

MINUTES OF THE REGULAR MEETING  
OF THE BOARD OF ALDERMEN  
OF THE CITY OF SUNSET HILLS MISSOURI  
HELD ON MAY 14, 2019

BE IT REMEMBERED that the Board of Alderman of the City of Sunset Hills, Missouri met in regular session at City Hall, 3939 S. Lindbergh Blvd., in said City on Tuesday May 14, 2019. The meeting convened at 6:00 p.m.

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



**ROLL CALL**

Present:

Patricia Fribis	-Mayor
Ann McMunn	-Alderman Ward I
Dee Baebler	-Alderman Ward I
Steve Bersche	-Alderman Ward II
Casey Wong	-Alderman Ward II
Kurt Krueger	-Alderman Ward III
Nathan Lipe	-Alderman Ward III
Thompson Price	-Alderman Ward IV
Mark Colombo	-Alderman Ward IV
Eric Serman	-City Administrator
Susanna Messmer	-Finance Director
Stephen Dodge	-Chief of Police
Bryson Baker	-City Engineer
Gerald Brown	-Director of Parks & Recreation
Robert E. Jones	-City Attorney



**APPROVAL OF MINUTES**

Copies of the minutes of the April 23, 2019 regular session meeting and closed meeting were distributed to the members for their review.

Alderman Price made a motion to approve the minutes as read. Alderman Krueger seconded the motion and it was unanimously approved.



**CONSENT AGENDA**

- a) Bills to be paid
- b) Budget adjustments

Alderman Price made a motion to accept the consent agenda. Alderman McMunn seconded the motion and it was unanimously approved.



**PUBLIC HEARING: The Board will consider a petition for an Amended Conditional Use Permit, submitted by Patches Ellis, to make changes to the approved Conditional Use Permit for Y Park Alone by increasing the total number of dogs allowed per day from 50 to 120 at an existing dog day care at 10390 Watson Road**

Ms. Patches Ellis, owner of Y Bark Alone was presented and gave a brief overview on the changes to the dog day care.

Alderman Wong asked Ms. Ellis about the reasons this was denied from planning and zoning. She stated parking spaces, and the dogs barking and staff yelling at the dogs.

Alderman Wong asked if she seen the staff report. He asked about the increase of dogs in the facility and what type of exercise they get. Ms. Ellis stated they get taken out about every two hours.

Alderman Price asked about addressing the complaints from the neighbors. She replied they will cut down on the amount of dogs taken outside at one time. She stated the holidays are her heaviest time for boarding dogs.

Alderman Baebler asked if anyone checked on the number of dogs on any given day. Mr. Baker said yes, it has been around 50 dogs on three different occasions.

Alderman Krueger asked about the cross access parking agreement on another business lot.

Alderman Wong had several other questions, one being if she would restrict the time period for the dogs being outside. She replied yes.

Ms. Ellis requested a second reading for tonight.



**PUBLIC COMMENT**

Alderman Baebler read a statement on re-zoning residential properties in Sunset Hills. She feels that when a development is before the board that the board does have the residents in mind when making a decision.

Mr. Scott Haggerty stated he is in favor of the doggy day care.

Mr. Clifford Underwood spoke on several newspaper articles regarding better together.

Ms. Kathy Friedman spoke on our rezoning of residential property to commercial and does not want to see Lindbergh turn into a Manchester Road.

Ms. Mary Ann Rea spoke on rezoning and development of S. Lindbergh, W. Watson and Rott Road. She stated she would like the board to listen to the resident with their concerns. She stated developers are not residents and are not invested in our community.

Mr. Gary Vincent stated he would like to see a town hall meeting especially when a major development project is in the planning stage. This will give the residents a chance to

voice their opinion. He stated the zoning code will be coming up later this summer and this would be a good time to explain how rezoning takes place.



## **OLD BUSINESS**

### **Bill No. 55 – An Ordinance approving a Text Amendment to add “Non-Medical Religious Institution” as a Conditional Use in the C-1 Commercial District SECOND READING**

Alderman Bersche read Bill No. 55 for a second reading.

Alderman Baebler made a motion to approve Bill No. 55. Alderman Colombo seconded the motion.

#### **ROLL CALL VOTE:**

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 8).

**Yes:** Ann McMunn, Casey Wong, Dee Baebler, Kurt Krueger, Mark Colombo, Nathan Lipe, Steve Bersche, Thompson Price.

Mayor Fribis declared Bill No. 55 to become Ordinance #2135.

