

MINUTES OF THE REGULAR MEETING  
OF THE BOARD OF ALDERMEN  
OF THE CITY OF SUNSET HILLS MISSOURI  
HELD ON SEPTEMBER 14, 2021

BE IT REMEMBERED that that the Board of Aldermen of the City of Sunset Hills, Missouri met in regular session in the Robert C. Jones Auditorium at City Hall, 3939 S. Lindbergh Boulevard on Tuesday September 14, 2021. The meeting convened at 6:00 p.m.

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

**ROLL CALL:**

Patricia Fribis	-Mayor
Ann McMunn	-Alderman Ward I
Casey Wong	-Alderman Ward II
Christine Lieber	-Alderman Ward II
Cathy Friedmann	-Alderman Ward III
Randal Epperson	-Alderman Ward III
Thompson Price	-Alderman Ward IV
Fred Daues	-Alderman Ward IV
Brittany Gillett	-City Administrator
Susanna Messmer	-Finance Director
Bryson Baker	-City Engineer
Gerald Brown	-Director of Parks & Recreation
Stephen Dodge	-Chief of Police
Robert E. Jones	-City Attorney

Absent: Joe Stewart -Alderman Ward I

**APPROVAL OF THE AGENDA:**

Alderman Price made a motion to approve the agenda as listed. Alderman Epperson seconded the motion and it was unanimously approved.

**APPROVAL OF MINUTES:**

Alderman Daues made a motion to accept the minutes as read for the August 24, 2021 special meeting. Alderman Price seconded the motion and it was unanimously approved.

**PROCLAMATIONS:**

Mayor Fribis read the proclamation declaring September 14, 2021 as "Bob Althoff Day". She thanked Mrs. Althoff for her husband's contributions and long-time service to the City.

Chief Dodge presented Mrs. Althoff with a plaque of appreciation.

Mayor Fribis read the proclamation declaring the week of September 17-23, 2021 as "Constitution Week".

**CONSENT AGENDA:**

- a. Bills to be approved
- b. Request by Vetta Sunset LLC for a full liquor license with Sunday sales at 10911 Gravois Industrial Court

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

**Public Hearing: The Board will consider a petition for a Text Amendment submitted by the City of Sunset Hills, to revise and update the Illumination Standards in Appendix B Zoning Regulations, Section 6.3-7**

Mr. Baker reviewed the Illumination standards. He stated City staff had been working on them with Alderman Wong and they felt they were at an acceptable point to be presented for a vote.

Alderman Friedmann asked about revising some of the definitions. Attorney Jones replied the changes should be proposed during the first reading.

**Public Hearing: The Board will consider a petition for an Amended Development Plan, submitted by Friendship Village for demolition of a portion of the original building and the addition of sidewalks at 12777 Village Circle Drive.**

Mr. Mike Warwick with Civil Engineering Design Consultants, Inc. explained the building was previously the Village Care Center and was no longer being utilized so they would like to remove the building and return the lot to green space.

**Public Hearing: The Board will consider a petition for a Text Amendment submitted by the City of Sunset Hills, adding Subsection 5.24, prohibiting the elevation of structures utilizing pier construction in all Residential zoning districts.**

Mr. Baker stated the proposed Bill would prohibit the use of piers to elevate primary structures. Alderman McMunn asked if this referred to piercing of any size and shape. Attorney Jones replied it was limited to piercing to elevate primary structures in residential zoning districts. He stated additions to the primary structures, such as sunrooms or decks, could be constructed with piercing as long as it was approved.

Alderman Daues asked if the amendments should be made during the first reading. Attorney Jones replied yes it should be addressed during the first reading.

Alderman Friedmann asked if the bill was recommended for approval by Planning and Zoning before it was completed. Attorney Jones stated it was, and the recommendation for approval was made based on the staff report provided to Planning and Zoning. He stated the bill could be remanded back to Planning and Zoning for further consideration.

Alderman Friedmann made a motion to remand Bill No. 18 to the Planning and Zoning Commission for further review. Alderman Lieber seconded the motion.

