The Minutes were amended as follows:

The second to last sentence under the City Engineer's report was amended to note that Alderman Haggerty and Alderman Gregory attended the ground breaking ceremony for the new bridge over the Meramec River into Fenton.

The last sentence of the second paragraph on Page 2 under Bill #19 was amended to read "It is not necessarily the height; it is the time frame to follow up for those who are *not* mowing their grass."

MINUTES OF THE REGULAR MEETING

OF THE BOARD OF ALDERMEN

OF THE CITY OF SUNSET HILLS, MISSOURI

HELD ON TUESDAY, FEBRUARY 9, 2010

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, February 9, 2010. The meeting convened at 7:00 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
	William Nolan, Jr.	-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

APPROVAL OF THE MINUTES

Copies of the Minutes of the January 12, 2010 Board of Aldermen meeting were distributed to the members for their review. Alderman Haggerty made a motion to accept the Minutes as submitted. Alderman Webb seconded the motion, and it was unanimously approved.

EMPLOYEE SERVICE AWARD

Mrs. Lamitola presented Mr. Paul Fannon, employee of the Public Works Department, a service award for his 15 years of service.

Those present applauded Mr. Fannon in appreciation of his service to the City.

REQUESTS TO BE HEARD

A) Request from Memories Car Club for permission to hold car cruises at Life Christian Center.

Mr. Bruce Shatto, Memories Car Club, was present and stated that if the request is approved; this year will be the sixth year to hold the cruises at Life Christian Center. The cruises will be held the first Friday of the month April through October.

Alderman Gregory made a motion to approve the above request. Alderman Hoffmann seconded the motion, and it was unanimously approved.

PUBLIC HEARING: Amended Development Plan submitted by Lucia's Pizza to construct a freezer addition as well as the addition of a vestibule for the property located at 10989 Gravois Industrial Drive.

Mr. John Lark, architect with John Lark & Associates, was present and stated the request is for two small additions; a freezer addition and an entry vestibule. There will also be a small parking addition as well as additional landscaping. He added that the proposal is the same as was approved by the City in 2003.

Mr. Lark stated the existing building is approximately 16,000 square feet; after the additions the building would be approximately 18,884 square feet. There are 28 employees of the business.

Mayor Svoboda declared the public hearing closed.

PUBLIC HEARING: Text amendment to the City's Zoning Regulations, specifically Appendix B, Section 5.13-6 installation and maintenance of landscaped areas regarding the establishment of a timeframe for the installation of landscape areas.

Mayor Svoboda stated that the Planning and Zoning Commission recommended approval of the proposed amendment. It is intended to produce a clearer definition as well as clarify requirements.

Mayor Svoboda declared the public hearing closed.

OLD BUSINESS

Bill #19 An ordinance defining additional vegetation nuisances. SECOND READING

Mr. Roger Kaufmann, resident of Wicksworth, was present and stated he is opposed to the 10 inch height for grass as he feels even eight inches is too high. He stated he spoke with a representative of the Missouri Botanical Garden and was told that grass over six inches in height is a source for weed generation because the weeds can get into the grass structure.

Mayor Svoboda commented that this subject matter has been previously discussed. He noted that the height can be changed if it is determined to not work out. It is not necessarily the height, it is the time frame to follow up for those who are mowing their grass.

Alderman Webb read Bill #19 by title only.

Alderman Gregory made a motion to approve Bill #19. Alderman Webb seconded the motion, and the members voted:

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

Alderman Hoffmann AYE
Alderman Gregory AYE

There being 8 AYE votes and 0 NAY votes, the motion passed.

Mayor Svoboda declared Bill #19 adopted and placed in the custody of the City Clerk and entered as Ordinance #1767 of the City of Sunset Hills.

Alderman Webb commented that St. Louis County has a height limit of eight inches.

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 requested approval to purchase three police cars from Sunset Ford for $48,886. He noted the purchase is in the 2010 budget.

Alderman Nolan made a motion to approve the purchase of three police cars. Alderman Hardy seconded the motion, and it was unanimously approved.

(D) CITY ATTORNEY – Mr. Jones had nothing to report.

