

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

BE IT REMEMBERED that that the Board of Aldermen of the City of Sunset Hills, Missouri met in special session via Zoom on Tuesday October 26, 2021. The meeting convened at 6:01 p.m.

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

ROLL CALL:

Patricia Fribis	-Mayor
Ann McMunn	-Alderman Ward I
Joe Stewart	-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
Bryson Baker	-City Engineer
Robert E. Jones	-City Attorney

APPROVAL OF THE AGENDA:

Alderman Price made a motion to approve the agenda as listed.

Alderman Epperson made a motion to table Bill 25 until after the closed session. Alderman Daues seconded the motion.

ROLL CALL VOTE:

Vote: Passed (Summary Yes=8)

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

Bill No. 25 will be discussed after closed session.

PUBLIC COMMENT:

Mayor Fribis read a public comment submitted by Frank Hardy of 421 Rayburn Avenue requesting multi-family dwellings not be allowed in any R-1 through R-6 zoned areas.

Mayor Fribis asked for approval of the agenda with the changes to Bill No. 25.

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

NEW BUSINESS:

Bill No. 26- An Ordinance appointing James C. Hetlage and Lashley & Baer as Special Counsel for the City of Sunset Hills

FIRST READING

***Staff has requested a second reading**

Alderman Daues read Bill No. 26 for a first reading.

Alderman Stewart made a motion to suspend the rules and read Bill 26 for a second reading.
Alderman Epperson seconded the motion.

ROLL CALL VOTE:

Vote: Passed (Summary Yes=8)

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

Alderman Daues read Bill No. 26 for a second reading.
Alderman Epperson made a motion to approve Bill No. 26.
Alderman Daues seconded the motion.

ROLL CALL VOTE:

Vote: Passed (Summary Yes=8)

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

Mayor Fribis declared Bill No. 26 to become Ordinance # 2220.

Attorney Jones asked if he was needed for the UDO session.

Alderman Wong made a motion to excuse Attorney Jones from the UDO discussion.
Alderman McMunn seconded the motion and it was unanimously approved.

Attorney Jones left the meeting.

UDO WORK SESSION

Mr. Baker gave a brief summary of the UDO process and introduced Mr. John Houseal of Houseal Lavigne Associates.

Mr. Houseal stated they had been working on the UDO modifications for approximately four years and the initial RFP was for the purpose of aligning the current Zoning Ordinance with the newly adopted Comprehensive Plan. He explained this was in order to modernize some of the standards to create a comprehensive code that was more user friendly.

He explained the process was 7 steps:

1. District Standards
2. Development Standards
3. Sign Ordinance
4. Planning and Development
5. Subdivision Ordinance
6. Administrative Standards
7. Design guidelines

Mr. Houseal then reviewed the current zoning districts which are currently made up of nine districts and 9 underlying districts for a total of 18 districts;

1. Non-Urban
2. Residential (6 total)
3. Commercial District
4. Planned Development (plus 9 sub districts)

He explained the new proposed Zoning map districts.

1. Local Commercial
2. General Commercial
3. Professional Office
4. Light Industrial
5. Parks and Open Space
6. Non-Urban

Mr. Houseal briefly reviewed changes in each section. They are referenced as standards of general applicability. He explained all content-based sign regulations were removed and they created a signage package that defined text and graphics required for each type. Subdivision regulations were changed so neighborhoods are more walkable. The intent was to provide better design and development and to create a more harmonious compatibility of land uses which would align better with the Comp plan.

Mr. Houseal stated he would go through section changes in detail and would address any questions as they arose.

Alderman Friedmann made a motion to include all existing PD districts on the proposed zoning map. Alderman Daues seconded the motion.

Mr. Houseal explained the overlay and the difference between it's use on the zoning map and in the context Alderman Friedmann read as an objection to the use. He explained if the motion passed it would change not only the map but large sections of the ordinance.

Alderman Price asked for Mr. Bakers input. Mr. Baker explained that the overlay is the most common way to proceed. It is generally considered easier to work with for staff and applicants. He explained the previous Mayor and Board members pushed for the overlay districts and therefore Houseal Lavigne was directed to make the changes as such.

Alderman Friedmann stated her motion stood.

Mayor Fribis asked Mr. Houseal if there was less protection for residents using this method. He explained no, it was more protection for the residents, just a streamlined process.

There was additional discussion on existing overlays.

Alderman Friedmann's motion passed 5 ayes to 3 nays.

Alderman Friedmann stated she did not like the section 8 verbiage that gave the City Administrator the ability to waive conditions.

Mr. Houseal requested that all Board members revisit section 8. He explained the overlay districts provided the City with the ability to have higher standards and more City review and involvement. He stated there was nothing in the ordinance that put the City in the position to approve anything negative for the City.

