

MINUTES OF THE SPECIAL MEETING
OF THE BOARD OF ALDERMEN
OF THE CITY OF SUNSET HILLS MISSOURI
HELD ON JANUARY 26, 2021

BE IT REMEMBERED that the Board of Aldermen of the City of Sunset Hills, Missouri met in special session held via Zoom on Tuesday January 26, 2021. The meeting convened at 6:05 p.m.

The meeting began with the reciting of the Pledge of Allegiance.

ROLL CALL:

Patricia Fribis	-Mayor
Joe Stewart	-Alderman Ward I
Ann McMunn	-Alderman Ward I
Steve Bersche	-Alderman Ward II
Casey Wong	-Alderman Ward II
Cathy Friedmann	-Alderman Ward III
Nathan Lipe	-Alderman Ward III
Mark Colombo	-Alderman Ward IV
Thompson Price	-Alderman Ward IV
Brittany Gillett	-City Administrator
Bryson Baker	-City Engineer
Robert E. Jones	-City Attorney

ABSENT	Susanna Messmer	-Finance Director
	Gerald Brown	-Director of Parks & Recreation
	Stephen Dodge	-Chief of Police

PUBLIC COMMENT:

Comments submitted by the public in reference to the Paraclete Property and Missouri American Water Company tower were read into the record by Mayor Patricia Fribis.

WATER TOWER DISCUSSION:

Mayor Fribis read a statement in reference to the limited powers of municipal government over public utilities, and cited several RSMo sections and case studies in reference to the same.

Mayor Fribis stated per Missouri State Statute, the City does not have jurisdiction over zoning with a public utility. Attorney Jones confirmed this statement.

Derek Linam, Engineering Manager with Missouri American Water Company (MAWC) addressed questions brought up by residents and Aldermen. Alderman Friedmann discussed past issues with the current water tower as well as the location of the new tower. Alderman Friedmann asked Mr. Linam who decided the size and location of the new tower. Mr. Linam explained they have planning and review teams that decide that. He also addressed several questions in reference to landscaping buffers, fencing and the pump station providing water to the new tower. Mr. Linam stated MAWC is willing to work with the City and residents to make sure concerns are addressed. Alderman McMunn asked if the City could impose conditions on the CUP. Attorney Jones stated there are conditions listed in section 3b of the Bill and that MAWC has indicated they are willing to

meet with the City and residents to discuss additional conditions. Alderman Lipe asked if there were any other options that could be entertained to make it less intrusive. Mr. Linam stated they may be able to move the tank slightly north from where it is shown in the plan. Mr. Linam indicated the concept drawings may not accurately represent how the tank will appear. Alderman Stewart commented on the timeline for the application for MAWC, and how they have met all the standards per City requirements.

Alderman Stewart made a Motion to reconsider Bill No. 21. Alderman Bersche seconded the motion.

Alderman Friedmann asked if we could impose conditions prior to voting on reconsideration. There was additional discussion with Mr. Linam about what contractor they would be using and the height of the tower. Mr. Linam explained it would be bid out to multiple tank contractors and that the height listed is in reference to the overflow.

Mayor Fribis stated Bryson Baker would do an excellent job addressing any issues with the residents and MAWC. Mayor Fribis stated MAWC was trying to be a good neighbor and provide water to the residents. Mayor Fribis stated she would be willing to receive any calls or any complaints personally from any residents who have concerns over this. Mr. Linam confirmed they would meet with the City staff and residents throughout the process.

Alderman Friedmann asked if they have to have their CUP today. Mr. Linam stated their sales contract expires at the end of the week.

Alderman Colombo asked if there was a motion and a second. Mayor Fribis confirmed that there was.

Alderman Wong asked not to rush discussion and debate.

Alderman Wong asked Mr. Linam questions about other possible locations, maps requested and locations studied. Mr. Linam stated the location for consideration is their ideal location and most cost effective. Alderman Lipe asked if the conditions should be listed.

Alderman Price called a point of order to call the question and cease the debate.

ROLL CALL VOTE:

Vote: Passed (Summary **Yes=5**, No=3)

Yes: Alderman Colombo, Alderman Lipe, Alderman Stewart, Alderman Bersche, Alderman Price.

No: Alderman McMunn, Alderman Friedmann, Alderman Wong.

Vote on original motion made by Alderman Stewart, and seconded by Alderman Bersche.

ROLL CALL VOTE:

Vote: Tie (Summary Yes=4, No=4)

Yes: Alderman Colombo, Alderman Lipe, Alderman Bersche, Alderman Price

No: Alderman McMunn, Alderman Stewart, Alderman Friedmann, Alderman Wong

Mayor Fribis broke the tie with an aye vote, the motion passed.

Mayor Fribis declared Bill No. 21 to become Ordinance #2193.

Mayor Fribis stated she would like the residents who have concerns to contact Mr. Baker to give him suggestions or contact Ken Franklin with Missouri American Water Company.

Mayor Fribis reiterated the Missouri Supreme Court gives the authority to the Public Service Commission to regulate utilities, we do not have the grounds to regulate them. Mayor Fribis stated she supports moving this forward.

City Administrator Brittany Gillett stated the Public Works Committee meeting will be February 4, and to please submit comments to either herself or Bryson Baker prior to the meeting date so they can ensure they are submitted into the record.

GENERAL DISCUSSION:

None

ADJOURNMENT:

Alderman Wong made a motion to adjourn the meeting. Alderman McMunn seconded the motion and it was unanimously approved. The meeting adjourned at 7:26 p.m.

Deputy City Clerk

A handwritten signature in black ink, appearing to read "Lori Stone", is centered below the title "Deputy City Clerk". The signature is written in a cursive, flowing style.