

The following amendments were made at the March 11, 2008 meeting:

The following sentence to the end of the first paragraph on Page 6 was added 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."

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* was amended 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. Page 7 Bill #42 was amended 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.

MINUTES OF THE REGULAR MEETING
OF THE BOARD OF ALDERMEN
OF THE CITY OF SUNSET HILLS, MISSOURI
HELD ON TUESDAY, FEBRUARY 12, 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, February 12, 2008. The meeting convened at 7:00 p.m.

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

Mayor Hunzeker called for a moment of silence for those who have been affected by the recent tragic events in Kirkwood.

ROLL CALL

Present:	John T. Hunzeker	-Mayor
	Frank Hardy	-Alderman – WARD I
	Douglas McGuire	-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
	Robert C. Jones	-City Attorney
	Gerald Brown	-Director of Parks and Recreation
Absent:	Thomas Fleer	-City Collector

APPROVAL OF THE MINUTES

Copies of the Minutes of the January 8, 2008 Board of Aldermen meeting were distributed to the members for their review. Alderman Hardy added the following sentences to the Public Hearing regarding Missouri American Water: "Alderman Hardy asked if the process would cause any odors. Ms. Hill replied no." Alderman Hardy added a paragraph to be the first paragraph on the last page under the Restructuring of the Special Projects Committee: "Alderman Hardy explained that the composition of the Special Projects Committee will be one member from each ward; trimming the current membership from six to four and to have parks and public works equally represented."

Alderman Hardy stated there has been discussions late this afternoon regarding his proposed amendments to the November 13, 2007 Minutes. He stated he would like approval of these minutes to be postponed until the March Board of Aldermen meeting.

Alderman Hardy made a motion to accept the January 8, 2008 Minutes as amended and to postpone approval of the November, 2007 minutes.

Alderman Hoffmann asked if the Board has already approved the November and December, 2007 meeting minutes. Mayor Hunzeker replied yes.

Alderman Hardy stated that his amendments to the November 2007 minutes, in his opinion, have not been amended correctly and would like to straighten out the issue.

. Alderman Hrastich seconded the above motion made by Alderman Hardy, and it was unanimously approved.

EMPLOYEE SERVICE AWARD

Mr. Brown presented Mrs. Evelyn Westerhold a service award for her 20 years of service to the city as the Park Secretary

Those present applauded Mrs. Westerhold in appreciation of her service to the city.

Mayor Hunzeker stated that since last Friday he has been in communications with city staff to ensure the city has provided adequate security measures at city meetings. Prior to this meeting he met with Chief LaGrand who recommended additional personnel attend this meeting. Additional personnel were using metal detectors to screen individuals entering the meeting. Most people in attendance entered the meeting with some level of anxiety. Mayor Hunzeker stated that there are questions regarding if all is being done to provide a secure public environment in which to conduct community meetings. Later in the meeting, he will recommend the city establish a committee to make recommendations concerning possible changes in security procedures. The committee would hold as many public meetings as necessary before making recommendations to the Board of Aldermen regarding security procedures. The meetings considered for possible security changes are Board of Aldermen, Planning and Zoning Commission, Board of Adjustment and Municipal Court sessions. The committee would make a report to the Board of Aldermen at their April 2008 meeting.

Mayor Hunzeker stated that he recommends membership of the committee be comprised of four members, one from each ward. The recommended members are Mr. Ted Rohr as Chairman; Mr. Tony Grasso, Mr. George Niemeyer and Mr. Bill Hopfiger as members.

He then stated that he hopes the Board approves this committee and believes this course of action will help the Sunset Hills community recover from this tragedy and speed action toward the appropriate actions to create a secure public environment.

REQUESTS FOR BUSINESS LICENSE

A) Pro-Mobile Auto Detailing and Auto Sales, 13012 Gravois Road

A representative was not present.

This will be held over.

