

MINUTES OF THE REGULAR MEETING
OF THE BOARD OF ALDERMEN
OF THE CITY OF SUNSET HILLS MISSOURI
HELD ON SEPTEMBER 13, 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 September 13, 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
Brian Fernandez	-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 Daues made a motion to approve the agenda as listed. Alderman Epperson seconded the motion and it was unanimously approved.

APPROVAL OF MINUTES:

Alderman McMunn made a motion to approve the minutes as read for the August 09, 2022 regular and closed session meetings. Alderman Lieber seconded the motion and it was unanimously approved.

Mayor Fribis read the Proclamation declaring Constitution Week September 17-23, 2022.

Consent Agenda:

- a) Bills to be approved.
- b) Request by J&M Displays for special event fireworks display December 31, 2022 at Tapawingo National Golf Club 13001 Gary Player Dr, Sunset Hills, MO 63127.
- c) Request by Swank Motion Pictures for special events company Bar-B-Que October 11, 2022 and movie night October 22, 2022 at 10795 Watson Road, Sunset Hills, MO 63127.
- d) Request by Fluid Power Engineering Automation for special event Barbecue Tech Showcase September 29, 2022 at 12951 Gravois Road, Sunset Hills, MO 63127.

e) Request by St. Catherine Laboure special event Volley Ball tournament October 7-9, 2022 at 13555 West Watson Road, Sunset Hills, MO 63127.

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

PUBLIC HEARING:

Establish the annual rate of tax levy for the year of 2022 on all property within the City of Sunset Hills

Ms. Messmer explained this was an annual renewal and the rates had come in with no significant changes.

The Board will consider a petition for an Amended Development Plan, submitted by Balke Brown Transwestern for the properties at 3850, 3870, and 3872 South Lindbergh Boulevard.

Mr. Baker explained this petition was for a basic boundary adjustment.

Mayor Fribis closed the Public Hearings.

PUBLIC COMMENT:

Mayor Fribis called upon audience members that submitted requests to speak.

Mr. Dennis Hancock of 29 Sennawood Drive in Fenton Missouri introduced himself as the Republican Candidate for the 3rd District. Mr. Hancock reviewed his platform issues.

Mayor Fribis read the public comments submitted.

1. Sandra Ankney of 12938 Baalbek Drive stated her concern over speeded limit on Gravois Road- she stated she was in favor of lowered speed limit.

The Mayor stated this was a MoDOT issue and if anyone wished to have a meeting with MoDOT she would be happy to accompany them to get the issue addressed further.

2. Angie Wiegel of 9717 Crestwick Dr. stated she was in favor of Bill 13 and diversity in nominating committee members.

Old Business:

Reconsideration of 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
***Pursuant to State Statute 79.140 the Mayor has enacted her right to veto Bill No. 13 and has returned, with objections, for Board reconsideration**

Alderman Fernandez read Bill No. 13 for reconsideration.

Alderman Epperson made a motion for a roll call vote to overturn the Mayor's veto vote. Alderman Daues seconded the motion.

ROLL CALL VOTE:

Vote: Passed (Summary Yes=6, No =2)

Aye: Alderman McMunn, Alderman Lieber, Alderman Friedmann, Alderman Epperson, Alderman Hof, Alderman Daues
Nay: Alderman Fernandez, Alderman Wong

Mayor Fribis declared Bill No. 13 to become Ordinance # 2255.

**Bill No. 23-A – An Ordinance repealing Appendices A (Subdivision Regulations), and B (Zoning Regulations) of the Code of Ordinances of the City of Sunset Hills, enacting a new Unified Development Ordinance regarding the same including penalties for violation of same, adopting a new Official Zoning Map, and Rezoning property as shown on the same
SECOND READING**

Alderman McMunn read Bill No. 23-A.

Attorney Seele asked Alderman McMunn to re-read the amended title.

Alderman McMunn read Bill No. 23-A for a second reading.

Alderman Friedmann stated she felt all the requested changes were implemented in the proposed new code.

Alderman Friedmann made a motion to accept the UDO as presented.

