting that authorized Hastings & Chivetta to have Phase II designed and bid out. The memorandum outlines information as well as timelines that the information will be presented to the Board of Aldermen.

Alderman Gregory commented that he was under the impression that the Board of Aldermen was still going to decide whether to go forward with constructing the completion of the community center.

Mayor Svoboda stated that by receiving bids, the cost could be less than anticipated.

Mrs. Lamitola stated that a motion was approved by the Board of Aldermen to receive bids for completing construction on the community center.

Mrs. Lamitola displayed pictures of progress thus far on the construction of the aquatics facility, the West Watson Hump Bridge and the Baalbek culvert replacement project.

- (F) PARKS DIRECTOR – Mr. Brown reported there have been multiple rain days but the construction is still on schedule.

(G) COMMITTEE REPORTS

BUSINESS DEVELOPMENT – Alderman Webb stated the Committee has been discussing ways in which to assist current and future business owners which includes the requirement for business owners or representatives to come before the Board of Aldermen for approval of a business license. The business owners who have received approval have indicated the process was good, the people were pleasant; however the waiting period for going before the Board of Aldermen at a meeting can be intimidating. He commented that the businesses at tonight's meeting were before the Board of Aldermen for a minute and a half. The Committee reviewed the ordinances and it was discovered that there is a requirement that the Board of Aldermen review the business license applications, but it is not required for businesses to attend a Board of Aldermen meeting. If a business meets the criteria, the Board of Aldermen can not deny the license. Other municipalities such as Crestwood, Fenton, Webster Groves and the City of St. Louis do not require businesses to attend a Board of Aldermen meeting.

The Business Development Committee has recommended that business owners complete the application, provide documentation, pay their fees and the Board of Aldermen would receive applications via e-mail. There would be a 10 business day review period to give the

Board of Aldermen time to review the application and to ask questions if so desired. After 10 days, the business would receive their license. If there are significant concerns the process would be delayed and the Board would further review the application.

Alderman Webb made a motion to approve the recommendation of the Business Development Committee to no longer require businesses to attend a Board of Aldermen meeting to receive approval of a submitted application for a business license. Alderman Hrastich seconded the motion, and it was unanimously approved.

FINANCE – Alderman Hrastich presented reports concerning the 1%, ¼% sales tax, Proposition P sales tax, Capital Improvement sales tax as well as the County Road Fund.

Alderman Hrastich proposed setting up a new business model for departmental categories such as the athletic fields in the Park Department; revenue and expenses would be run through Proposition P fund.

Alderman Hrastich made a motion to amend the budget and move the Athletic Fields from the General Fund to the Proposition P fund. Alderman Haggerty seconded the motion, and the members voted:

Alderman Webb	AYE
Alderman Hoffmann	AYE
Alderman Hardy	AYE
Alderman Haggerty	AYE
Alderman Hrastich	AYE
Alderman Gregory	AYE
Alderman Fribis	AYE

There being 7 AYE votes and 0 NAY votes, the motion passed.

PARKS AND RECREATION – Alderman Hoffmann reported a meeting was not held in November; the judging of the Holiday Lighting contest will be held on December 15, 2009.

PUBLIC WORKS – Alderman Gregory had nothing to report.

REQUESTS TO BE HEARD (NON-AGENDA)

Mr. Al Moore, resident, was present and stated that the Paraclete Fathers moved to the City in 1963. He commented he feels this property is of significant historical value to the City as there are not many places that are historical remaining in the city. Mr. Moore further stated that he is very passionate about preserving the remaining historical sites in the City and has purchased the property from the Paraclete Fathers. He added that he would like to work something out for the City to have this land and preserve the site as it is of historical value. The property has a great deal of potential. Mr. Moore further stated that he is scheduled to close on the property January 5, 2010.

Mr. Jones pointed out that there is not public access to the property.

Mr. Nick Dragan, resident, was present and stated that the City's Master Plan indicates the desire for the City to acquire additional park and green space properties. Perhaps this property could become park land and/or green space.

Mayor Svoboda stated he will be meeting with Mr. Moore to further discuss this matter.

Alderman Haggerty and Mayor Svoboda expressed appreciation to Mr. Moore for his generous act.

NEW BUSINESS

Bill #14 An ordinance amending Appendix A (Subdivision Regulations) of the Code of Ordinances of the City of Sunset Hills, by adding to Appendix A, Section 11, a provision for variance on streets location. FIRST READING

Mayor Svoboda read Bill #14 by title only.

Alderman Hrastich made a motion to suspend the rules and read Bill #14 for a second time. Alderman Fribis seconded the motion, and the members voted:

Alderman Haggerty	AYE
Alderman Gregory	AYE
Alderman Fribis	AYE
Alderman Hrastich	AYE
Alderman Hoffmann	AYE
Alderman Hardy	AYE
Alderman Webb	AYE

There being 7 AYE votes and 0 NAY votes, the motion passed.

Mayor Svoboda read Bill #14 by title only. SECOND READING.

