

MINUTES OF THE REGULAR MEETING  
OF THE BOARD OF ALDERMEN  
OF THE CITY OF SUNSET HILLS MISSOURI  
HELD ON MAY 11, 2021

BE IT REMEMBERED that the Board of Aldermen of the City of Sunset Hills, Missouri met in regular session held via Zoom on Tuesday May 11, 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
Joe Stewart	-Alderman Ward I
Ann McMunn	-Alderman Ward I
Christine Lieber	-Alderman Ward II
Casey Wong	-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

**APPROVAL OF MINUTES:**

Alderman Price made a motion to accept the minutes as read for the April 27, 2021 regular and closed session meetings.

Alderman McMunn stated the minutes may be incorrect in reference to a motion the Board passed pertaining to 30-day notice regarding materials being posted on the website.

Mayor Fribis asked what information was incorrect. Alderman McMunn stated she was looking for clarification as to what the City was doing in light of the prior motion requesting items be placed on the website.

Ms. Gillett responded she and Mr. Baker had worked out a process to send everything submitted to the City to the Board of Aldermen. She stated she could send the internal staff process to them so that they would know what to expect.

Mayor Fribis asked if that had anything to do with changing the minutes. Alderman McMunn stated she didn't know if it was noted in the minutes specifically as far as a direction. Mayor Fribis asked if Alderman McMunn wanted the minutes changed or amended. Alderman McMunn replied possibly amended.

Ms. Gillett read the original motion from the minutes. "Alderman Wong made a motion that any time the public notice postcard is sent all "Electeds" should be notified of the subject. Alderman McMunn seconded the motion. Motion passed 5-3."

Alderman McMunn asked if it was within 30 days of receipt, Ms. Gillett responded she took it to mean all packages received by City Hall would be sent to the Aldermen at the same time the postcard notices went out.

Mayor Fribis stated that the minutes would stand as is if no motion was made. Alderman Epperson seconded the motion to approve the minutes.

Alderman Friedmann asked if the information would be on the website at the same time it was emailed to the Board.

Mayor Fribis asked if this had anything to do with the minutes to be approved, and if there was a motion to amend. No motion to amend was made.

Mayor Fribis stated a motion had been made by Alderman Price to approve the minutes of the April 27, 2021 regular and closed session meetings. Alderman Epperson seconded the motion and it was unanimously approved.

Mayor Fribis addressed Alderman Friedmann. Alderman Friedmann stated she was looking for clarification that when a packet was sent to the Alderman that it would be posted on website at that point.

Alderman Price stated he thought it was decided it should not go on the website because many items that are sent in are not ready to go public at the petitioner's request and due to numerous impending changes and processes.

Ms. Gillett stated the process was to send the information to the Alderman once received by staff, as passed by a motion made by Alderman Wong and seconded by Alderman McMunn at the previous meeting, however if necessary, staff could provide additional information on the Public Notice page on the website.

## **EXTERIOR LIGHTING REGULATIONS PRESENTATION**

Lynn Sprick, Assistant Planner introduced Lighting Engineer Amy Hughes, and stated she would be giving a lighting 101 presentation and answer any questions the Alderman may have in reference to the upcoming ordinance.

Ms. Hughes gave an overview of IESNA standards, LED lighting and light depreciation.

Ms. Hughes stated luminaires, color temperature and B.U.G. rating (backlight, up-light, glare), are a good reference to keep glare levels down from new types of LED lighting.

Mayor Fribis asked if other communities were having the same issue with lighting from LED sources.

Ms. Hughes stated yes, a lot of communities were having issues and having to tighten their standards.

Alderman McMunn asked how other communities were dealing with the glare encroaching over boundaries. Ms. Hughes stated typically a shield could be installed to control the glare. Alderman McMunn asked if we needed to put a B.U.G. rating in our ordinance. Ms. Hughes recommended adding this to the ordinance, and felt the G piece (Glare from scale of 0-5) was the most important, 0 being no glare, 5 being the highest glare.

Mayor Fribis asked Ms. Hughes if her recommendations had been given to Ms. Sprick. Ms. Hughes stated yes but they had not determined a B.U.G. rating yet.

Alderman Daues asked if the new technology would require a decrease in pole height. Ms. Hughes stated the information she read through stated a maximum pole height of 25 feet and she felt that was sufficient.

Alderman Wong asked about the recommendations made by Ms. Hughes for the new ordinance and if she could go over them.

Ms. Hughes provided the following recommendations;

1. Follow IESNA recommendations for whichever environment you are submitting in.
2. Add a color temperature which would typically be 4000k to exterior pole lighting for consistency.
3. Lower maximum footcandles back down to 8 footcandles maximum and include an average.
4. Include any type of B.U.G. rating on luminaires.