Alderman Daues seconded the motion.

Alderman Wong asked several questions of Mr. Baker concerning PD districts and CUPs.

ROLL CALL VOTE:

Vote: Passed (Summary Yes=7, No =1)

Aye: Alderman Epperson, Alderman Friedmann, Alderman Lieber, Alderman Daues, Alderman Hof, Alderman McMunn, Alderman Fernandez
Nay: Alderman Wong

Mayor Fribis declared Bill No. 23-A to become Ordinance # 2256.

**Bill No. 24- An Ordinance establishing the annual rate of tax levy for the year 2022, on all property within the City of Sunset Hills
SECOND READING**

Alderman Wong read Bill No. 24 for a second reading.

Alderman Wong made a motion to approve Bill No. 24.

Alderman Epperson seconded the motion.

ROLL CALL VOTE:

Vote: Passed (Summary Yes=8)

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

Mayor Fribis declared Bill No. 24 to become Ordinance # 2257.

Bill No. 25- An Ordinance amending Chapter 2, Article 3 of the Code of Ordinances adopting an Attendance Policy for the City's Boards, Committees, and Commissions and amending Chapter 19 relating to The Parks and Recreation Commission

SECOND READING

Alderman Lieber read Bill No. 25 for a second reading.
Alderman Epperson made a motion to approve Bill No. 25.
Alderman McMunn seconded the motion.

ROLL CALL VOTE:

Vote: Passed/Failed (Summary Yes=8)

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

Mayor Fribis declared Bill No. 25 to become Ordinance # 2258.

CITY OFFICIAL AND COMMITTEE REPORTS:

City Clerk/City Administrator, Brittany Gillett stated employees were doing open enrollment for insurance and that the AV equipment was delayed and would all be installed in October and should be up and running by November.

Director of Finance, Susanna Messmer- Ms. Gillett took over for Ms. Messmer and stated they were currently working on preliminary budgets.

Chief of Police, Stephen Dodge stated Cops and Bobbers was scheduled for October 8 at Watson Trail Park from 3-6 pm.

City Attorney, Erin Seele stated per the Board's direction they were working on the re-development for Gates Manor and hopefully would have something on the October agenda for them to review.

City Engineer, Bryson Baker stated there were two different packages on the agenda, Striping and asphalt maintenance, and if approved they would be starting on those right away. He stated they were still in talks with the property owner of the Enterprise Bank lot in reference to a retaining wall for the Eddie and Park sidewalks project. Mr. Baker stated staff was currently addressing the salt dome retaining wall after the project went out for bid twice with no response. He showed the previous wall condition and how much work had been done by the Street crew. He stated they were doing an outstanding job. He stated anytime his crew had to do a project like this it was as good as any contractor.

Director of Parks & Recreation, Gerald Brown stated the SunCrest Fest was Saturday at Kitun Park from 11 a.m.-8 p.m. He explained the dog park would be closed Wednesday through Saturday to ensure the carnival company could safely move equipment in.

COMMITTEE REPORTS:

Finance Committee -Alderman Fernandez stated the preliminary budget was out and a joint session with the BOA was coming up.

Economic Development Committee – no report.

Parks & Recreation Commission – Alderman Wong stated the tree ordinance update was continuing to be worked on, September 24 was the last garage sale day, and the last concert of the season was Sunday September 25th from 5-7 p.m.

Police Advisory Board – Alderman Epperson stated the committee met September 6 with 100% attendance. He thanked Officer Scheetz and the officers from Crestwood for all their hard work on the Cops and Bobbers event. He stated they discussed non-lethal training as well as equipment for mass situations.

Public Works Committee – Alderman Friedmann stated Mr. Searcy had provided information on bringing streets up to standard at the last Board meeting, and based on the information he provided, the Public Works Committee recommended that the BOA increase the street maintenance budget to 550,000.00. She stated they felt that was very important.

NEW BUSINESS:

Bill No. 26- An Ordinance authorizing the Mayor to execute a quit claim deed to transfer the City's interest, if any, in a 50 foot right of way to Westview Investments LLC

FIRST READING

***Petitioner has requested a second reading**

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

Alderman Epperson made a motion to suspend the rules and read Bill No. 26 for a second reading.