Alderman Hrastich made a motion to approve Bill #14. Alderman Fribis seconded the motion, and the members voted:

Alderman Hoffmann	AYE
Alderman Gregory	AYE
Alderman Hrastich	AYE
Alderman Webb	AYE
Alderman Hardy	NAY
Alderman Haggerty	AYE
Alderman Fribis	AYE

There being 6 AYE votes and 1 NAY vote, the motion passed.

Mayor Svoboda declared Bill #14 adopted and placed in the custody of the City Clerk and entered as Ordinance #1760 of the City of Sunset Hills.

Bill #15 An ordinance approving Subdivision Plat for the property located at 12681, 12685, 12689, 12692 & 12693 Alberts Laumeier Court to create five lots of record. FIRST READING

Mayor Svoboda read Bill #15 by title only.

Alderman Webb made a motion to suspend the rules and read Bill #15 for a second time. Alderman Haggerty seconded the motion, and the members voted:

Alderman Fribis	AYE
Alderman Hardy	AYE
Alderman Hoffmann	AYE
Alderman Gregory	AYE
Alderman Haggerty	AYE

Alderman Hrastich AYE
Alderman Webb AYE

There being 7 AYE votes and 0 NAY votes, the motion passed.

Mayor Svoboda read Bill #15 by title only. SECOND READING.

Alderman Webb made a motion to approve Bill #15. Alderman Hoffmann seconded the motion, and the members voted:

Alderman Hardy AYE
Alderman Hrastich AYE
Alderman Fribis AYE
Alderman Haggerty AYE
Alderman Webb AYE

Alderman Hoffmann AYE
Alderman Gregory AYE

There being 7 AYE votes and 0 NAY votes, the motion passed.

Mayor Svoboda declared Bill #15 adopted and placed in the custody of the City Clerk and entered as Ordinance #1761 of the City of Sunset Hills.

Bill #16 An ordinance approving the Amended Development Plan for 12955 Maurer Industrial Drive to expand the parking lot. FIRST READING

Mayor Svoboda read Bill #16 by title only.

Alderman Gregory made a motion to suspend the rules and read Bill #16 for a second time. Alderman Hardy seconded the motion, and the members voted:

Alderman Hardy AYE
Alderman Haggerty AYE
Alderman Hrastich AYE
Alderman Webb AYE
Alderman Gregory AYE
Alderman Hoffmann AYE
Alderman Fribis AYE

There being 7 AYE votes and 0 NAY votes, the motion passed.

Mayor Svoboda read Bill #16 by title only. SECOND READING.

Alderman Webb made a motion to approve Bill #16. Alderman Gregory seconded the motion, and the members voted:

Alderman Haggerty AYE
Alderman Hardy AYE
Alderman Hrastich AYE
Alderman Webb AYE
Alderman Hoffmann AYE
Alderman Gregory AYE
Alderman Fribis AYE

There being 7 AYE votes and 0 NAY votes, the motion passed.

Mayor Svoboda declared Bill #16 adopted and placed in the custody of the City Clerk and entered as Ordinance #1762 of the City of Sunset Hills.

Bill #17 An ordinance enacting a new Sec. 19-44 to the Code of Ordinances providing for a Swim and Dive Advisory Committee. FIRST READING

Mayor Svoboda stated that the wording of the proposed new Sec. 19-44 to the Code of Ordinances has changed since the packet was distributed to the members for their review.

Mrs. Rider advised that the amendment was not posted. Mr. Jones stated that since the amended Bill was not posted, the Bill will need to be read in its entirety if it is desired to approve the Bill with its amendment at tonight's meeting.

Alderman Hardy stated his suggested changes to the first paragraph are as follows:

- (a) Membership; application; terms. The city's Swim and Dive Advisory Committee shall consist of seven members. At least Four (4) must be Sunset Hills Residents and the remaining Three (3) can be non-residents. No more than two (2) members may be elected officials. Members shall be appointed by the Mayor subject to the approval of the Board of Aldermen. **The original terms shall be** (3) members will be appointed for three years, (2) members for two years and (2) members for 1 year terms; **thereafter each term should be three years.** There shall be no limit on the number of successive terms a member can serve. The city's representative shall be a nonvoting, ex officio member of the commission and shall attend committee meetings.

After discussion it was determined to read the original Bill without the suggested changes two times tonight as the Parks Department desires to move forward with promoting the program and placing information in the annual brochure. The approved ordinance will be amended at next month's meeting with Aldermen Hardy's suggested changes.

Mayor Svoboda read Bill #17 by title only.

Alderman Webb made a motion to suspend the rules and read Bill #17 for a second time. Alderman Gregory seconded the motion, and the members voted:

Alderman Fribis	AYE
Alderman Hrastich	AYE
Alderman Hardy	AYE
Alderman Hoffmann	AYE
Alderman Haggerty	AYE
Alderman Webb	AYE
Alderman Gregory	AYE

There being 7 AYE votes and 0 NAY votes, the motion passed.

Mayor Svoboda read Bill #17 by title only. SECOND READING.

