

MINUTES OF THE REGULAR MEETING  
OF THE BOARD OF ALDERMEN  
OF THE CITY OF SUNSET HILLS, MISSOURI  
HELD ON TUESDAY, MARCH 11, 2008

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, March 11, 2008. 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:	Frank Hardy	-Alderman – WARD I
	John W. Littlefield	-Alderman – WARD II
	Thomas Hrastich	-Alderman – WARD II
	Lynn D. Flowers	-Alderman – WARD III
	Jan Hoffmann	-Alderman – WARD III
	Frank Gregory	-Alderman – WARD IV
	Mike Svoboda	- Alderman – WARD IV
	Laura A. Rider	-City Clerk
	William LaGrand	-Chief of Police
	Anne C. Lamitola	-City Engineer
	Thomas Fleer	-City Collector
	Robert C. Jones	-City Attorney
	Gerald Brown	-Director of Parks and Recreation
Absent:	John T. Hunzeker	-Mayor
	Douglas McGuire	-Alderman – WARD I

It should be noted that the President of the Board of Aldermen, Alderman Hardy, chaired the meeting in the absence of Mayor Hunzeker.

**APPROVAL OF THE MINUTES**

Copies of the Minutes of the February 12, 2008 Board of Aldermen meeting were distributed to the members for their review. Alderman Hrastich added the following sentence to the end of the first paragraph on Page 6 under Requests to be Heard (Non-Agenda): “Mr. Conley also submitted sufficient printed copies of a draft, or sample, request for proposal (RFP) for each Board member, plus an electronic edition on floppy disc, that could assist the Board in obtaining a professional traffic study.”

Alderman Hardy amended Page 3 under the motion to approve the *Request from the Jones Company to place a storage vault upon lots within Tapawingo on the Green* to note that for six months of continuous inactivity, the storage vault would be removed and the vault could then be placed back upon activity. He amended Page 7 under Bill #42 to note that amount of the agreement was for \$446,000 and is the last of the large cell phone companies to settle and the other remaining companies will be smaller cell phone companies. He also amended Page 9 under the Motion to approve the City as a sponsor of the Jazz Festival at Laumeier Park that one of the agreements was that there be free tickets for this year’s jazz festival in the City’s Horizon Newsletter for residents.

Alderman Hardy made a motion to accept the Minutes as amended. Alderman Hrastich seconded the motion, and it was unanimously approved.

Alderman Hardy noted that the amendments to the November 13, 2007 meeting were held over to this meeting. He then amended the first paragraph under Bill #31 and Resolution #299 to read: "Mayor Hunzeker stated that Bill #31 and Resolution #299 address the proposed redevelopment. He then read aloud the following statement:

These two matters, Bill #31 and Resolution #299, address the proposed redevelopment of the northwest corner of Lindbergh and Watson and I would suggest that this redevelopment is the most important redevelopment project in the fifty year history of Sunset Hills. It is an important redevelopment due to its location, the parties involved in the process, what is at risk for the city, and when and how this process takes place.

The location of the redevelopment is the most historic and visible commercial location within the city. In the mid 1950's the proposed construction of an asphalt plant at this intersection resulted in the incorporation of the City of Sunset Hills. It is the ideal commercially zoned location to set the tone for the future of Sunset Hills. The question is "Will we allow our most prominent location to be redeveloped to a higher use or will we allow it to deteriorate"? The northwest corner of Lindbergh and Watson will change from its current condition and what happens there should and will be our choice.

The "who" involved in the transaction are as important as the location. The seller of the subject property is a long time resident of Sunset Hills. The buyers, although not residents, have a long history with the city having successfully redeveloped two corners at the same intersection.

Because the seller is a resident, he wishes to maximize the sale price of his property and he has carefully selected a buyer who has a track record of success in redevelopment. By selecting a developer as the buyer, the seller hopes the property will be redeveloped and will no longer operate in its current use. If the seller is unable to sell to a developer, he will be forced to sell to a user. The property's existing franchise agreement will soon expire. The new owner would operate under an inferior brand and the value of the property will, by its nature, deteriorate. As residents we should appreciate this seller's approach to the sale of property that is so important to our city.

The purchase of the northwest corner of Lindbergh and Watson by a successful experienced development company will require the use of Economic Redevelopment Incentives to redevelop the site to a higher use. Economic Redevelopment Incentives are provided for under Missouri state law for redevelopment of important parcels within older communities. The purpose of incentives is to create a level playing field between new development on raw ground and redevelopment of developed ground. Certainly this is the case with the subject property where a competing development is proposed on the undeveloped raw ground at Lindbergh and Eddie and Park. Both of these developments would be competing for the same pool of users.