Alderman Daues stated he felt the bill it was not architecturally accurate. He stated the definition of a pier and column were very different and he stated he wanted the verbiage to be changed to read "Utilizing pier or column construction".

The motion to remand Bill 18 back to Planning and Zoning was unanimously approved.

**Public Hearing: Establish the annual rate of tax levy for the year of 2021 on all property within the City of Sunset Hills, Missouri**

Ms. Gillett explained this established the annual rate of tax levy for the next year. Alderman Friedmann stated she would like to see the language “it is the intent of the Board to levy the tax rate at the tax rate ceiling” stricken. Mr. Jones explained this was the format used because St. Louis County was so tardy in getting the rates to the area Cities. He explained the City was obligated to provide the rates by October 1<sup>st</sup>. Alderman Friedmann referenced an amendment she had reviewed with Ms. Gillett. Ms. Gillett read the amended verbiage “It is the intent of the Board to levy the tax rate equal to the tax rate ceiling for each class of property not to exceed the preliminary rate provided”.

Attorney Jones stated a motion should be made during the first reading of the Bill.

**PUBLIC COMMENT:**

**Mayor Fribis read the public comments submitted.**

1. Angie Wiegler of 9717 Crestwick Drive read her statement in reference to several of her safety first water tower signs being removed from the right of way though out the City. Ms. Wiegler stated she felt it was selective enforcement and a violation of her first amendment rights.
2. Gary Vincent of 9456 Sunny Creek Lane read his comment about the proposed UDO and the need to maintain the current character of the City. Mr. Vincent stated he felt the proposed UDO was too generic in nature and should exclude residential planned developments from section 8.

**OLD BUSINESS:**

**Bill No. 15- An Ordinance establishing a procedure to disclose potential conflicts of interest and substantial interests for certain officials  
SECOND READING**

Alderman Friedmann read Bill No. 15 for a second reading.  
Alderman Epperson made a motion to approve Bill No. 15.  
Alderman Daues seconded the motion.

**ROLL CALL VOTE:**

**Vote:** Passed/Failed (Summary **Yes=7**)

Yes: Alderman McMunn, Alderman Wong, Alderman Lieber, Alderman Friedmann, Alderman Epperson, Alderman Price, Alderman Daues

Absent: Alderman Stewart

Mayor Fribis declared Bill No .15 to become Ordinance # 2214

**CITY OFFICIAL AND COMMITTEE REPORTS:**

City Clerk/City Administrator, Brittany Gillett stated staff had been sending out weekly reports to keep the Board apprised. Additionally, there would be a budget workshop with the Finance Committee on September 28, 2021.

Director of Finance, Susanna Messmer stated the City’s offer for the Assistant Finance Director position was accepted, open enrollment for health insurance would close on Sept 17, the application for the ARPA was completed and the City is expecting 1.9 million. She stated she was currently preparing the 2021 forecast and the 2022 budget in anticipation of the joint budget workshop and that the Finance Committee had proposed new fund balance policies.

Chief of Police, Stephen Dodge stated Cops and Bobbers would be on October 9th from 3 pm to 6 pm and was a lot of fun for the family. He also stated the Crestwood dispatch agreement was going well and the security detail was set up for the Suncrest Fest.

City Attorney, Robert E. Jones stated he would be updating ordinances, with the Board's approval, on the liquor laws for Sunday license hours and with respect to on the go drinks. In addition, he explained there was a domestic and sexual violence leave law that had passed, and that he drafted a change to the personnel manual that would be coming before the Board in October. Mr. Jones also stated he would like to update the Motorcycle helmet law that was recently passed.

Alderman Daues asked if Mr. Jones needed direction to move forward. Mr. Jones replied yes.

Alderman Daues made a motion to direct Attorney Jones to move forward with updating the City's legislation. Alderman Epperson seconded the motion and it was unanimously approved.

City Engineer, Bryson Baker stated they filled a driver/laborer position and were in the process of hiring for the second open position, giving the Street Department a full crew. He stated the Zoning code was discussed at the September Planning and Zoning Commission. Mr. Baker explained they were in the process of finding a contractor to address the salt dome retaining wall failure, as well as finishing up concrete slab replacements throughout the City.

