CITY OF SUNSET HILLS

BOARD OF ALDERMEN

WORK SESSION AGENDA

MARCH 22, 2016

6:00 P.M.

A work session of the Board of Aldermen will be held in the Public Works Conference Room at City Hall, 3939 S. Lindbergh Blvd., on March 22, 2016 at 6:00 p.m.

1. **Pledge of Allegiance**
2. **Roll Call**
3. **Approval of the February 9 and February 23, 2016 minutes.**
4. **Discussion of having a Board meeting April 12th.**
5. **Discussion of Face time and video conferencing**
6. **Proclaiming March 22, 2016 as Lyle Bouck, Jr. Day.**
7. **Appointments-**

   a.) Jill Moormann- Swim and Dive Advisory Committee- to fill vacancy
8. **Request to meet in closed session pursuant to 610.21.3 RSMo to discuss personnel matters.**
9. **Adjournment**

MINUTES OF THE REGULAR MEETING

OF THE BOARD OF ALDERMEN

OF THE CITY OF SUNSET HILLS MISSOURI

HELD ON FEBRUARY 9, 2016

BE IT REMEMBERED that the Board of Aldermen of the City of Sunset Hills, Missouri met in regular session at City Hall, 3939 S. Lindbergh Blvd., in said City on Tuesday, February 9, 2016. The meeting convened at 7:02 p.m.

The meeting began with those present standing for the reciting of the Pledge of Allegiance.

Roll Call

Present:

Mark Furrer	-Mayor	
Denetra Baebler	-Alderman – Ward I	
Richard Gau	-Alderman – Ward I	
Steve Bersche	-Alderman – WARD II	
Thomas Musich	-Alderman – WARD II	
Kurt Krueger	-Alderman – WARD III	
Keith Kostial	-Alderman – WARD III	by-phone/video
Donna Ernst	-Alderman – WARD IV	
Patricia Fribis	-Alderman – WARD IV	
Lori A. Stone	-Deputy City Clerk	
William LaGrand	-Chief of Police	
Bryson Baker	-City Engineer	
Gerald Brown	-Director of Parks and Recreation	
Michael Sawicki	-City Collector	
Robert E. Jones	-City Attorney	

Absent:

APPROVAL OF THE MINUTES

Copies of the Minutes of the January 12, 2016 regular meeting of the Board of Aldermen and the January 26, 2016, work session meeting of the Board of Aldermen were distributed to the members for their review. Alderman Pat Fribis made a motion to accept the minutes as submitted. Alderman Donna Ernst seconded the motion, and it was unanimously approved.

Employee Service Award Presentation

Bryson Baker presented Eric Barthel of the street department with an award for 10 years of service. Bryson Baker thanked him for his many years of service and those present applauded in appreciation of his service.

Request for Liquor License

Mayor Furrer asked if anyone was present from Andre's. John Armengol of Andre's indicated that the request was to obtain a liquor license for the second floor of Sunset Hills Golf Course. There is currently a liquor license for service on the main floor, and the intent would be to handle the upper floor in the same manner. He also stated that Andre's has a contract locked in for three years. Alderman Fribis made a motion to approve the request. Alderman Bersche seconded the motion, and it was unanimously approved.

Request to be Heard

Mayor Furrer asked if anyone was present from First Baptist Church of Crestwood. Lance Long, Pastor, requested to have the 16th Annual REZ Run to be held on Easter Sunday, March 27, 2016 at 7am. Alderman Bersche made a motion to approve the request. Alderman Fribis seconded the motion, and it was unanimously approved.

Mayor Furrer asked if anyone was present from O'Leary's Restaurant. With no one in attendance from O'Leary's, Mayor Furrer stated that the request was to allow an outdoor tent on March 16-18 for St. Patrick's Day. Alderman Fribis made a motion to approve the request. Alderman Ernst seconded the motion, and it was unanimously approved.

Mayor Furrer asked if anyone was present from Laumeier Sculpture Park, Michelle Siegel stated that the Park was requesting a sponsorship from the City in the amount of $7,000 for the music festival as part of the Art Fair event. She indicated that the City had been a partner in the past, and they were looking forward to continuing the partnership. Alderman Baebler made a motion to approve the request. Alderman Ernst seconded the motion, and it was unanimously approved.

Mayor Furrer stated Rick Randall, Senior VP of PACE had requested the opportunity to have an informal discussion regarding the potential redevelopment of the storm damaged area, approximately four acres in size, adjacent to Lindbergh Blvd and Court Drive. Mr. Randall indicated that he represented a group of property owners that were interested in developing a project that would bring new business opportunities to the area, in a way that would not negatively impact adjacent residential properties. Mr. Randall outlined three different development scenarios, and stated that he would welcome feedback from the Board of Aldermen and area residents. Discussion followed by the Board, including questions and answers from Mr. Randall.