Alderman Gregory made a motion to approve Bill #17. Alderman Haggerty seconded the motion, and the members voted:

Alderman Hardy	AYE
Alderman Haggerty	AYE
Alderman Hrastich	AYE
Alderman Webb	AYE

Alderman Gregory AYE
Alderman Hoffmann AYE
Alderman Fribis AYE

There being 7 AYE votes and 0 NAY votes, the motion passed.

Mayor Svoboda declared Bill #17 adopted and placed in the custody of the City Clerk and entered as Ordinance #1763 of the City of Sunset Hills.

Bill #18 An ordinance repealing Chapter 12 Solid Waste of the Code of Ordinances and enacting in lieu thereof a new Chapter 12 with the same subject matter.
FIRST READING

Mayor Svoboda read Bill #18 by title only.

Alderman Gregory made a motion to suspend the rules and read Bill #18 for a second time. Alderman Webb seconded the motion, and the members voted:

Alderman Hoffmann AYE
Alderman Hrastich AYE
Alderman Haggerty AYE
Alderman Fribis AYE
Alderman Gregory AYE
Alderman Hardy AYE
Alderman Webb AYE

There being 7 AYE votes and 0 NAY votes, the motion passed.

Mayor Svoboda read Bill #18 by title only. SECOND READING.

Alderman Webb made a motion to approve Bill #18. Alderman Hrastich seconded the motion, and the members voted:

Alderman Hardy AYE
Alderman Haggerty AYE
Alderman Fribis AYE
Alderman Hrastich AYE
Alderman Hoffmann AYE
Alderman Webb AYE
Alderman Gregory AYE

There being 7 AYE votes and 0 NAY votes, the motion passed.

Mayor Svoboda declared Bill #18 adopted and placed in the custody of the City Clerk and entered as Ordinance #1764 of the City of Sunset Hills.

Alderman Webb expressed appreciation to the owner of American Eagle Waste for attending tonight's meeting and commented that the service he has received from American Eagle Waste is better than his previous waste hauler.

Proposal to establish a "City Code Review Committee"

This matter will be discussed at next month's meeting.

Discussion regarding the elimination of 6” tile band around all three bodies of water and replacing paint in the Leisure and Lazy River facilities and replacing tile from the Competition Pool with paint and PVC finger and hand grips.

Alderman Fribis stated she and her daughter toured neighborhood pools and they feel the tiles would lock the pool into colors. There would also be a cost reduction and the funds saved could be spent for other things at the pool or the community center.

Mr. Brown stated that Capri Pools, the pool consultant, has advised that there would be an estimated cost savings of \$49,768 if the tiles were removed and replaced with paint. The consultant has advised that the tile approves the appearance of the pools and lazy river and will give a finished look to the facility; a pool creates a film line around the walls based on body oils, suntan lotions, pool chemicals, chlorine, water calcium and other chemicals; the tile will be easier to clean on a daily basis; maintenance will be needed for the tile and paint; however, tile is more durable.

Mr. Brown displayed the color scheme for the pool. He also displayed the pattern of the tiles on the pool chosen by the Pool and Recreation Commission and the Pool Advisory as well as two other tile patterns provided by designer.

Mr. Brown also displayed color choices for the pool chairs including the metal frames as well as the straps. The majority has chosen the color of tan for the metal frame and the strap colors the majority has selected are tan and green. The majority has selected the green umbrella, the small umbrellas have varied from green and tan, yellow and tan as well as blue and white.

Mr. Brown stated that a decision should be made regarding tiles on the pool at tonight’s meeting; however colors for the chairs and umbrellas do not need to be determined at tonight’s meeting.

Alderman Hrastich stated that he has concerns regarding unglazed tiles for the pool as they would be more difficult to clean than glazed tiles.

Alderman Hoffmann stated she prefers paint rather than tile and commented that the City of Crestwood has advised they scrub their painted pool walls two times per month. In addition, the colors of the tiles are trendy and there may be difficulties in the future replacing tiles. Alderman Hoffmann further stated that the Parks and Recreation Commission and the Pool Advisory are disappointed with the color choice.

Mrs. Lamitola pointed out that the color scheme of the earth tones in the pool house will not change and stated that the color scheme of the pool house and pool should tie together.

Alderman Webb stated he does not see a reason to change anything and does not support any changes.

Alderman Fribis made a motion to eliminate the 6” tile band around all three bodies of water of the aquatics facility. Alderman Hoffmann seconded the motion, and the members voted:

- Alderman Gregory NAY
- Alderman Hrastich AYE
- Alderman Hardy NAY
- Alderman Webb NAY
- Alderman Fribis AYE
- Alderman Haggerty AYE
- Alderman Hoffmann AYE

There being 4 AYE votes and 3 NAY votes, the motion passed.

INVOICES TO BE APPROVED

Alderman Hardy made a motion to approve payment of the invoices. Alderman Webb seconded the motion, and it was unanimously approved.

ADJOURNMENT

Alderman Hardy made a motion to adjourn the meeting at 9:38 p.m. Alderman Fribis seconded the motion, and it was unanimously approved.

Recording Secretary,

A handwritten signature in cursive script that reads "Laurie Sanneman".

Laurie Sanneman