The laws regarding the use of Economic Redevelopment Incentives are complex and easily misunderstood. Most people do not view these powerful tools very favorably because they are complicated and require expert professional assistance to implement. Municipal officials must rely on these professionals to work through the process and trust in their professional opinions is a key ingredient to success. Sunset Hills has had three experiences in the use Economic Redevelopment Incentives. Two experiences were successful and the last and most recent ended in disaster.

The most recent use of these tools has hardened the opposition to this redevelopment project. The successful use of the tools with the same developer on the two previous occasions has largely been forgotten by these opponents. Objections to the use of Economic Redevelopment Incentives in Sunset Hills is analogous to a carpenter refusing to use his hammer because he hit his thumb the last time he used it. Most residents would agree it is always best to use the right tools for a specific job. It does not make any sense not to use all the available tools when starting a complicated and difficult job.

There exists compelling reasons to support the redevelopment of the northwest corner of Lindbergh and Watson. These are:

1. An increase in the city sales tax revenue from this location will occur as early as 2012. It is estimated the additional sales tax revenue to Sunset Hills will be in excess of \$275,000 in year 2012. Compare that to the projected 2008 budget deficit which is expected to be between \$212,000 and \$240,000.

2. The improved appearance at the front door to the City of Sunset Hills is an important consideration. Today there are two boarded up buildings along Lindbergh Boulevard and this situation will continue without redevelopment. The reason is undeniable when another motel operator will be forced to operate the subject property under an inferior franchise. This new operator will be held to a lower standard of improvements on his property as the new franchise agreement will be of a lower quality than the existing Holiday Inn.
3. The reputation of Sunset Hills as a desirable place to live will be enhanced as the redevelopment will be in our commercial core. A redevelopment at this location will jump start other projects in our commercial area as supply and demand characteristics change. We enjoy an excellent reputation because of our low density of residential areas and other amenities in the city which will continue to receive financial support because of the increase in sales tax revenue.

There is a direct correlation between commercial redevelopment and low density residential zoning. Commercial redevelopment financially supports our collective community goal of maintaining low density residential zoning. It also supports our current low tax rate.

This project is the most important development because it will determine how we as a community will be viewed in the future. We will either be viewed as a great place to live, or as a city whose best days were in the past. The choice is ours to make.

Recently we held a workshop for the Board of Aldermen on EDI's, Economic Development Incentives. We learned that team work between the taxing jurisdictions is essential when working on the path of best interests of all invested. Because of the change in state law related to Economic Development Incentives we were attempting to move this process forward before year end. However, I am not seeing the team work necessary to move this process forward. As a matter of fact, what I am seeing is deceptive and self-serving attempts to disprove and undermine the work of the professionals that have been hired by the city. For this reason, I would like to have a motion to table further discussion of Bill #31 and Resolution # 299. May I have a motion?"

Alderman Hardy then deleted the following paragraph: "Mayor Hunzeker stated that recently there was a workshop held for the Board of Aldermen regarding Economic Development Incentives (EDI). Teamwork between the taxing districts is essential when working on behalf of the best interest of all residents. Due to the change of the State Law related to EDI, attempts have been made to move the process forward before the end of the year. However, there does not seem to be the teamwork necessary to move the process forward. What has been occurring appears to be the opposite. Therefore, he feels it would be in the best interest to table further discussion regarding Bill #31 and Resolution #29."

Alderman Hrastich made a motion to approve the Minutes of the November 13, 2007 meeting as re-amended. Alderman Flowers seconded the motion. All members voted AYE with the exception of Aldermen Gregory who voted NAY. There being 6 AYE votes and 1 NAY vote, the motion passed.

#### **REQUESTS FOR BUSINESS LICENSE:**

**A) Cabinets & Tops Specialists, 11037 E Gravois Ind. Ct.**

A representative was not present.

This will be held over.

**B) R.R. Jones Associates, LTD, 11070 Gravois Ind. Ct.**

Mr. Scott Dallman was present and explained the business is a manufacturer representatives for food service.

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

**C) Community Rehab of Greenville, 3808 S. Lindbergh Blvd., Suite 105**

Mr. Aaron McBride was present and explained that the business offers outpatient physical therapy. The business was previously located in Kirkwood and has since relocated to Sunset Hills.