Alderman Wong asked about curfews, particularly for commercial lighting adjacent to residential areas. Ms. Hughes stated many West County ordinances follow the 2015 IBC (International Building Code), which also has a subsection from the IECC (International Energy Conservation Code). In the energy code is a piece of lighting control that states lighting must be reduced to 50% from 1 hour after close or midnight to 6 am or 1 hour prior to opening. She suggested although it is covered in that code specifically, it should be re-stated in our new code as well.

Alderman Friedmann asked what maximum initial level meant. Ms. Hughes explained that when you first turn on a light on day 1, it would be very bright, however after 5000 hours it would be at approximately 70% of its initial output. Ms. Hughes stated this really applied to the HID lighting. She stated they put in depreciation so that there is enough light for security purposes. The initial level is what the level is on day one.

Alderman Friedmann asked how an average was computed.

Ms. Hughes stated an average was taken by measuring the footcandles directly under the pole/luminaire to several distances from the fixture. An average is taken so the light stays within a certain level so the eyes can see steps and for safety lighting purposes.

Ms. Hughes recommended a maximum, an average and a minimum for the new code.

Alderman Wong asked Ms. Hughes if she knew how any other municipalities dealt with enforcement issues pertaining to residents' complaints on adjacent lighting. Ms. Hughes stated she only had one case which was the Kirkwood and Vianney baseball field lighting, but was the only one she had dealt with or knew specifically of.

Mayor Fribis thanked Ms. Hughes for the information provided. Ms. Gillett stated they would provide Ms. Hughes a redline version of the ordinance for review so it could be presented for a second reading at the next Board meeting.

Ms. Hughes left the meeting.

## **CONSENT AGENDA**

- a) Bills to be approved.
- b) Figge's Produce request for temporary produce stand May 14 through August 29, 2021.

Alderman McMunn stated she wanted to support a produce mart; however, she does not support them operating out of a temporary tent structure. She asked for clarification on when tents would be erected and taken down.

Ms. Gillett asked if we should remove this item from the consent agenda. Attorney Jones replied yes, it could be removed and added to the City Administrator report item for discussion.

Alderman McMunn made a motion to separate the two consent agenda items. Alderman Daues seconded the motion and it was unanimously approved.

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

Mayor Fribis opened up the discussion on Figge's Produce.

Alderman McMunn went over her questions. She stated she felt it was a wonderful idea and wonderful concept to bring to Sunset Hills, but could not get behind tents along Lindbergh Boulevard. She stated she would like to see something more permanent.

Mayor Fribis stated Mr. Figge submitted information that he would be getting a trailer truck for the stand and asked for history on his request.

Ms. Gillett stated the area is zoned C-1 and is a permitted retail use, so he will not be required to go to Planning and Zoning or the Board of Aldermen. He did need leeway for his building location and applied for variances through the Board of Adjustment, which were recently approved. Ms. Gillett stated Mr. Figge applied for the building permit through St. Louis County and was told it would not be approved until at least August, he was hoping to be in Sunset Hills for the summer to get the business started. The tents would be temporary until his building permit was approved.

Alderman McMunn asked if the Board would see the permanent structure design and have input on the structure. Ms. Gillett replied no, the Board would not see it as long as it met St. Louis County Building Code. The Board of Adjustment granted the variances as far as the location goes, and that it is a permitted use so the Planning and Zoning and Board of Alderman will not see it.

Alderman McMunn asked if there were any restrictions on the building material used. Ms. Gillett answered she would be happy to send that information to the Board, was not aware of what he would be required to build. Alderman McMunn asked who would have control over that. Ms. Gillett stated it depended on what was in our code and the St. Louis County Code.

Alderman Epperson asked if it was possible to make a motion that that the Board see the plans and have a say in the structure before it was developed.

Ms. Gillett stated she didn't believe we could stop this particular petition as it had already been submitted and approved by the Board of Adjustment. She stated we would have to change our ordinances and processes.

Alderman Epperson expressed his concern over the use of metal pole barns on Lindbergh and their ability to have a say in that.

Attorney Jones pointed out that this was a motion for a Special Event Permit and the Board was within their discretion to deny it.

Alderman Epperson made a motion to deny the special event permit submitted by Figge's Produce.

Alderman Epperson stated he would be glad to reconsider the request if it came back to the Board with something other than tent structures.

Alderman Lieber stated the special event request specifically stated 3 pop up tents to be erected on the weekends, and if someone could clarify where the metal building information came from.

Alderman McMunn stated the minutes from Board of Adjustment referred to a large 30x60 metal building.

Alderman Epperson made a motion to deny the special event request. Alderman Friedmann seconded the motion and it was unanimously approved.