Alderman McMunn seconded the motion.

ROLL CALL VOTE:

Vote: Passed/Failed (Summary Yes=8)

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

Alderman Friedmann read Bill No. 26 for a second reading.

Alderman Daues had a question on whether or not the City had an interest in the property. Attorney Seele replied she did not believe so and that it was legal the opinion of former Attorney Hetlage as well. She explained it was given as a deed and was never a road or developed as a road. She explained the County stated they did not have an interest in it.

Alderman Epperson made a motion to approve Bill No. 26.

Alderman Lieber seconded the motion.

Alderman Wong asked how the City would acquire a right of way. Attorney Seele explained how the City would do an acceptance. Discussion continued on explaining the way to formally accept a right of way.

ROLL CALL VOTE:

Vote: Passed/Failed (Summary Yes=8)

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

Mayor Fribis declared Bill No. 26 to become Ordinance # 2259.

Bill No. 27- An Ordinance approving a second Amended Development Plan for a change in the Record Plat at 3850, 3870 and 3872 South Lindbergh Boulevard

FIRST READING

Alderman Epperson read Bill No. 27 for a first reading.

Alderman Friedmann asked if the Amended Development Plan was approved would it trigger the sidewalk condition or payment in lieu of a sidewalk. Mr. Baker stated the sidewalk condition was triggered by a new site development not an amended one.

Resolution No. 640- A Resolution declaring surplus property and authorizing the sale of such property

Alderman Hof read Resolution No. 640.

Alderman Epperson made a motion to approve Resolution No. 640.
Alderman McMunn seconded the motion and it was unanimously approved.

Resolution No. 641- A Resolution approving a Contract for the City’s Communications Audit and Strategic Communications Plan 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. 641.
Alderman Epperson made a motion to approve Resolution No. 641.
Alderman Hof seconded the motion.

Alderman Wong asked what the plan entailed. Ms. Gillett explained the Creative Entourage proposal. Alderman Lieber stated she didn’t see the need for a consultant, and asked if the Communications Director position could be built into someone’s existing job.

Ms. Gillett explained staff could help implement the new plan but do not have the level of experience or tools to provide this information the way Creative Entourage could.

Alderman Lieber asked where the information came from.

Ms. Gillett explained the communications plan was approved in the 2022 budget as well as in the ARPA meetings since communications qualified for ARPA funds.

Alderman Epperson stated he felt it was money well spent.

Additional discussion ensued on providing communication and transparency to residents. Alderman Daues asked about the scope of work and what they were going to do. He stated he wanted more information.

Alderman Epperson agreed with Alderman Daues and withdrew his motion to approve.

Alderman Epperson made a motion to continue the meeting to October so they could come back with more specific details for what they could do for the City.

Ms. Gillett stated they could table the item if they wished, however the entire project scope and details they were asking for was in the packet. She stated they could certainly postpone if they needed additional time to review or needed further information outlined.

Alderman Hof withdrew her original second and seconded Alderman Epperson’s motion to postpone.

Alderman McMunn asked if Creative Entourage could provide a copy of the survey or the examples they used to extract the information from the public. Ms. Gillett stated there may be issues with proprietary information but would ask.

Resolution No. 642- A Resolution approving contracts with Anthem, Anthem Life, Delta Dental and the Standard Insurance Company and authorizing the Mayor and/or the City Administrator to execute the same on behalf of the City of Sunset Hills

Alderman Fernandez read Resolution No. 642.
Alderman McMunn made a motion to approve Resolution No. 642.
Alderman Epperson seconded the motion and it was unanimously approved.

Resolution No. 643- A Resolution approving a Contract with Traffic Control Company and authorizing the Mayor and City Administrator to execute the same on behalf of the City of Sunset Hills

Alderman McMunn read Resolution No. 643.

Alderman McMunn made a motion to approve Resolution No. 643.