(E) CITY ENGINEER – Mrs. Lamitola reported the Street Department has been busy with snow removal operations and has been working on crack sealing and pothole patching as well. The Gravois Road project and the W. Watson bridge replacement project has been substantially completed. Mrs. Lamitola reminded the members of a budget amendment that will be forthcoming due to the reimbursement monies received from the West Watson bridge replacement and Gravois Road projects. Mayor Svoboda stated that he and Mrs. Lamitola attended a ground breaking ceremony on Monday for the new bridge over the Meramec River into Fenton. Demolition of the existing bridge is anticipated to begin soon.

(F) PARKS DIRECTOR – Mr. Brown reported the maintenance employees have been working at Minnie Ha Ha Park with tree removal and relocating landscaping areas in preparation for the bridge project. The maintenance employees are about 90% complete with the Timber Stand Improvement project. He also reported that the City received the Arbor Award of Excellence this year for the second consecutive year.

(G) COMMITTEE REPORTS

BUSINESS DEVELOPMENT – Alderman Webb reported that at the last meeting, PGI gave a demonstration regarding their software. The members feel there may be the opportunity to work with PGI as it relates to business development.

FINANCE – Alderman Hrastich had nothing to report.

PARKS AND RECREATION – Alderman Hoffmann reported the Claire Gempp Davidson Memorial Conservation Commission met and worked on a written policy for Timber Stand Improvement.

POLICE ADVISORY – Alderman Hardy reported that Mrs. Lamitola and Chief LaGrand have been in contact with the Missouri Department of Transportation regarding traffic on Lindbergh between Watson and I-44 to discuss potential ways to improve traffic safety and traffic flow.

PUBLIC WORKS – Alderman Gregory had nothing to report.

REQUESTS TO BE HEARD (NON-AGENDA)

Mrs. Joyce Franklin, member of the Sunset Hills Historical Society, was present and explained that the President of the Historical Society, Mr. Butch Thomas, requested she speak on behalf of the Historical Society regarding the disappearing landmarks. Sunset Hills has only one Indian mound left and one slab grave; there have been pieces of granite engraved and will be installed when there is more suitable weather. There are many places in Sunset Hills that have disappeared such as the Mill Hill Fathers and the General Feed Store. The iron bridge at Minnie Ha Ha Park is going to be demolished. The green space and park lands are very valuable. Mrs. Franklin stated she feels that the City can not afford not to obtain more green space.

NEW BUSINESS

Bill #22 An ordinance approving the Amended Development Plan for 10989 Gravois Industrial Drive to construct a freezer addition and vestibule. FIRST READING

Alderman Hoffmann read Bill #22 by title only.

This will be held over.

Bill #23 An ordinance amending Subsection 5.13-6(B) of Appendix B of the Code of Ordinances relative to installation and maintenance of landscaped areas. FIRST READING

Alderman Haggerty read Bill #23 by title only.

This will be held over.

Bill #24 An ordinance amending the Code of Ordinances by amending Sec. 17-99 relative to speed limits on certain streets and Sec. 17-314 relative to prohibited parking on certain streets. FIRST READING

Mr. Dave Zinn, resident of Sunset Drive and subdivision trustee, was present and stated that he is inquiring about placing No Parking signs at the front of their subdivision that would prohibit parking on Sunset Greens Drive from Weber Hill Road to the entrance to their subdivision. There seems to be an increase of cars parking on this section of Sunset Greens Drive and there are homeowners that have expressed safety concerns. He further stated that during the last snow fall, there was a vehicle parked on the street for a week. A homeowner in the subdivision called the police to determine if the vehicle was abandoned or otherwise. The next day the vehicle was towed, presumably by the owner of the vehicle.

Mr. Zinn stated that he and two other residents of the subdivision attended the Public Works Committee meeting last week to discuss No Parking signs. The members of the Committee requested they obtain a petition signed by residents indicating their support of the parking restriction. He and another trustee visited homes in the subdivision and spoke with the homeowners about parking restrictions. Mr. Zinn presented a petition signed by 14 of the 24 homeowners. He explained that 14 of the 18 homeowners approached signed the petition; six homeowners were not home or it was felt that their signature was not needed as they obtained the signatures of the majority of the homeowners in the subdivision.

