

MINUTES OF THE REGULAR MEETING
OF THE BOARD OF ALDERMEN
OF THE CITY OF SUNSET HILLS MISSOURI

HELD ON JUNE 14, 2022

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 and via Zoom on Tuesday June 14, 2022. 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
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
Lindsay Hof	-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
Erin Seele	-City Attorney

APPROVAL OF THE AGENDA:

Alderman Stewart made a motion to approve the agenda with the removal of Bill No. 13 due to his departure from the Board at the end of June. Alderman Wong seconded the motion and it was unanimously approved.

APPROVAL OF MINUTES:

Alderman Epperson made a motion to approve the minutes as read for the May 10 regular and closed session meetings. Alderman McMunn seconded the motion and it was unanimously approved.

Employee Service Awards:

Chief Dodge presented Lieutenant Greg Zveitel with his 45-year service award and thanked him for his outstanding service. Mayor Fribis thanked Lieutenant Zveitel for all of his hard work and dedication to the City.

Lieutenant Zveitel thanked the Chief and Mayor.

Mayor Fribis presented Alderman Joe Stewart with a plaque and thanked him for his years of service on the Finance Committee and Board of Aldermen and wished him luck in his new endeavors.

Consent Agenda:

- a) Bills to be approved.
- b) Annual renewal of existing liquor license for July 1, 2022 through June 30, 2023.
- c) Request for special event Fall Festival temporary liquor license September 23-24, 2022 at 11810 Eddie and Park Road.
- d) Request by Prestige Pools to hold a tent sale June 17 through June 26, 2022 at 10416 Watson Road

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

PUBLIC HEARING:

none

PUBLIC COMMENT:

Mayor Fribis introduced Affton Boy Scout Troop 331. Scout Master Harrison thanked the Mayor and explained the troop was there to obtain their citizenship requirements.

Mayor Fribis read the public comments submitted.

1. Mr. Joe Grana of 9361 Lincoln Drive stated his opposition to placement of a driveway on Sunny Creek Lane and cited Ordinance 1077 of the City Code in reference to driveway restrictions and urged the Board and City Attorney to review.

Requests to speak

1. Kathleen Berker of 1427 Homecrest Drive read her comment in reference to conflicts between Alderman Lieber and Mayor Fribis.

2. Suzanne Gentry of 12237 Robyn Road stated she felt a walkway at 12300 Robyn is necessary for the safety of residents and pets.

3. Elizabeth Virtue of 12510 Sunset Greens stated she was told there were no restrictions on Airbnb homes and that was the reason she listed their home on Airbnb.

4. Ben Virtue of 12510 Sunset Greens Drive spoke on the Airbnb they operated out of their home and asked that they be allowed to keep their Airbnb bookings through September.

5. Brian Cavanaugh of 75 West Lockwood, Attorney for Ben and Elizabeth Virtue, stated he did not feel the City code addressed Airbnb's and that the home was not a Bed and Breakfast. He stated they wished to continue using the home as a short-term rental through October.

6. Rick Hartig of 24 Kennerly Manor spoke on behalf of Ben and Elizabeth Virtue being able to continue using their home as an Airbnb.

7. Ann & Jim Jesse of 12408 Cinema Lane spoke on the History of Sunset Hills and stated they were not in favor of any change being made to the process of nominating committee members.

8. Mayor Fribis read a statement submitted by Marie Davis of 9405 Parklind Drive stating she felt there should be no changes to the committee nomination process.

9. Mayor Fribis read her statement as a resident -Patricia Fribis of 9843 Sunset Greens Drive read a statement in reference to the Mayor being able to continue to nominate residents for Committees.

Discussion ensued in reference to statements being read by elected officials.

Old Business:

**Bill No. 2- An Ordinance approving variances to the requirements for the Improvement Plans stated within Appendix A- Subdivision Regulations of the Code of Ordinances for Sunset Reserve Subdivision owned by Westview Investment LLC, as per application P-06-22
SECOND READING**

Alderman Wong read Bill No. 02 for a second reading.

Alderman Wong made a motion to approve Bill No. 02

Alderman Friedmann made a motion to amend the verbiage to read;

“Road shall be no closer than 250 feet”

“Right of way shall be no less than 40 feet”

“Grade shall be no greater than 10%”

“Cul de Sac shall be no less than 84 feet”

Alderman Wong withdrew his original motion.

Alderman Wong made a motion to approve Bill No 2 as amended by Alderman Friedmann.

Alderman Friedmann seconded the motion.

ROLL CALL VOTE:

Vote: **Passed** (Summary **Yes=8**)

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

Mayor Fribis declared Bill No. 02 to become Ordinance # 2247.