### **Bill No. 56 – An Ordinance approving a Zoning Change from R-2 Single Family Residential to PD-LC (C) Planned Development-Limited Commercial for the property at 12630 Rott Road SECOND READING**

Alderman Lipe read Bill No. 56 for a second reading.

Alderman Colombo made a motion to approve Bill No. 56. Alderman Price seconded the motion.

#### **ROLL CALL VOTE:**

**Vote:** Motion passed (**summary:** Yes = 7, No = 1).

**Yes:** Ann McMunn, Casey Wong, Kurt Krueger, Mark Colombo, Nathan Lipe, Steve Bersche, Thompson Price

**No:** Dee Baebler

Mayor Fribis declared Bill No. 56 to become Ordinance #2136.

### **Bill No. 57 – An Ordinance approving the Preliminary Development Plan for the property at 12630 Rott Road SECOND READING**

Alderman Price read Bill No. 57 for a second reading.

Alderman Price made a motion to approve Bill 57. Alderman Colombo seconded the motion.

## **ROLL CALL VOTE:**

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 8).

**Yes:** Ann McMunn, Casey Wong, Dee Baebler, Kurt Krueger, Mark Colombo, Nathan Lipe, Steve Bersche, Thompson Price.

Mayor Fribis declared Bill No. 57 to become Ordinance #2137.



## **CITY OFFICIAL AND COMMITTEE REPORTS**

City Administrator – Eric Sterman stated there are no agenda items for our second meeting this month. Alderman Krueger made a motion not to have a second meeting in May. Alderman Bersche seconded the motion and it was unanimously passed.

Mr. Sterman stated that a building in the Sunset Office Park has been purchased by Sunset Transportation. He stated the Vatterott Building has a buyer, which will require zoning approval in June.

Finance Director – Susanna Messmer stated the audit field work is done and just waiting for the auditors opinion.

Chief of Police – Stephen Dodge stated nothing to report.

City Attorney – Robert E. Jones stated nothing to report.

City Engineer – Bryson Baker stated nothing to report.

Director of Parks & Recreation – Gerald Brown stated that the surveys for the golf course have been coming in. So far about 18-20% has been returned. The first town hall meeting will be on June 12, at 5:30 at the City Hall. He said flooding has closed Minnie Ha Ha Park.

## **COMMITTEE REPORTS**

Finance Committee – Alderman Colombo stated nothing to report.

Economic Development Committee – Alderman Baebler stated the addition of a new business in Sunset Hills was reported. Coffee with the Mayor will be held at the Community Center in June more to details will follow.

Parks & Recreation Commission – Alderman Bersche stated the Makers Market was a huge success. The Pool opens on May 24; day camp is filled, and the swim and dive team has over 300 children participating this year.

Police Advisory Board – Alderman Bersche stated nothing to report.

Public Works Committee – Alderman Krueger stated a discussion was held regarding solar power, for outdoor lighting within our complex and street lighting.



## **NEW BUSINESS**

**Bill No. 59 – An Ordinance granting an Amended Conditional Use Permit to Patches Ellis to increase the number of dogs allowed at a dog day care with overnight boarding of dogs at 10390 Watson Road  
FIRST READING**

Alderman Wong read Bill No. 59.

Alderman Wong addressed some questions to Mr. Baker. Alderman Wong wanted to know more about the staff report and the number of dogs. Mr. Baker stated it's difficult to find any guidelines on how many dogs per square foot, so at the time 50 sounded like a good number. He stated when we make our occasional checks 50 dogs made it look full. He stated it doesn't look like there is room for additional 70. He stated parking was a bit of an issue.

**Bill No. 60 – An Ordinance repealing load limits for Old Gravois Road Bridge  
FIRST READING**

Alderman Baebler read Bill No. 60.

Alderman Colombo made a motion to suspend the rules and read Bill No. 60 a second time. Alderman Krueger seconded the motion.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 8).

**Yes:** Ann McMunn, Casey Wong, Dee Baebler, Kurt Krueger, Mark Colombo, Nathan Lipe, Steve Bersche, Thompson Price.

Alderman Baebler read Bill No. 60 for a second time.

Alderman Baebler made a motion to read Bill No. 60 for a second time. Alderman Price seconded the motion.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 8).