Mr. Zinn stated that parking on the street is not an every day occurrence; however, when there are cars on both sides of the street a fire truck could not get through in the event of an emergency. In addition, on occasion there is trash placed next to the parked cars. He also stated that the residents of the subdivision that signed the petition do not desire parking at the entrance of the subdivision due to safety concerns.

Alderman Haggerty stated that he drove this area and there was one car parked at the entrance to the subdivision. He asked if it was known who parks at the entrance to the subdivision. Mr. Zinn stated he did not know who specifically parks on the street. There are times when there are vehicles parked on both sides of the street at the entrance to the subdivision and into the subdivision.

Alderman Gregory asked if Mr. Zinn revisited the homeowners that were not at home when obtaining signatures on the petition. Mr. Zinn replied no. Alderman Gregory stated that perhaps those six homeowners should have the opportunity to express their opinion. Perhaps residents of Weber Hill Road should also be notified of the parking restriction being considered by the Board of Aldermen.

Mrs. Lamitola explained that there is an ordinance that prohibits parking on the streets in the City from 2:00 a.m. to 6:00 a.m. except on Saturdays, Sundays and holidays at which time overnight parking is allowed.

Ms. Susan Newsom, resident of Lebanon Greens Drive located in Sunset Greens Subdivision, was present and stated that usually the trustees keep the residents of the subdivision well informed; typically via letters in mailboxes. However, over last weekend two trustees went door to door with a petition to sign that would support no parking at the entrance to the subdivision and was surprised to learn the matter was being presented to the Board of Aldermen at tonight's meeting.

Mrs. Newsom requested the Board of Aldermen wait to vote on the matter until next month in order to give her time to speak with the neighbors as well as the residents on Weber Hill Road to find out their opinions.

Mayor Svoboda stated that tonight is the first reading of the bill and the second reading will be next month.

Alderman Hrastich read Bill #24 by title only.

This will be held over.

Bill #25 An ordinance choosing to participate in the Show Me Green Sales Tax Holiday. FIRST READING

Alderman Hardy read Bill #25 by title only.

Alderman Hardy asked the dates for the sales tax holiday. Mrs. Rider stated there will be a one week period in April for the sales tax holiday.

Alderman Webb made a motion to suspend the rules and read Bill #25 for a second time. Alderman Gregory seconded the motion, and the members voted:

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

There being 8 AYE votes and 0 NAY votes, the motion passed.

Alderman Hardy read Bill #25 by title only. SECOND READING.

Alderman Nolan commented that the items on the list that are sold in the City will not be taxed for an entire week. Mayor Svoboda added that as long as the items are energy star certified.

Alderman Webb made a motion to approve Bill #25. Alderman Gregory seconded the motion, and the members voted:

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

There being 8 AYE votes and 0 NAY votes, the motion passed.

Mayor Svoboda declared Bill #25 adopted and placed in the custody of the City Clerk and entered as Ordinance #1768 of the City of Sunset Hills.

DISCUSSION AND MOTION ON APPROVAL OF PHASE II OF THE COMMUNITY CENTER

Mr. Doug McGuire, resident and member of the Parks and Recreation Commission, was present and stated that he would like to have the community center to be fully constructed as he believes the residents and the Park Department desire.

Mr. Blake Cundiff with All N 1 Fitness was present and stated that the business is locally owned and operated. All N 1 Fitness can relieve the City from liability, equipment maintenance as well as the operations of a fitness center. He further stated that All N 1 Fitness would like to form a partnership with the City for use of a fitness center.

Alderman Hardy stated that recently it has come to the City's attention that there are two large parcels of land that could potentially be available to the City that could have many uses. The City is in very preliminary stages regarding the parcels of land. He added that large parcels of property do not become available very often. If the City were to obligate funds to Phase II of the Community Center they could possibly eliminate chances to look into the opportunity. He further stated that perhaps by June an agreement can be made regarding the parcels of land. Therefore, he would like to postpone making a decision regarding Phase II of the community center until June.

Mayor Svoboda stated that if a decision is postponed, the prices submitted will no longer be valid. Mrs. Lamitola added that there would be a savings of approximately $347,000 by completing the community center now.

Mayor Svoboda stated it could be a long time before an agreement can be reached with the property owners and the property owners seem to be willing to work with the City.