Director of Parks & Recreation, Gerald Brown stated the Suncrest fest would be held Saturday. The parade kicked off at 10 and the fairgrounds would be open from 11 am through 8 pm. He also explained the Parks crew was closing down the Aquatic facility, which normally takes about a month.

#### **COMMITTEE REPORTS:**

Finance Committee Alderman Stewart - Absent.

Economic Development Committee – Aldermen Price stated the next meeting was on October 11 at 6 pm.

Parks & Recreation Commission – Alderman Wong stated nothing additional to report. Alderman Wong asked how the ride bracelets could be acquired. Mr. Brown explained the ride bracelets could be pick up at the Sunset Hills Community Center or the Crestwood Community Center.

Police Advisory Board – Alderman Epperson stated nothing to report.

Public Works Committee – Alderman Friedmann stated nothing to report.

#### **NEW BUSINESS:**

##### **Bill No. 16- An Ordinance amending the exterior lighting regulations of the City of Sunset Hills FIRST READING**

Alderman Daues read Bill No. 16 for a first reading.

Alderman Friedmann made a motion to include the definition for Fixtures, BUG ratings, and to remove section 2B from the ordinance so property owners could still seek a variance through the Board of Adjustment.

Alderman Daues seconded the motion and it was unanimously approved.

##### **Bill No. 17- An Ordinance approving an Amended Development Plan for Friendship Village of South County FIRST READING**

***\*Petitioner has requested a second reading***

Alderman Lieber read Bill No. 17 for a first reading.

Alderman Wong asked if the decorative gate was ever put up at Friendship Village as stipulated at the January 12, 2021 BOA meeting. Mr. Warwick stated it had not been placed yet but would be with the next construction project. There was additional discussion on the placement of the decorative gate and the commitment to replace the existing construction gate. Mr. Warwick stated there would be a decorative gate in place before the end of the year.

Alderman Price made a motion to suspend the rules and read Bill 17 for a second reading.  
Alderman Epperson seconded the motion.

**ROLL CALL VOTE:**

**Vote: Passed (Summary Yes=7)**

Yes: Alderman McMunn, Alderman Wong, Alderman Lieber, Alderman Friedmann, Alderman Epperson, Alderman Price, Alderman Daues

Absent: Alderman Stewart

Alderman Lieber read Bill No. 17 for a second reading.  
Alderman Price made a motion to approve Bill No. 17.  
Alderman Epperson seconded the motion.

**ROLL CALL VOTE:**

**Vote: Passed (Summary Yes=7)**

Yes: Alderman McMunn, Alderman Wong, Alderman Lieber, Alderman Friedmann, Alderman Epperson, Alderman Price, Alderman Daues

Absent: Alderman Stewart

Mayor Fribis declared Bill No. 17 to become Ordinance # 2215.

**Bill No. 18- An Ordinance amending Appendix B, Section 5 to prohibit the elevation of primary structures in Residential zoning districts utilizing pier construction**  
**FIRST READING**

Alderman Epperson read Bill No. 18 for a first reading.

Alderman Friedmann made a motion to remand Bill 18 back to Planning and Zoning. Attorney Jones stated the Bill was remanded during the Public Hearing.

**Bill No. 19- An Ordinance establishing the annual rate of Tax Levy for the year of 2021**  
**FIRST READING**

***\*Staff request for second reading***

Alderman Price read Bill No. 19 for a first reading.

Alderman Price made a motion to amend Bill 19 to include the verbiage "It is the intent of the Board to levy the tax rate equal to the tax rate ceiling for each class of property not to exceed the preliminary rate provided", as discussed during the Public Hearing. Alderman Daues seconded the motion and it was unanimously approved.

Alderman Price made a motion to suspend the rules and read Bill 19 as amended for a second reading.  
Alderman Epperson seconded the motion.