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

**REQUESTS TO BE HEARD**

**A) Request from Laumeier Sculpture Park for a “picnic license” to serve alcohol at the annual Art Fair.**

Mrs. Rider explained that she spoke with Ms. Jennifer Duncan of Laumeier Sculpture Park this afternoon. There will be no changes from previous years of the event which were approved by the Board of Aldermen.

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

**B) Request from Helen Fitzgerald’s for an extension of the use of tents for outdoor seating on St. Patrick’s Day.**

Mr. Jim Daerda, representative, was present and stated the request is for an extension for time of the tents to be in place to the day after St. Patrick’s Day. He stated that he is not aware of any complaints regarding the outdoor events; the event will be the same as what has been approved in previous years.

Mr. Daerda stated there will be security for the event. There will be parking available at their parking lot and there will be a shuttle from their property at Que Pasa to Helen Fitzgerald’s. He added that Que Pasa closed last week. Mr. Daerda stated that security will make sure that there is not parking on the parking lot of World Market. They are currently speaking with Sansone Group regarding the possibility of leasing the former Comp USA parking lot.

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

**C) Request from Growlers Pub to erect tents on the patio area for additional seating from March 12 through March 19, 2008.**

Mr. Pepe Vantreece was present and explained that there will be a private party held in the beer garden on March 13, 2008. It is desired to erect tents for this private party and for the overflow crowd on St. Patrick’s Day. The tents would be removed no later than March 19, 2008. He added that there was not a tent erected for the private party held last year.

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

**D) Request from O’Leary’s Restaurant to erect a tent on the patio area from March 17 through March 18, 2008.**

Mr. Kevin O'Leary was present and stated that the tent would be erected the morning of March 17 and removed the following morning. The tent would be located on the existing patio.

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

## **CITY OFFICIAL AND COMMITTEE REPORTS**

- (A) TREASURER/COLLECTOR – Mr. Fler presented these reports.
- (B) CITY CLERK – Mrs. Rider reported that a settlement payment from Verizon Wireless was received for the month of February for \$105,000, which is included in the telephone receipts.
- (C) CHIEF OF POLICE – Chief LaGrand reported the serious crimes have slightly increased, traffic enforcement, arrests and accidents have decreased. The four new officers have completed their field training.
- (D) CITY ATTORNEY – Mr. Jones had nothing to report.
- (E) CITY ENGINEER – Mrs. Lamitola reported that this year's budgeted roadway projects are moving forward. The 2008 Microsealing project will consist of many roads in Ward I, a few in Ward II, several in Ward III. The Street Department has been pot hole patching and crack sealing throughout the city. The Street Department has also been working on a project of removing an obsolete storm water culvert pipe and will assist in the Lincoln storm sewer project demolition. Construction for the Lincoln storm sewer project will begin in the next few weeks. Mrs. Lamitola also reported that the budgeted items of benches, trash receptacles and landscaping for City Hall Plaza have been ordered and will be installed by the Street Department. She requested two readings of Bill #43 and Bill #44.
- (F) PARKS DIRECTOR – Mr. Brown had nothing to report.
- (G) COMMITTEE REPORTS

FINANCE – Alderman Hrastich requested the City Clerk to tally the expenses for the 50 year anniversary celebration; including logo changes, signage etc. for the Finance Committee and the Board of Aldermen. Alderman Gregory noted that he recently sent a similar request via email. Alderman Hrastich stated he would like the report to include a total of all expenses for the 50<sup>th</sup> anniversary and the income received.

PARKS AND RECREATION – Alderman Hoffmann encouraged attendance at the Annual Easter Egg Hunt that will be held on Easter Sunday at 1:00 p.m. at Watson Trail Park.

PARKS STEERING COMMITTEE – Alderman Littlefield had nothing to report.

POLICE ADVISORY – Alderman McGuire was not present.

PUBLIC WORKS – Alderman Gregory reported the Public Works Committee met last week and discussed this year's concrete replacement program; Major programs will be Doverhill, Crestwick Drive, Crestwick Court and Cresthaven Court; Charlamar and Fall Ridge Trail in Ward IV are also included in the program. Costs associated with this work were included in the approved 2008 Budget.

SPECIAL PROJECTS COMMITTEE – Alderman Littlefield requested two readings of Bill #45.

**REQUESTS TO BE HEARD (NON-AGENDA)**

There was not any Request to be Heard Forms submitted.

**NEW BUSINESS**

**Bill #43** An ordinance authorizing a contract with Howard R. Green Company for professional design services for Tributary B Structure Replacement, Phase I.  
FIRST READING

Alderman Flowers read Bill #43 by title only.

Alderman Gregory stated that the Public Works Committee went through the interview process and recommend approval of Howard R. Green Company.