Alderman Hrastich stated that if the community center is completed, all the Proposition P funds will be for paying the debt; there will not be any Proposition P funds to operate the facilities. If memberships do not cover the operational costs, the operational costs will be funded through the City's General Fund. He then stated that he feels consideration should be given regarding the sources and revenues before spending all funds to construct the facility and not leave funds for operation or debt service.

Alderman Nolan stated that he is having a hard time with using public funds to compete with private industry. If the community center is fully constructed, the facility may attract people from companies that are trying to make a living which will involve utilizing public money to do so. He added that looking at the chart of charges, there seems to be very little public benefit. Alderman Nolan stated that he feels if public money is going to be spent, there should be public benefit other than competing with private industry. In addition, it was his understanding that there would be excess funds to help pay the debt and avoid utilizing the City's General Fund.

Alderman Hoffmann stated that she feels the voters supported Proposition P as they wanted a full community center. People do not consider a community center consisting of only offices and meeting rooms. Residents she has spoken with expressed their desire for a community center which includes a fitness center and a gymnasium. A fitness center would attract memberships.

Mrs. Rider explained the proceeds from the sale of the Certificates of Participation cannot be used for land acquisition as this was not on the list of projects that were going to be completed. Sales tax can be used for land acquisition.

Alderman Hardy stated that he is not saying that the community center should not be fully completed; however, he feels the City should pursue negotiations with the two property owners before committing funds to fully construct the community center.

There was discussion regarding the revenue and expenses for the pool and the community center. Mr. Brown explained that the first year the recovery is estimated to be above 100% for the community center; the best years are typically the first five years. As a rule of thumb, there is typically an 85% recovery after the first five years. The rule of thumb for pool recovery is a 75% recovery rate, which is based on the amount of time the pool is open, weather as well as other variables.

Alderman Gregory asked the recovery rate of the pool for the past five years. Alderman Hrastich stated that in 2007 the recovery rate was 54.4% and with overhead it is 45.5%; 2008 recovery rate was 74.3% with overhead costs it is 59.2 and 2009 is 62.5%. Mr. Brown stated that recovery rate depends on the facility; the last three years the pool did not have a diving well and there was a lack of amenities. In addition, there have been quite a bit of funds spent on the maintenance of the old pool such as new carpet and new flooring.

Alderman Fribis stated that she feels the voters passed Proposition P and the Board of Aldermen have a responsibility to the give the citizens what they voted for.

Alderman Webb stated that a community center was a high priority with the citizens and he has received comments of concern relating to eliminating the completion of the community center. Although he has concerns and recognizes there is a risk involved, he is in favor of completing the community center.

Alderman Gregory stated that it seems there are three areas of concern; opportunity of property acquisition; operating costs as well as the concern of using public money to compete with private businesses. All are different ideas and are perhaps valid. Last year when discussing prioritizing

improvements year, he expressed his opinion that a gymnasium can be used 365 days a year. He added that he feels a gymnasium is important. The facility is supposed to be a community center and not a building consisting of only offices and meeting rooms. He too is concerned of operating costs. Information provided shows funds that can be used for operations.

Alderman Hoffmann made a motion to proceed with the completion of Phase II of the Community Center and to approve a change order with Paric Corporation in the amount of $1,895,150 and to establish a budget of an additional $334,860 for soft costs which will be administered by the owner's team. Alderman Fribis seconded the motion, and the members voted:

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

There being 5 AYE votes and 3 NAY votes the motion passed.

INVOICES TO BE APPROVED

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

APPOINTMENTS

a) Planning & Zoning Commission
Kevin Studer

Alderman Hardy made a motion to approve the above appointment. Alderman Webb seconded the motion, and it was unanimously approved.

Reappointments

a) Parks & Recreation
Michael McGilligan

Alderman Hoffmann made a motion to approve the above reappointment. Alderman Fribis seconded the motion, and it was unanimously approved.

b) Personnel Committee:
John Tipton
Scott Haggerty
Frank Hardy

Alderman Fribis made a motion to approve the above reappointments. Alderman Hoffmann seconded the motion, and it was unanimously approved.

ADJOURNMENT

Alderman Webb made a motion to adjourn the meeting at 8:50 p.m. Alderman Hardy seconded the motion, and it was unanimously approved.

Recording Secretary,

Laurie Sanneman

Laurie Sanneman