**ROLL CALL VOTE:**

**Vote: Passed (Summary Yes=7)**

Yes: Alderman Wong, Alderman Lieber, Alderman Friedmann, Alderman Epperson, Alderman Price, Alderman Daues, Alderman McMunn

Absent: Alderman Stewart

There was additional discussion on the verbiage changes to the Bill. Ms. Gillett clarified that the verbiage added would cover any rates that came in below the preliminary rate, as well as cap the rate to not exceed the estimate provided.

Alderman Price read Bill No. 19 for a second reading.  
Alderman Price made a motion to approve Bill No. 19.  
Alderman Lieber seconded the motion.

**ROLL CALL VOTE:**

**Vote: Passed (Summary Yes=7)**

Alderman Lieber, Alderman McMunn, Alderman Wong, Alderman Friedmann, Alderman Epperson, Alderman Price, Alderman Daues

Absent: Alderman Stewart

Mayor Fribis declared Bill No. 19 to become Ordinance # 2216.

**Resolution No. 581- A Resolution approving a contract with Don Brown Chevrolet and authorizing the Mayor and/or the City Administrator to execute the same on behalf of the City of Sunset Hills**

Alderman McMunn read Resolution No. 581

There was discussion on the excellent trade-in deal the City was able to get for the new vehicle.

Alderman Lieber made a motion to approve Resolution No. 581.  
Alderman Epperson seconded the motion and it was unanimously approved.

**Resolution No. 582- A Resolution approving an amendment of the 2021 City of Sunset Hills budget**

Alderman Wong read Resolution No. 582

Alderman Wong asked what triggered the drafting of a resolution vs. what didn't. He referenced several budgetary changes previously made and also asked what triggered a budget amendment. Ms. Gillett asked for clarification on Alderman Wong's question. She asked if he was asking when we require a budget adjustment or when we need an Ordinance vs. a Resolution. Alderman Wong answered both. Attorney Jones stated he recommended a budget amendment anytime there was a new position and significant change. He explained some cities waited until the end of the year to make all adjustments at once, and some make them periodically throughout the year. Alderman Wong referenced the creation of the Assistant Finance Director position. Ms. Gillett explained those amendments were approved by Resolution in July and the current amendments were for the Watson Trail Playground and for the Police Department server.

Alderman Daues asked Ms. Gillett to give the Board the specific numbers on the Resolutions.

Ms. Gillett stated there was a memorandum sent to the Board in March explaining the donations received by the Parks as well as expenditures. She stated they felt they would be over budget by approximately \$16, 000, and it was the view of the Board at that time to move forward with the project without making any significant changes, and in so staff did that. She further explained this was formalizing it within the budget to make those financial adjustments on paper. Alderman Daues asked about the server. Ms. Gillett explained that the server was a new and unexpected expense. She explained our IT vendor recommended replacing it sooner rather than later due to security concerns.

Alderman Price made a motion to approve Resolution No. 582. Alderman Epperson seconded the motion and it was unanimously approved.

**Resolution No. 583- A Resolution approving a contract with Anthem and authorizing the Mayor and/or the City Administrator to execute the same on behalf of the City of Sunset Hills**

Alderman Friedmann read Resolution No. 583. Alderman Price made a motion to approve Resolution No. 583. Alderman Daues seconded the motion and it was unanimously approved.

**Resolution No. 584- A Resolution approving a contract with Delta Dental and authorizing the Mayor and/or the City Administrator to execute the same on behalf of the City of Sunset Hills**

Alderman Daues read Resolution No. 584. Alderman Lieber made a motion to approve Resolution No. 584. Alderman Daues seconded the motion and it was unanimously approved.

**Resolution No. 585- A Resolution approving a contract with Traffic Control Company and authorizing the Mayor and/or the City Administrator to execute the same on behalf of the City of Sunset Hills**

Alderman Lieber read Resolution No. 585. Alderman Price made a motion to approve Resolution No. 585. Alderman Epperson seconded the motion and it was unanimously approved.