B) Systems Design Associates, 3760 S. Lindbergh Blvd., Suite 102

Mr. John Grass, President, was present and stated the business is a commercial computer software developer and also offers consulting services.

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

REQUESTS TO BE HEARD

A) Request from memories Car Club for permission to hold Friday night car cruises at Life Christian Church.

Mr. Nelson Weber was present and stated the cruises will be the same as have been held the past two years. There will be two food vendors this year; Lion's Club and the Job's Daughters. Cars on display will be on the east side of the church and visitors will park on the west side of the church. The car cruise is a family event.

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

B) Request from the Jones Company to place a storage vault upon lots within Tapawingo on the Green.

Mr. Jerry Duepner, Land Acquisition Manager, was present and stated that The Jones Company has purchased two lots in Tapawingo on the Green Subdivision and will be purchasing another nine lots. The request consists of a vault that would be used for storage of construction materials and tools during the construction period of a home. The vault would first be placed on Lot 7. The vault would be moved upon construction of the other lots. Each home construction is anticipated to take six months. The sale of the other lots will depend on the market.

Alderman Hardy stated his concern of a vault being stored on the property for an extended amount of time when there is not construction. Mr. Duepner stated that the vault would be moved to another lot for construction; however, if there will not be construction activity the vault would be removed.

Alderman Gregory asked if this type of a vault has been used on other subdivision developments. Mr. Duepner replied yes. Alderman Gregory asked if Mr. Duepner has spoken with the subdivision trustees regarding the request. Mr. Duepner explained that it is his understanding that upon purchasing the property, The Jones Company became the trustees.

Mayor Hunzeker asked if The Jones Company has the same covenants and restrictions as the previous trustees. Mr. Duepner replied yes.

Alderman Gregory asked if the City should look at the subdivision covenants and restrictions to see if the proposed vault is allowed before it is approved. Mr. Jones advised that the City cannot enforce subdivision covenants and restrictions.

Alderman Littlefield commented that he sees the vault as a positive thing as it will keep the site neat and orderly. It is quite common for construction sites to have these types of units.

Mr. Duepner stated that the vault would be strictly used for the construction of homes in Tapawingo on the Green. He reiterated that the construction of a new home is anticipated to take six months.

There was discussion regarding the number of lots owned by the previous developer. Mrs. Lamitola stated that it is her understanding that Taylor Morley now owns only one lot, but it is for sale.

Mr. Joe Stewart resident of Tapawingo on the Green, was present and stated that he does not have a problem with the vault. He asked Mr. Duepner many questions regarding the Homeowner's Association in Tapawingo on the Green. Mayor Hunzeker stated that he understands there are many questions due to the change in ownership; however, these questions are outside the purview of the Board. Mr. Duepner and Mr. Stewart agreed to discuss the issue.

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

OLD BUSINESS

Bill #38 (AMENDED) An ordinance adopting and enacting a stream buffer protection ordinance. SECOND READING

Mayor Hunzeker read Amended Bill #38 by title only.

Alderman Gregory stated that the Public Works Committee reviewed the stream buffer ordinance and recommends three modifications. The first modification is to Section 4.2(8) which provides for an exemption to structure replacement on lot sizes less than one acre. The second modification is the elimination of Section 5.1(2) which addresses buffer issues; only a 25 foot buffer will apply to intermittent blue line streams on the USGS map; the original ordinance proposed a 50 foot buffer. The third modification is to section 10.2(4) which addresses penalties; penalties will not be assessed until after the compliance date rather than the date notice of violations was issued. He added that the Public Works Committee has spent a significant amount of time reviewing the ordinance and the amended bill is the committee's recommendation to the Board of Aldermen.

Alderman Flowers stated that the amended bill still does not apply to a structure on a lot larger than one acre. If a structure on a larger lot were to be damaged, the structure could not be placed where it was if it is within the buffer. Mrs. Lamitola stated that there are provisions in this scenario. There is a section in the Zoning Regulations that describes existing non-conforming situations that allow for a repair for buildings that have been structurally damaged. If a building were damaged by fire, this would be a reasonable interpretation of existing non-conforming uses that would be allowed to be repaired.