Alderman Lieber asked for examples of other cities that use the overlay system. Mr. Houseal stated he would provide them to the Board the next day. Mr. Baker explained the only other cities that had similar existing plan districts as ours were cities that haven't been updated in the past ten years.

Alderman Wong asked Mr. Houseal if his company had ever had a UDO proposal be rejected by the City after years of collaborating. Mr. Houseal answered no.

Alderman Friedmann asked about density standards. Mr. Houseal explained the underlying zoning standards were the baseline for every parcel and were firmly established.

Ms. Sprick asked at what point would a developer have to move to a denser district instead of requesting an amendment. Mr. Houseal explained that would be up to the Board and was a good example of how the underlying zoning in place worked. He stated if the underlying zoning was removed it removed the ability to have a foundation that all future plans and developers would use for a baseline.

Alderman Friedmann made a motion to dispense with the proposed Planned Development sections of Section 8 and to retain the existing Planned Development provision of Section 4.10 of Appendix B. Alderman Lieber seconded the motion.

Discussion ensued on why the Alderman did not like the proposed changes. Mr. Baker asked if the Board would favor leaving Section 8 for Commercial use only and 4.10 for Residential only.

Alderman McMunn stated she would like to see a new Chapter 8 for Commercial only.

Alderman Stewart asked if that made the process more complicated.

Mr. Houseal replied amending Section 8 PD for Commercial, Light Industrial and Professional Office, would put residents' minds at ease and be a great tool in landing better Commercial Development in the City. He explained changing Section 8 would create corresponding amendments to the use table as well.

Alderman Friedmann made a motion to withdraw her motion.
Alderman Lieber made a motion to withdraw her second.

Alderman Friedmann made a motion to limit Section 8 to Commercial specifically and preclude Residential Planned Developments.

Alderman Lieber seconded the motion.

There was discussion on the motion would affect future developments.

Motion passed with 6 aye votes.

Aye: Alderman McMunn, Alderman Lieber, Alderman Wong, Alderman Epperson, Alderman Friedmann, Alderman Daves
Nay: Alderman Price, Alderman Stewart

Alderman Friedmann addressed development plans and their submittal process.

Alderman Friedmann made a motion to require all plans submitted by Developers or City staff for a development be posted on the City website within 48 hours in order to afford residents the most timely and robust notice possible. This includes:

Section 7.2, 7.2.2 3 b, 8.4.1, 13.2.3 and 13.2.4, 14, 14.1.1, 14.1.2, 14.2.1

Alderman Lieber seconded the motion and it passed unanimously.

Ms. Sprick explained that all plans submitted are currently uploaded to the website, but would be happy to move the information to a more visible place for the residents. Alderman Daves explained he would like to see a newsflash box on the front page with the posted information.

Alderman Friedmann stated she would also like to amend the section on chain link fencing repair and replacement addressed in the section 4.4.4 C.

Alderman Friedmann made a motion to include the verbiage "existing silver chain link fencing may be repaired with silver chain link fencing". Alderman Epperson seconded the motion and it was unanimously approved.

Mayor Fribis asked Mr. Houseal how soon a clean document would be available. Mr. Houseal replied they could have a revised document within 30 days.

Mr. Houseal finished his presentation and left the meeting.

Mayor Fribis stated they would have another UDO work session to review the changes made. Ms. Gillett stated she would speak with the City Attorney to make sure the new document would not have to go back to P&Z for review due to the number of corrections being made.

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 Stewart made a motion to go into closed session. Alderman Wong seconded the motion.

ROLL CALL VOTE:

Vote: Passed (Summary Yes= 8)

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

The Board went into closed session at 8:35 p.m.

The Board reconvened in open session at 9:25 p.m.

**Bill No. 25- An Ordinance appointing Robert E. Jones as Special Counsel for the City of Sunset Hills
FIRST READING**

***Staff has requested a second reading**

Alderman Price read Bill No. 25 for a first reading.

Alderman Price made a motion to suspend the rules and read Bill 25 for a second reading.
Alderman Stewart seconded the motion.

Alderman Epperson made a motion to amend Bill No. 25, replacing section 1 verbiage from "matters that are directed by the City Administrator" to "matters that are directed by the Mayor and Board of Aldermen".
Alderman McMunn seconded the motion and it was unanimously approved.

ROLL CALL VOTE:

Vote: Passed (Summary Yes=8)

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

Alderman Price read Bill No. 25 as amended for a second reading.
Alderman Price made a motion to approve Bill No. 25.
Alderman Epperson seconded the motion.

ROLL CALL VOTE:

Vote: Passed (Summary Yes=8)

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

Mayor Fribis declared Bill No. 25 to become Ordinance # 2221.

ADJOURNMENT:

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

Meeting adjourned at 9:31 p.m.

Deputy City Clerk
Lori Stone