**APPOINTMENTS:**

None

**RE-APPOINTMENTS:**

None

**ANNUAL CITY HOLIDAY PARTY DISCUSSION:**

There was discussion on whether or not to hold the annual Holiday reception. Alderman Daues suggested doing something in the spring in lieu of the regular party. Alderman Price stated he felt we should go ahead and hold the event. Alderman Epperson agreed.

Alderman Price made a motion to move forward with the annual Holiday party. Alderman Epperson seconded the motion and it passed 5 votes to 2.

Yes: Alderman Price, Alderman Epperson, Alderman Wong, Alderman Lieber, Alderman Friedmann

No: Alderman Daues, Alderman McMunn

Absent: Alderman Stewart

**GENERAL DISCUSSION:**

There was lengthy discussion on regulating the removal of signs placed in the City right of way due to the recent removal of water tower signs placed throughout the city by resident Angie Wiegler. Members of the Board were concerned with selective sign removal taking place. Mr. Baker explained how the City currently enforced the sign regulations, and stated staff was previously directed to ease enforcement for the local businesses who were attempting to get customers back after the Covid-19 closures.

Alderman Lieber asked about political signs in the right of way and if they would be subject to removal in the upcoming election.

Ms. Gillett stated that staff did not historically remove political signs, however if that was the direction of the Board at that time, that could certainly be done.

Mr. Baker stated it would be helpful to staff if they had consensus from the Board to enforce regulations as they are written instead of leaving it to the discretion of the individual. He explained this would allow for more consistent enforcement.

Alderman Epperson commented that political signs were typically off limits in the past, and asked what the definition of a political sign was. He stated the water tower signs were political in nature and asked if they would also be off limits.

Attorney Jones stated the City could not base restrictions on content. He explained it was typical in many communities to allow candidate signs due to the relatively short election season. He stated it is not uncommon to allow electioneering and candidate signs even though they are prohibited otherwise. He explained that was the direction that staff received in the past.

Alderman Epperson asked how the City would delineate a political issue from a political campaign. Attorney Jones stated an accurate description would be a candidate election sign as opposed to a political sign.

Alderman Wong stated that signage had been a problem in the past and was an eyesore when left unmonitored. He stated he would like to see the City return to its former standards.

Alderman Lieber stated if the City was going to regulate signs in the right of way it should be done for every sign in the right of way. Alderman Lieber stated she would like to see an updated ordinance.

Alderman Price stated he did not feel signs were an issue in the City. He stated either all the signs in the City needed to be removed or the water tower signs needed to be put back in place.

Alderman Daues made a motion to put the signs back up.

Mr. Baker stated he needed clear direction from the Board for enforcement. He reiterated content was not enforceable, however they could enforce size, location and number. He stated the sign code is clear and would make it much easier for staff to enforce.

There was additional discussion in reference to updating the sign code in the new UDO. Attorney Jones stated they could address the sign regulations and bring back to the Board in October.

It was agreed to let Ms. Wiegler put her signs back out.

Ms. Gillett asked if the Board wanted Mr. Reed to not remove any other signs in the right of way. There was a brief discussion on how to handle signage and whether or not to remove it. It was decided to leave the signs alone until a clear direction could be decided upon.

**REQUEST TO MEET IN CLOSED SESSION PURSUANT TO 610.21 (1), (2), (3) and (12) RSMo TO DISCUSS LEGAL, REAL ESTATE, PERSONNEL, AND CONTRACT MATTERS:**

Alderman Price made a motion to go into closed session. Alderman Epperson seconded the motion.

**ROLL CALL VOTE:**

**Vote: Passed (Summary Yes= 7)**

Yes: Alderman McMunn, Alderman Wong, Alderman Lieber, Alderman Friedmann, Alderman Epperson, Alderman Price, Alderman Daues

Absent: Alderman Stewart

The Board went into closed session at 7:57 p.m.

The Board reconvened in open session at 10:27 p.m.

**ADJOURNMENT:**

Alderman Epperson made a motion to adjourn the meeting. Alderman McMunn seconded the motion and it was unanimously approved.

Meeting adjourned at 10:28 p.m.

Deputy City Clerk  
Lori Stone