**Bill No. 3 – An Ordinance granting approval of the Record Plat for Sunset Reserve Plat One owned by Westview Investments LLC as per application P-07-22
SECOND READING**

Alderman Lieber read Bill No. 03 for a second reading.

There was brief discussion on the lot types allowed.

Alderman Friedmann made a motion to approve Bill No. 03.

Alderman McMunn seconded the motion.

ROLL CALL VOTE:

Vote: **Passed** (Summary **Yes=8**)

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

Mayor Fribis declared Bill No. 03 to become Ordinance # 2248.

Bill No. 09- An Ordinance adopting a new Section 15-26 of Chapter 15 of the Code of Ordinances of the city of Sunset Hills with respect to Short-Term Rentals
SECOND READING

Alderman Daues read Bill No. 09 for a second reading.

Alderman Wong made a motion to postpone voting to later in the meeting to further discuss.

Alderman Epperson made a motion to delay the second reading for one month to the next Board meeting to allow for more conversation.

Alderman Stewart seconded the motion.

There was discussion on short term rentals not being a permitted use for R-1 zoned areas, and if the business in question was neither permitted or prohibited, they could apply for a CUP. Alderman Friedmann stated she was in favor of prohibiting short term rentals in the R-1 area.

Attorney Seele stated she reviewed Attorney Hetlage' s legal opinion on short term rentals and concurred with him that it was not permitted, but clarified that it was the Board's decision on how it was interpreted.

Additional discussion was held on prohibiting short term rentals.

Alderman Epperson made a motion to modify the previous motion to allow operation of the short-term rental business at 12510 Sunset Greens until the issue was resolved.

Alderman Stewart seconded the motion and it was unanimously approved.

CITY OFFICIAL AND COMMITTEE REPORTS:

City Clerk/City Administrator, Brittany Gillett stated a survey was sent out to employees in reference to possible schedule flexibility due to high gas prices and the current rate of inflation.

Alderman Daues asked if the schedules would be the same for everyone. Ms. Gillett explained it would be flexible for each employee and reviewed per department.

Alderman Epperson stated he did not support individualized schedules for employees.

Alderman Wong stated he agreed with Alderman Epperson and did not support individualized schedules for each employee.

Director of Finance, Susanna Messmer stated she included the Board requested reports for review and that they were working on the mid-year budget review.

Chief of Police, Stephen Dodge stated the legacy Prop P funds were being utilized for the mobile ID print machines for vehicles as well as the Flock cameras. He reviewed additional items to be purchased with the funds also.

City Attorney, Erin Seele stated nothing to report.

City Engineer, Bryson Baker stated the City did their own land disturbance inspections. He explained the recent audit with MoDNR covered land disturbance inspections and that the suggestion was made to contract with St. Louis County for the inspection services. Mr. Baker stated they are looking into that and would like to take it to the PW Committee for further discussion. He explained there was no cost to the City for the services. Mr. Baker stated he felt it would be a benefit to the City to have the service contracted due to the training County had for such inspections. Mr. Baker then addressed questions Alderman Daues had in reference to the Big Bend Bridge project in Kirkwood as well as the Geyer Road pothole maintenance issue north of Watson Road. Mr. Baker explained MoDOT stated the bridge project would be completed at the end of October, but opened to traffic in August. Mr. Baker then explained that MoDOT informed him that the permanent repair solution for Geyer Road would not be awarded until 2024. He stated the PW street department would be filling the potholes until then.

Director of Parks & Recreation, Gerald Brown stated there would be a public input meeting at Lynnstone Park on July 11. He explained the goal would be to apply for a grant for that park.

COMMITTEE REPORTS:

Finance Committee -Alderman Stewart stated nothing additional to report.

Economic Development Committee – no report.

Parks & Recreation Commission – Alderman Wong stated the first Markets and Music event was a success and the next one was July 13. The fishing derby is June 22 at Watson Trail Park, and Day Camp kicked off the previous week.

Alderman Wong suggested a break after the reports, in order to speak with the Scouts in attendance. Mayor Fribis stated there would be a break after the reports.

Police Advisory Board – Alderman Epperson stated the meeting was held Tuesday the 7th at the PD so they could tour the facilities. He stated there was discussion on the location of this year's Cops and Bobbers event possibly being held in Crestwood. He also explained the Chief made plans to participate in the Day Camp first responders' day, including air support and EMS. He stated there was discussion of new equipment needs due to the current social conditions.