There was discussion in reference to the temporary tent Mr. Figge had up for Valentine's Day merchandise in February, as well as safety concerns with the tents.

Mayor Fribis stated everyone was excited about the produce stand but that they had too many questions they still needed answered.

**PUBLIC HEARING:** None

**PUBLIC COMMENT:**

Ms. Gillett read an email she received from Steve and Carla Scanlin supporting the nomination of Gary Vincent to Planning and Zoning Commission.

**OLD BUSINESS:**

**Bill No. 1-** An Ordinance amending the exterior lighting regulations of the City of Sunset Hills

SECOND READING

\* **Request to postpone**

**Bill No. 2-** An Ordinance authorizing the Mayor and/or City Administrator of the City of Sunset Hills to enter into an agreement on behalf of the City with the City of Crestwood relating to the providing of Police Dispatching Services and Temporary Prisoner Holdover Facilities for the City of Crestwood

SECOND READING

Alderman Epperson read Bill No. 2 for a second reading.

Alderman Price made a motion to approve Bill No. 2.

Alderman Epperson made a motion to add a section 5 to the Ordinance specifying that all revenue from the dispatching agreement be allocated to the Police Department.

Alderman Lieber seconded the motion.

There was lengthy discussion on the pros and cons of having surplus revenue for the Police Department. It was decided that the motion would be better presented as a Resolution.

Alderman Epperson withdrew his motion. Alderman Lieber withdrew her motion.

Alderman Stewart seconded the motion to approve Bill No. 2.

**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

Mayor Fribis declared Bill No. 2 to become Ordinance #2202.

**CITY OFFICIAL AND COMMITTEE REPORTS**

City Clerk/City Administrator, Brittany Gillett stated nothing additional to report other than the new policy on forwarding information to the Board discussed previously in the meeting.

Director of Finance, Susanna Messmer stated the auditors completed their fieldwork the last week in April and she was waiting on any additional requirements they may have. Ms. Messmer stated she was still working on the draft of the Financial Statements which they will review once she presents them.

Chief of Police, Stephen Dodge stated nothing to report. And that Covid numbers are no longer being reported to them.

City Attorney, Robert E. Jones stated he had a brief litigation report for the closed session.

City Engineer, Bryson Baker stated nothing new to report.

Director of Parks & Recreation, Gerald Brown stated he submitted a written report with his Director's report pertaining to the pool. He stated based on current St. Louis County guidelines, they are recommending opening the aquatic Facility June 12 through September 6, and would like to open the full facility 7-days a week from 12pm-7pm for members only, with limited guest passes. All programming would be offered as in the past.

Alderman Friedmann asked if we were limiting membership. Mr. Brown stated no but we are limiting the daily visits. Mayor Fribis asked Mr. Brown to address a question from the Zoom chat on why we were not opening until June 12, 2021. Mr. Brown explained that typically all lifeguard training was done through Lindbergh School district, and there has not been any opportunity available to use their pools. We have to get our lifeguards trained. We currently have 55 lifeguards, 32 of which are brand new. They have to go through at least a two-week cycle of training to be on the pool deck. He stated if by chance we could open a few days earlier we would, however we have to get everyone trained.

Alderman Lieber asked if the existing membership holders would be notified of the new guidelines. Mr. Brown stated yes, all the information would be put on all of our social media platforms as well as a letter sent to all members.

Mayor Fribis stated there was a chat question on when the day camp would be able to use the pool. Mr. Brown stated on Fridays as well as two other days in the week yet to be designated. The goal is to get day camp in the pool at least three times a week.

#### **COMMITTEE REPORTS:**

Finance Committee Ms. Messmer stated nothing to report.

Economic Development Committee – Aldermen Price stated nothing new to report.

Parks & Recreation Commission – Mr. Brown stated they held their annual Makers Market with over 1500 people in attendance. He stated he felt it was a very successful event. Mr. Brown also stated the Fishing Derby was on May 12. Mr. Brown stated he would provide a report on how much the event made once he had all of his invoices in and settled. Mayor Fribis stated it was a wonderful event that brought local artists into our community.

Police Advisory Board – Chief Dodge stated they held a Police Advisory Board meeting on Tuesday May 4. They discussed the dispatching agreement as well as the pay matrix bill.

Public Works Committee – Mr. Baker stated there was a tentative PW Committee meeting June 3 and will be discussing Tapawingo streets.

#### **NEW BUSINESS:**

#### **Bill No. 3- An Ordinance establishing a compensation schedule for Patrolmen and Sergeants of the Sunset Hills Police Department FIRST READING**

Alderman Lieber read Bill No. 3 for a first reading.

Alderman Lieber made a motion to suspend the rules and read Bill 3 for a second reading. Alderman Epperson seconded the motion.