Alderman Hrastich made a motion to suspend the rules and read Bill #43 for a second time. Alderman Littlefield seconded the motion, and the members voted:

Alderman Svoboda	AYE
Alderman Littlefield	AYE
Alderman Gregory	AYE
Alderman Hoffmann	AYE
Alderman Hardy	AYE
Alderman Flowers	AYE
Alderman Hrastich	AYE

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

Alderman Flowers read Bill #43 by title only. SECOND READING.

Alderman Hrastich made a motion to approve Bill #43. Alderman Gregory seconded the motion, and the members voted:

Alderman Hardy	AYE
Alderman Gregory	AYE
Alderman Hoffmann	AYE
Alderman Hrastich	AYE
Alderman Littlefield	AYE
Alderman Svoboda	AYE
Alderman Flowers	AYE

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

Alderman Hardy declared Bill #43 adopted and placed in the custody of the City Clerk and entered as Ordinance #1715 of the City of Sunset Hills.

**Bill #44** An ordinance authorizing a contract with CDG Engineers Architects Planners, Inc. for engineering services for Mattese Creek Tributary improvements.  
FIRST READING

Alderman Gregory read Bill #44 by title only.

Alderman Gregory made a motion to suspend the rules and read Bill #44 for a second time. Alderman Hrastich seconded the motion, and the members voted:

Alderman Hrastich	AYE
Alderman Littlefield	AYE

Alderman Hoffmann AYE  
Alderman Gregory AYE  
Alderman Hardy AYE  
Alderman Flowers AYE  
Alderman Svoboda AYE

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

Alderman Gregory read Bill #44 by title only. SECOND READING.

Alderman Littlefield asked if other companies were interviewed. Alderman Gregory stated there were nine applicants and four companies were interviewed by the Public Works Committee.

Alderman Flowers made a motion to approve Bill #44. Alderman Svoboda seconded the motion, and the members voted:

Alderman Hrastich AYE  
Alderman Flowers AYE  
Alderman Svoboda AYE  
Alderman Hardy AYE  
Alderman Gregory AYE  
Alderman Hoffmann AYE  
Alderman Littlefield AYE

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

Alderman Hardy declared Bill #44 adopted and placed in the custody of the City Clerk and entered as Ordinance #1716 of the City of Sunset Hills.

**Bill #45** An ordinance authorizing a contract with Hastings & Chivetta Architects, Inc. for feasibility, design and erection of a community center and pool. FIRST READING

Alderman Littlefield read Bill #45 by title only.

Alderman Hrastich stated that page 8 of the services notes that land surveying services and geotechnical services are the responsibility of the owner. He then asked if there would be much of this necessary in Phase I and/or does this carry onto Phase II. He also asked the costs associated with the services. Alderman Littlefield stated that surveying could be in the \$10,000 range; however geotechnical services are anticipated to be less than the cost of surveying.

Alderman Hrastich made a motion to suspend the rules and read Bill #45 for a second time. Alderman Svoboda seconded the motion, and the members voted:

Alderman Svoboda AYE  
Alderman Hardy AYE  
Alderman Littlefield AYE  
Alderman Gregory AYE  
Alderman Hoffmann AYE  
Alderman Hrastich AYE  
Alderman Flowers AYE

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

Alderman Littlefield read Bill #45 by title only. SECOND READING.

Alderman Gregory made a motion to approve Bill #45. Alderman Hoffmann seconded the motion.

Alderman Littlefield stated that Hastings & Chivetta Architects, Inc. is a good firm. The Special Projects Committee interviewed three firms and felt strongly about the recommendation of Hastings & Chivetta Architects, Inc.

The members voted on the above motion made by Alderman Gregory and seconded by Alderman Hoffmann to approve Bill #45:

Alderman Littlefield	AYE
Alderman Flowers	AYE
Alderman Hardy	AYE
Alderman Hrastich	AYE
Alderman Hoffmann	AYE
Alderman Gregory	AYE
Alderman Svoboda	AYE

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

Alderman Hardy declared Bill #45 adopted and placed in the custody of the City Clerk and entered as Ordinance #1717 of the City of Sunset Hills.

### **INVOICES TO BE APPROVED**

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

### **APPOINTMENTS**

Reappointment:  
Stuart Walls – Planning & Zoning Commission (3 year term)

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

### **ADJOURNMENT**

Alderman Svoboda made a motion to adjourn the meeting at 7:40 p.m. Alderman Hoffmann seconded the motion, and it was unanimously approved.

Recording Secretary,



Laurie Govreau