Public Works Committee – Alderman Friedmann stated the meeting was held June 2. She explained the Bass Pro Watson Road access preliminary plans should be submitted to MODOT for review by the end of June with the final by Aug 12. Eddie and Park sidewalks- conceptual plan should be finished by mid-June, the West Watson right of way plan phase 1 will be ready for review on July 1. Alderman Friedmann stated the City was recommended to receive a grant for phase 2. Alderman Friedmann explained the proposed shoulder work for Robyn Road was on the agenda, Sweetens Concrete was working on the items they were contracted to do last year, M&H Concrete had submitted paperwork on their approved contract, and the Council Chambers Av System should be installed in August.

NEW BUSINESS:

Bill No. 11- An Ordinance of the City of Sunset Hills, Missouri, providing for the approval of an agreement for the installation and maintenance of license plate reader equipment- Roles and Responsibilities with the Missouri Highways and Transportation Commission associated with the placement of a license plate reader on MODOT right of way, and matters related thereto
FIRST READING

Alderman Hof read Bill No. 11 for a first reading.

Alderman Epperson made a motion to suspend the rules and read Bill 11 for a second reading.
Alderman McMunn seconded the motion.

ROLL CALL VOTE:

Vote: Passed (Summary **Yes=8**)

Alderman McMunn, Alderman Stewart, Alderman Lieber, Alderman Epperson, Alderman Hof, Alderman Daves, Alderman Friedmann, Alderman Wong

Alderman Hof read Bill No. 11 for a second reading.
Alderman Epperson made a motion to approve Bill No. 11.
Alderman McMunn seconded the motion.

ROLL CALL VOTE:

Vote: Passed (Summary **Yes=8**)

Alderman Hof, Alderman Epperson, Alderman Lieber, Alderman Wong, Alderman Stewart, Alderman Friedmann, Alderman Daves, Alderman McMunn

Mayor Fribis declared Bill No. 11 to become Ordinance # 2249.

Mayor Fribis introduced resident Ryan Hernandez. Mayor Fribis stated Mr. Hernandez was her candidate to replace Alderman Stewart in Ward 1. She explained his resume had been circulated to the Board for review.

Bill No. 12- An Ordinance accepting Alberts Laumeier Court for public maintenance and authorizing execution of a deposit agreement guaranteeing the condition of the street for a period of two years as provided for in the Code of Ordinances of the City of Sunset Hills

FIRST READING

Alderman McMunn read Bill No. 12 for a first reading.

Alderman McMunn made a motion to suspend the rules and read Bill 12 for a second reading.
Alderman Daves seconded the motion.

ROLL CALL VOTE:

Vote: Passed/ (Summary **Yes=8**)

Alderman Epperson, Alderman Friedmann, Alderman Lieber, Alderman Stewart, Alderman McMunn, Alderman Wong, Alderman Hof, Alderman Daves

Alderman McMunn read Bill No. 12 for a second reading.

Alderman McMunn made a motion to approve Bill No. 12.
Alderman Daves seconded the motion.

ROLL CALL VOTE:

Vote: Passed (Summary **Yes=8**)

Alderman McMunn, Alderman Wong, Alderman Lieber, Alderman Friedmann, Alderman Stewart, Alderman Daves, Alderman Hof, Alderman Epperson

Mayor Fribis declared Bill No. 12 to become Ordinance # 2250.

**Bill No. 13- An Ordinance amending Chapters 2 and 19 of the Code of Ordinances relating to appointments to and filling vacancies of the Police Advisory Board, Business Development Committee, Finance Committee, Claire Gempp Davidson Memorial Conservation Area Commission, Swim and Dive Advisory Committee, Public Works Committee, Parks and Recreation Commission, and Board of Adjustment, and amendments to Chapter 2 regarding general appointment procedure
FIRST READING *Postponed to July meeting***

There was discussion on Bill no 13. Alderman Daues handed out information on Webster Groves' attendance policy for committee members. Additional discussion ensued in reference to Parks Board members attendance and term lengths.

**Resolution No. 625 - A Resolution of the City of Sunset Hills, Authorizing the Mayor to Enter into an Improvement Escrow Agreement with Westview Investment, LLC Guaranteeing Site Plan Improvements for the Sunset Reserve Subdivision and Matters Relating
FIRST READING**

Alderman Stewart read Resolution No. 625.
Alderman Stewart made a motion to approve Resolution No. 625.
Alderman Epperson seconded the motion and it was unanimously approved.

Resolution No. 626- A Resolution approving a maintenance agreement for Storm Water Management Facilities and authorizing the Mayor and City Administrator to execute the same on behalf of the City of Sunset Hills

Alderman Friedmann read Resolution No. 626.
Alderman McMunn made a motion to approve Resolution No. 626.
Alderman Epperson seconded the motion and it was unanimously approved.