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

Aye: Alderman McMunn, Alderman Fernandez, Alderman Wong, Alderman Lieber, Alderman Epperson, Alderman Hof, Alderman Daues

Abstain: Alderman Friedmann

Resolution No. 644- A Resolution approving a Contract with Missouri Petroleum and authorizing the Mayor and/or the City Administrator to execute the same on behalf of the City of Sunset Hills

Alderman Wong read Resolution No. 644.

Alderman Wong made a motion to approve Resolution No. 644.

Alderman McMunn seconded the motion and it was unanimously approved.

Resolution No. 645- A Resolution approving a contract with Stark Roofing and authorizing the Mayor and City Administrator to execute the same on behalf of the City of Sunset Hills

Alderman Lieber read Resolution No. 645.

Alderman Lieber stated she would like to see more bids and was concerned with the cost of supplies and materials with inflation. Ms. Gillett stated the bid request was published numerous times with no response other than those presented. Chief Dodge stated it had been a struggle over the past two years getting bid responses for the roof.

Alderman McMunn made a motion to approve Resolution No. 645.

Alderman Lieber seconded the motion and it was unanimously approved.

APPOINTMENTS:

Jennifer Geen Planning and Zoning at large to replace Terry Beiter (Term Expires 09/13/2026)

Mike Svoboda Planning and Zoning Ward 4 reappointment (term expires 05/01/2026)

Jesse Finney Police Advisory reappointment (term Expires 03/10/2024)

Kelly Snyder Police Advisory reappointment (Term Expires 03/10/2024)

Mike Fitzgerald Finance reappointment (term Expires 03/10/2024)

Jeff Cammilleri Finance reappointment (term expires 02/11/2024)

Mike Sawicki Finance reappointment (term Expires 02/11/2024)

Lindsay Hof Economic Development, Chairman (term expires 09/13/2024)

There was brief discussion on the nominated members.

Alderman Daues made a motion to approve the nominations. Motion died due to lack of a second

Alderman Daues made a motion to approve all nominations except for P&Z.

Alderman Lieber seconded the motion and it was unanimously approved.

There was discussion on the expiration dates and term limits for Planning and Zoning. The nominations for Planning and Zoning were held over for further discussion.

GENERAL DISCUSSION:

a) Pedestrian road side safety

There was lengthy discussion on how to ensure the safety of road side pedestrians with and without minor children in and directly adjacent to traffic.

There was general consensus to direct Attorney Seeley to write an ordinance for pedestrian traffic safety to review at the next meeting.

Alderman McMunn stated she would be happy to go with the Mayor to talk with MoDOT on the West Watson Gravois intersection issue, as she felt it was important and really need to be addressed.

Alderman Wong stated he would like to have all meeting minutes within 48 hours of the meeting so they could check for accuracy. Alderman Epperson stated he felt there would need to be exceptions as some people have vacation the day after a meeting. There was discussion on whether or not that was feasible for the committees. Mayor Fribis stated it should be to the best of their ability and that 48-72 hours would be more reasonable. Alderman Wong specified he meant the Board meeting minutes. Ms. Gillett stated the exception would have to be built into the ordinance if that was the case. Alderman Wong stated he didn't feel an ordinance was necessary.

Ms. Gillett stated all Board of Aldermen meetings were recorded and uploaded to the website and available for review.

There was discussion on temporary signage around the City.

Mr. Baker stated the Board had previously directed staff to be lenient during Covid, and if they wanted to go back to regular enforcement, they were ready to do that.

There was discussion on Gates Manor compliance issues. Mr. Baker stated he would review it.

Alderman McMunn asked about the additional money for street maintenance. Mayor Fribis stated that it was being worked on in the budget and would be something to go to Finance and then come back to the Board for approval.

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

Alderman Lieber made a motion to go into closed session.

Alderman Epperson seconded the motion.

ROLL CALL VOTE:

Vote: Passed (Summary Yes=8)

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

The Board went into closed session at 7:42 p.m.

The Board reconvened in open session at 9:42 p.m.

ADJOURNMENT:

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

Meeting adjourned at 9:43 p.m.

Deputy City Clerk
Lori Stone