**Yes:** Ann McMunn, Casey Wong, Dee Baebler, Kurt Krueger, Mark Colombo, Nathan Lipe, Steve Bersche, Thompson Price.

Mayor Fribis declared Bill No. 60 to become Ordinance #2138.

**Bill No. 61 – An Ordinance authorizing Missouri American Water Company to install one (1) fire hydrant in the City of Sunset Hills  
FIRST READING**

Alderman McMunn read Bill No. 61.

Alderman Krueger made a motion to suspend the rules and read Bill No. 61 for a second time.

Alderman McMunn read Bill No. 61 for a second time.

Alderman Krueger made a motion to approve Bill No. 61. Alderman Colombo seconded the motion.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 8).

**Yes:** Ann McMunn, Casey Wong, Dee Baebler, Kurt Krueger, Mark Colombo, Nathan Lipe, Steve Bersche, Thompson Price.

Alderman McMunn read Bill No. 61 for a second time.

Alderman Krueger made a motion to approve Bill No. 61. Alderman Price seconded the motion.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 8).

**Yes:** Ann McMunn, Casey Wong, Dee Baebler, Kurt Krueger, Mark Colombo, Nathan Lipe, Steve Bersche, Thompson Price.

Mayor Fribis declared Bill No. 61 to become Ordinance #2139.



**Resolution No. 500 – A Resolution approving a contract with Kozeny-Wagner and authorizing the Mayor/and or City Administrator to execute the same on behalf of the City of Sunset Hills**

Alderman Krueger read Resolution No. 500.

Alderman Price made a motion to approve Resolution No. 500. Alderman McMunn seconded the motion and it was approved with one nay vote. Alderman Wong voted Nay.



**APPOINTMENTS –**

**RE-APPOINTMENTS –**



**GENERAL DISCUSSION**

Alderman Wong stated he thought the open forum is a good idea, especially with the zoning re-write. He stated this is a lot to absorb.

Alderman Bersche suggested having a town hall meeting similar to a board meeting in the chamber stating the zoning code update. He stated we've recently had an update and another one is scheduled.

Mr. Baker stated one is scheduled for July 17 which is also our planning and zoning meeting. He stated this will be the final draft to review and this meeting is open to anyone who would like to ask questions. He suggested a possible separate meeting just for the re-zoning review.

Alderman Baebler thought Mr. Vincent was asking for a town hall meeting for anytime a new proposal to re-zone residential property was submitted. (Mr. Vincent had already left the meeting)

Mr. Baker stated if the board wants a separate meeting or hearing it can be done.

Several Aldermen agreed that the zoning update should be done separate in order for the public to understand the changes. Alderman Bersche suggested that a representative from Houseal Lavigne be present to answer questions.

Mr. Frank Hardy asked when the drafts will be available for the public's review and how much time will be given to the public to review. Mr. Baker stated two weeks.

Mayor Fribis asked Mr. Baker if Houseal Lavigne could come a second time. Mr. Baker stated if we want the town hall meeting on July 17, he will re-schedule the planning and zoning meeting.

Mr. Sterman clarified that there will be a public hearing at both the planning and zoning meeting and the Board of Aldermen meeting with Houseal Lavigne. At that time we can allow longer speaking time and more interaction with the public.

Alderman Wong asked about the two acres more/two acres less policy. Mr. Baker stated when there is two acres or more it has to come before the board for an amended development plan or a new development plan. He stated two acres of less there's other triggers in the code i.e. motor vehicle businesses. A lot of this depends on the triggers.

Mayor Fribis stated if all in agreeance it will stay on the July 17 planning and zoning meeting and will be publicized and the public can ask questions.



**Request to meet in closed session pursuant to 610.21.3 and 610.21.1 RSMo to discuss legal matters**

Alderman Colombo read the Request to meet in closed session.

Alderman Colombo made a motion to meet in closed session. Alderman McMunn seconded the motion.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 8).

**Yes:** Ann McMunn, Casey Wong, Dee Baebler, Kurt Krueger, Mark Colombo, Nathan Lipe, Steve Bersche, Thompson Price.

Meeting went into closed session at 7:06 p.m.

**ADJOURNMENT**

Alderman Baebler made a motion to adjourn the meeting. Alderman McMunn seconded the motion and the meeting adjourned at 9:01 p.m.

Recording Secretary

A handwritten signature in cursive script, appearing to read "Dee Baebler", written on a yellow rectangular background.