Resolution No. 627- A Resolution approving a Budget Amendment for the construction of a paved shoulder on Robyn Road and authorizing the Mayor and/or City Administrator to execute the same on behalf of the City of Sunset Hills

Alderman Epperson read Resolution No. 627.
Alderman Epperson made a motion to approve Resolution No. 627.
Alderman McMunn seconded the motion and it was approved with 7 votes.
Aye: Alderman McMunn, Alderman Wong, Alderman Friedmann, Alderman Stewart, Alderman Daues, Alderman Hof, Alderman Epperson
Absent: Alderman Lieber

Resolution No. 628- A Resolution declaring surplus property and authorizing the sale of such property

Alderman Stewart read Resolution No. 628.
Alderman Stewart made a motion to approve Resolution No. 628.
Alderman McMunn seconded the motion and it was approved with 7 with votes.
Aye: Alderman McMunn, Alderman Wong, Alderman Friedmann, Alderman Stewart, Alderman Daues, Alderman Hof, Alderman Epperson
Absent: Alderman Lieber

Resolution No. 629- A Resolution approving an Affidavit to certify the use of Road and Bridge Tax proceeds from the St. Louis County Department of Revenue and authorizing the Mayor and/or City Administrator to execute the same on behalf of the City of Sunset Hills

Alderman Wong read Resolution No. 629.

Alderman Wong made a motion to approve Resolution No. 629.

Alderman Epperson seconded the motion and it was approved with 7 votes

Aye: Alderman McMunn, Alderman Wong, Alderman Friedmann, Alderman Stewart, Alderman Daues, Alderman Hof, Alderman Epperson

Absent: Alderman Lieber

Resolution No. 630- A Resolution accepting the revised lease terms for certain Ground Lease with Cingular Wireless for a Lease Amendment to be drafted and considered by the Board of Aldermen

Alderman Daues read Resolution No. 630.

Alderman Daues stated he wanted the agreement to be at 4% compound interest, the fence maintained to Sunset Hills standards, and completed within 6 months.

Alderman Daues made a motion to approve Resolution No. 630 with the changes.

Alderman McMunn seconded the motion and it was unanimously approved.

APPOINTMENTS:

None

GENERAL DISCUSSION:

Aquatic Facility

Mr. Brown explained the current personnel shortage situation with the aquatic facility. He reviewed the goals to return to 2019 operating standards, but stated the lifeguard situation was difficult to overcome.

Mr. Brown discussed potential solutions for the shortage problems.

1. Bring back incentives from previous years.
2. Holiday incentive to work extra shift for bonus money.
3. Stop all pool parties going forward but keep existing bookings.
4. Offer overtime.
5. Reduce hours on the weekends.
6. Cut one hour on Tuesdays and Thursdays.
7. Close at 6 pm every day Monday through Friday.

Alderman Wong made a motion to approve Mr. Brown's options. Alderman Epperson seconded the motion and it was unanimously approved.

Street network

Alderman Friedmann stated the maintenance budget had not been increased to address higher street repair costs.

Mr. Baker stated the streets were not in their best shape and that additional funding would need to be looked into to bring them back up standard.

Mr. Baker stated he and Mr. Searcy would do a presentation for the Board in July or August.

Board of Adjustment

Alderman Wong spoke on the restrictions imposed by the Board of Adjustment.

Alderman Wong stated he would like the criteria outlined by the City. He stated he wanted to keep it restrictive but more reasonable.

Attorney Seele spoke on the variance process. She explained she preferred criteria to be considered, however it was up to the Board.

Alderman Wong asked for input from Mr. Baker on factors for considering variances at the next meeting.

Non-permitted Firework Displays

Chief Dodge discussed complaints on firework discharges in the City. Chief Dodge stated the PD had a zero-tolerance policy the previous year. He explained he has left it to the discretion of the officer this year. He explained enforcement was an issue due to the fireworks being gone by time the Police were called to the area.

Alderman Epperson stated he felt the complainants should be notified that the PD would do their best to enforce no fireworks in neighborhoods.

General Discussion

There was additional discussion on the use of citizen format for elected official comments.

Alderman Daues clarified that the proposed change to the nominations procedure was to include the Mayor and the Board, not exclude the Mayor going forward.

Lengthy discussion was held on the nomination process and how it was handled in other Cities. The Mayor and Board agreed to open communication going forward.

REQUEST TO MEET IN CLOSED SESSION PURSUANT TO 610.21 (1), (2) AND (12) RSMo TO DISCUSS LEGAL MATTERS, REAL ESTATE AND CONTRACTS:

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

ROLL CALL VOTE:

Vote: Passed (Summary **Yes=8**)

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

The Board went into closed session at 9:00 p.m.

The Board reconvened in open session at 9:44 p.m.

ADJOURNMENT:

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

Meeting adjourned at 9:45 p.m.

Deputy City Clerk
Lori Stone