Alderman Hardy asked about structures that have been more than 50% damaged would have to appear before the Board of Adjustment. Mr. Jones stated that this would be considered non-conforming uses. Typically, structures damaged more than 50% would need to go to the Board of Adjustment because it could not be rebuilt.

Mrs. Lamitola stated there are seven total structures located in the city that are located within the 25 feet buffer; two are residential and five are commercial.

Alderman Gregory stated the ordinance was prepared by the Metropolitan Sewer District (MSD) and the Public Works spent considerable time speaking with MSD regarding what could be amended in the

ordinance. There are limits regarding the amendments or MSD will not approve the ordinance and the city would be in violation. Mrs. Lamitola stated that the city could be faced with fines from the Environmental Protection Agency (EPA). Alderman Gregory stated there are limits as to the amendments that can be made by the City and the ordinance still be accepted by MSD. If the ordinance is not approved, the city will be in violation of the Phase II Storm Water Protection Plan which is mandated by the EPA. If the ordinance is not approved, the city will face hefty fines.

Alderman Hardy stated his concern of an existing structure being damaged over 50% being in the position of going before the Board of Adjustment to replace the existing structure. Alderman Svoboda stated that perhaps consideration can be given to changing the 50% damage allowance and not changing the proposed stream buffer protection ordinance.

Mr. Jones stated the structure could still be relocated on the lot if the lot is big enough.

Alderman Gregory made a motion to approve Amended Bill #38. Alderman Svoboda seconded the motion, and the members voted:

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

There being 6 AYE votes and 2 NAY votes, the motion passed.

Mayor Hunzeker declared Amended Bill #38 adopted and placed in the custody of the City Clerk and entered as Ordinance #1712 of the City of Sunset Hills.

CITY OFFICIAL AND COMMITTEE REPORTS

- (A) TREASURER/COLLECTOR – Mrs. Rider presented these reports.
- (B) CITY CLERK – Mrs. Rider reported that due to the election being held on April 8, 2008, the Board of Aldermen will meet on April 22, 2008.
- (C) CHIEF OF POLICE – Chief LaGrand reported the serious offenses have increased, arrests and traffic enforcement have decreased and accidents are about even. By this time next month, the newly hired officers will be operating on their own.
- (D) CITY ATTORNEY – Mr. Jones had nothing to report.
- (E) CITY ENGINEER – Mrs. Lamitola reported the three nuisance structures have been removed in Sunset Manor. Mattese Tributary construction documents for 7 of the 19 projects identified will be forthcoming. Old Gravois Road is in the design phase. Mrs. Lamitola stated she is in the process of negotiating a fee for Tributary B with the selected firm based on interviews that were held last week by the Public Works Committee. She also reported the Street Department has responded to several snow removal events since the last Board of Aldermen meeting.
- (F) PARKS DIRECTOR – Mr. Brown had nothing to report.
- (G) COMMITTEE REPORTS

FINANCE – Alderman Hrastich had nothing to report.

PARKS AND RECREATION – Alderman Hoffmann had nothing to report.

PARKS STEERING COMMITTEE – Alderman Littlefield had nothing to report.

POLICE ADVISORY – Alderman McGuire had nothing to report.

PUBLIC WORKS – Alderman Gregory reported the Public Works Committee reviewed bids received for a backhoe. Six companies submitted bids; the bids range from a net cost of \$49,000 to \$68,000. Employees of the Public Works Department tested some of the equipment. After considering all factors, the recommendation was to purchase Case 580 Super M for a net cost of \$56,275. This is not the lowest bid received but met the specifications of the department including space to park the equipment. This purchase is included in the approved 2008 Budget.

Alderman Gregory made a motion to approve the purchase of a Case 580 Super M model for \$56,275. Alderman Flowers seconded the motion, and it was unanimously approved.