**ROLL CALL VOTE:**

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

Yes: Alderman Stewart, Alderman Lieber, Alderman Epperson, Alderman Price, Alderman Daues

No: Alderman McMunn, Alderman Wong, Alderman Friedmann

Motion failed due to the lack of a unanimous vote to suspend the rules.

Alderman Wong asked for a discussion on the pay matrix.

Mayor Fribis asked Chief Dodge to give an explanation as to why the pay matrix was being proposed.

Chief Dodge explained the pay matrix was important because we have lost 5 officers in the past year to other departments offering better pay and a defined pay matrix. A defined pay matrix provides the officers with a definitive salary from year to year. Chief Dodge stated applications are down and in order for us to recruit and retain the best officers, we need to be competitive with surrounding departments.

There was additional discussion in reference to the pay increase in the proposed pay matrix and overtime. Alderman Epperson asked Chief Dodge to explain the difference between the starting pay now and the proposed starting pay. Chief Dodge explained starting pay is currently \$55,000-\$56,000 and will increase to approximately \$59,000. He stated the top pay was currently at \$73,000 and will go to \$77,000. Chief Dodge explained it was not a huge increase but hopefully enough to keep the City competitive with other agencies.

Alderman Epperson stated the pay matrix equalized the playing field and that the City was not in the top 10% of municipalities in reference to compensation.

There was lengthy discussion in reference to step plans and raise percentages for city employees across the board.

Alderman McMunn asked if the ordinance would ensure the officers would get the step raises even in the case of a pandemic. Ms. Gillett explained that the Board would have to amend the ordinance and then pass a budget with the change. There was lengthy discussion in reference to pay increases, retaining top talent across the board in all departments, not just the Police Department, and the equity to the other departments staff members.

**APPOINTMENTS:**

Mayor Fribis asked for a motion to eliminate any appointments and re-appointments for the Planning and Zoning section.

Alderman Epperson made a motion to remove the Planning and Zoning section. Alderman Stewart seconded the motion and it was unanimously approved.

Alderman Wong asked the Mayor to entertain debate. He spoke briefly on the term limit issue and then rescinded his request. There was lengthy discussion on Police Advisory Board members and the legalities of the composition. Attorney Jones stated that the Police Advisory Board ordinance did not preclude more than one Alderman from serving. He stated that on this particular body all members have a vote, there is nothing illegal with more than one Alderman serving. The City is able to change the make-up of the committee if so desired. Discussion on membership make up continued.

Ms. Gillett stated we could hold the approval on appointments for the Police Advisory Board until an updated ordinance on membership could be drafted.

Alderman McMunn made a motion to amend the Police Advisory Board to read – 1 member from each ward who may also be an Alderman, 1 Alderman and 2 at large members.

Alderman Wong seconded the motion and it was unanimously approved.

Mayor Fribis asked for a motion to approve the committee appointments eliminating Planning and Zoning. Alderman Price made a motion to approve the appointments. Alderman Epperson seconded the motion and it was unanimously approved.

#### **RE-APPOINTMENTS:**

Mayor Fribis asked for a motion to approve the re-appointments.

Alderman Price made a motion to approve the re-appointments. Alderman Daues seconded the motion and it was unanimously approved.

#### **BOARD AND COMMISSION APPOINTMENT DISCUSSION**

Ms. Gillett explained in order to comply with section 2-50 and 2-51 which require certain notification for Board appointments. Staff is running into issues due to the newsletter publishing requirements. Ms. Gillett asked that the Horizon newsletter be used as a general notification instead of a requirement, so that vacancies could be announced in a more efficient and timely manner.

There was additional discussion on removing the requirement to be published and also to add additional information to the website.

Alderman McMunn made a motion to amend the existing ordinance section that requires notification of vacancy or term expiration be announced in the City's newsletter, and also add additional detail to the website in reference to vacancies. Alderman Lieber seconded the motion and it was unanimously approved.

#### **GENERAL DISCUSSION**

Alderman McMunn had a comment about the Planning and Zoning meeting being held during the day. She stated several residents had contacted her in reference to be able to attend.

Mr. Baker stated he could speak with Chairman Beiter in reference to scheduling those later in the evening.

#### **REQUEST TO MEET IN CLOSED SESSION**

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

#### **ROLL CALL VOTE:**

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

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

The Board went into closed session at 8:37 p.m.

The Board reconvened in open session at 9:11 p.m.

#### **ADJOURNMENT:**

Alderman McMunn made a motion to adjourn the meeting. Alderman Daues seconded the motion and it was unanimously approved with Alderman Price absent.

Meeting adjourned at 9:11 p.m.

Deputy City Clerk  
Lori Stone