SPECIAL PROJECTS COMMITTEE – Alderman Littlefield reported the next meeting will be held on February 19, 2008 to interview three firms regarding the design and eventual placement of a community building.

50TH ANNIVERSARY – Chairman, Mr. Butch Thomas was present and stated he received many compliments on the events held throughout 2007 in celebration of the city's 50th anniversary. The celebration events were very successful and raised almost \$49,000 to be used for a very special project.

Alderman Flowers expressed his appreciation to Mr. and Mrs. Thomas for their effort put forth to make the celebration events successful. Those present applauded in their appreciation for their efforts.

BUSINESS DEVELOPMENT COMMITTEE – Mr. John Basler, member of the Committee was present. He stated the Committee was activated in May of last year and held their first meeting in June of last year. The Committee has reviewed the Comprehensive Plan; current revenues and expenses; potential developments and have brainstormed and discussed many potential revenue concepts for the City. They have also compared the benefits of residential, retail and commercial development in the city. There has been an analysis performed on opportunities of utility taxes, revising business license fees and have also evaluated the possibility of tourism tax. The Committee invited the owners of the hotels/motels in the city to attend meetings to discuss tourism tax; however, further discussions regarding tourism tax have been tabled at this time. The Committee will continue to evaluate possibilities to increase the revenue basis and will report to the Board of Aldermen on a periodic basis.

REQUESTS TO BE HEARD (NON-AGENDA)

Mr. Ken Conley, resident of Westwick Subdivision, was present and explained that when he first learned of the proposal to develop the Heimos property at Eddie and Park and S. Lindbergh Blvd., he came into City Hall and reviewed the documents submitted by the developer. He then became concerned about vehicular traffic the proposed development would generate. He then stated he would like the city to obtain a professional traffic study of a couple intersections that would be affected by the

development; S. Lindbergh and Eddie and Park Rd. and the intersection of Robyn Rd. and Eddie and Park Rd. He further stated that he feels a professional traffic study would be a good thing to have on hand.

Alderman Littlefield commented that there is not a proposed development for the property and a traffic study would be a moot point. Mr. Conley stated he believes there will soon be a proposed development presented. Alderman Littlefield stated if there is a proposed development, there will be a public meeting before it is presented to the Board of Aldermen.

NEW BUSINESS

Bill #41 An ordinance approving the Missouri Highways and Transportation Commission On-System Bridge Replacement and Rehabilitation Program Agreement for West Watson Road Bridge Project by and between the Missouri Highways and Transportation Commission and the City of Sunset Hills.
FIRST READING

Alderman Hoffmann read Bill #41 by title only.

Mrs. Lamitola stated that this is a similar agreement as what was approved for the Old Gravois Road project. This is a standard agreement to receive federal funds.

Alderman Svoboda made a motion to suspend the rules and read Bill #41 for a second time. Alderman Littlefield seconded the motion, and the members voted:

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

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

Alderman Hoffmann read Bill #41 by title only. SECOND READING.

Alderman Hoffmann made a motion to approve Bill #41. Alderman Gregory seconded the motion, and the members voted:

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

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

Mayor Hunzeker declared Bill #41 adopted and placed in the custody of the City Clerk and entered as Ordinance #1713 of the City of Sunset Hills.

Bill #42 An ordinance accepting all terms and provisions of the settlement agreement with Sprint Spectrum, L.P. and Nextel West corp., Et Al. relative to municipal taxes. FIRST READING

Alderman Flowers read Bill #42 by title only.

Mr. Jones recommended approving Bill #42 at this meeting in order to get the process started.

Alderman Littlefield made a motion to suspend the rules and read Bill #42 for a second time. Alderman McGuire seconded the motion, and the members voted:

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

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

Alderman Flowers read Bill #42 by title only. SECOND READING.

Alderman Hardy made a motion to approve Bill #42. Alderman Svoboda seconded the motion, and the members voted:

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

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

Mayor Hunzeker declared Bill #42 adopted and placed in the custody of the City Clerk and entered as Ordinance # 1714 of the City of Sunset Hills.

Resolution #301 A resolution engaging Stifel, Nicolaus & Company, Incorporated, as underwriter and Gilmore & Bell, P.C., as bond counsel in connection with the issuance of certificates of participation by the City of Sunset Hills, Missouri for the purpose of funding park improvements.

Alderman Hrastich read Resolution #301 by title only.

Mayor Hunzeker stated the Resolution has been brought forward as a result of the Request for Qualifications that was approved at last month's Board of Aldermen meeting.

Mr. Jones explained that the main purpose of Resolution #301 is to move the process forward; this is preliminary and is non-binding.

Alderman Hrastich read the following statement:

"Last month I introduced a motion to request qualifications from architectural, engineering and land surveying services vendors capable of designing a community center and swimming facilities on city-owned property. This was done to begin a deliberate, methodical process to determine, with citizen input, what facility is needed and potential costs to be covered by a bond issue.

It was envisioned that this process would be completed in May or June and design would begin for construction in 2009. It would also allow ample time for issuing bonds this fall.

I note that resolution 301 makes no mention of using Proposition P revenue for storm water infrastructure projects. And, although the Public Works committee has not differentiated those projects requiring bond monies from those that can be addressed as Proposition P funds are received, saving interest costs, selling \$10M in bonds at this time seems excessive.

Further, revenue to be received in 2008 has been committed for both Parks and Storm Water projects which are underway. Some of this revenue may already be obligated. Therefore, Appendix A of the underwriter's proposal requires significant revision.

I believe that it would also be prudent to qualify underwriting services from several vendors, much the same as we do for architectural, engineering and land surveying services."

Alderman Svoboda made a motion to table Resolution #301. Alderman Hardy seconded the motion, and the members voted:

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

There being 7 AYE votes and 1 NAY vote, the motion passed.

Motion to approve the City as a sponsor of the Jazz Festival at Laumeier Park at a cost of \$10,000.

Ms. Marie Oberkirsch of Laumeier Park was present and explained that last year the Jazz Festival that was held on Saturday evening at the Art Fair was very successful. Therefore, it is desired to have a Jazz Festival again this year and would like to offer the city the opportunity to sponsor the event again this year.

It was pointed out that the cost to sponsor the event last year was around \$7,000. There was then a suggestion to approve sponsorship at a cost not to exceed \$7,500.

Alderman Gregory made a motion to approve the city's sponsorship of the Jazz Festival at Laumeier Park at a cost not to exceed \$7,500. Alderman Hoffmann seconded the motion, and the members voted:

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

Alderman Gregory AYE

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

INVOICES TO BE APPROVED

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

Mayor Hunzeker requested approval to appoint the following to the Committee on Public Safety: Mr. Ted Rohr Chairman; Mr. Tony Grasso, Mr. George Neimeyer and Mr. Bill Hopfiger as members.

Alderman McGuire stated that members of the Police Advisory have the same qualifications as the above suggested members of a new committee.

Mayor Hunzeker stated that the purpose of the committee is to remove it from the Board of Aldermen and make it a resident driven process. The Board of Aldermen can not help but be affected by what has happened in the City of Kirkwood as a number of Aldermen were killed.

Alderman Gregory asked if the sole purpose of the committee would be for this purpose only. Mayor Hunzeker replied yes and stated that a report would be due by April 22, 2008 to the Board of Aldermen.

Alderman Hoffmann made a motion to approve the above request made by Mayor Hunzeker. Alderman Littlefield seconded the motion, and the members voted:

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

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

ADJOURNMENT

Alderman McGuire made a motion to adjourn the meeting at 8:35 p.m. Alderman Svoboda seconded the motion, and it was unanimously approved.

Recording Secretary,



Laurie Govreau