Mayor Furrer opened the discussion to any residents in attendance that wished to speak.

Gerald Kovach, 12432 Court Drive, indicated that when his family bought their property it was clear that the area was completely residential. Since that time he said another property owner successfully had two lots rezoned as commercial. Mr. Kovach was against any further rezoning of properties to commercial.

Mr. Paul Kraus, 12420 Court Drive, indicated that his property was a new house. He stated that he resented the description of the property as storm damaged. In his opinion it is a

beautiful property and across from the park. He thanked Alderman Baebler for meeting with residents and for listening to them.

Ann McMunn, 12431 Court Drive, expressed frustration that the issue of potentially rezoning the property to commercial continues to be rehashed. She stated that to the neighbors it felt like their properties were under attack by developers, despite an 8-0 vote by the planning and zoning commission to keep it residential. After an inquiry by Alderman Musich, Ms. McMunn stated that she thought the reason why homes were not rebuilt immediately after the tornado was because of another developer who waived money around and pitted neighbors against each other.

Jackie Tyra of 12440 Court Drive, stated that Court Drive is a private street, and that property owners have paid for street improvements. She agreed with Ms. McMunn that the situation was driven by greed.

Public Hearing

The Board will consider an Amended Conditional Use Permit Submitted by Special School District for the Construction of a Classroom and Parking Lot Addition at Southview School, 11660 Eddie & Park Road.

Mayor Furrer opened the public hearing. Steve Quigley spoke on behalf of the District, and indicated that the project will be on the rear of the school property and is intended to provide more space, not to add additional students. The project will include additional fencing and landscaping. In response to a question by Alderman Ernst, Mr. Quigley indicated that there are approximately 140 students at the school. No one else spoke in favor or opposition to the permit request. Mayor Furrer closed the public hearing.

Old Business

Bill No. 47 – An ordinance authorizing the Mayor of the City of Sunset Hills, Missouri, on behalf of the City, to execute an agreement with Utility Service Partners Private Label, Inc. DBA Service Line Warranties of American for sewer line, water line an-home plumbing warranties. SECOND READING

Mr. Jones clarified that this represents an exclusive agreement, and the City of Sunset Hills would not be able to market any other similar warranty plan. However, if the City decides to carve out the ability to later pass a sewer lateral tax, it would not be in violation of the contract. It is a three year agreement which locks in the rates. The City could pursue a shorter term, but then the rates could change. Mayor Furrer asked about potential liability, and Mr. Jones stated that there is no exposure to the City because it is a voluntary program.

Alderman Bersche Read Bill No. 47 for a second time. Alderman Gau made a motion to approve Bill No. 47. Alderman Bersche seconded the motion.

Roll Call Vote

Alderman Fribis	-Aye
Alderman Kostial	-Aye
Alderman Bersche	-Aye
Alderman Musich	-Aye
Alderman Ernest	-Aye
Alderman Krueger	-Aye
Alderman Gau	-Aye
Alderman Baebler	-Aye

There being 8 AYE votes and 0 NAY votes, the motion passed.

Mayor Furrer declared Bill No. 47 adopted and becomes Ordinance 1999 of the City of Sunset Hills.

City Official and Committee Reports

A. IPM Consultant Administrator, Robert Heacock, indicated progress is being made with respect to the city administrator posting, in keeping with the direction provided by the Board at the January 26 work session. He indicated that Alderman Musich and Alderman Kostial had been heavily involved in drafting the language, and that it had also been reviewed by Bob Jones. A hard copy of the recommended language was distributed to the Mayor and Board members for comment.

B. Deputy City Clerk, Lori Stone, indicated nothing to report.

C. Chief of Police, William LaGrand, indicated nothing to report, except monthly report.

D. City Attorney, Robert Jones- addressed a proposed ordinance dealing with transparency and availability of information, which was prepared by Sunset Hills resident Casey Wong. Mr. Jones indicated he reviewed the document, and although he understood the intent to be beneficial, that he had some concerns with the language based upon the Sunshine Law requirements and some of the process time constraints that the City faces. Mr. Jones stated he thought that it would be possible to work through the concerns and draft an ordinance that reflects the spirit that this resident was trying to accomplish.

Mr. Wong (10246 E Watson Road) asked to address the Board, and said he appreciated receiving feedback from some of the aldermen. Mr. Wong stated that he thought the suggestions he was making were reasonable. He acknowledged that they did require more than the Sunshine Law, but he thought that was a minimum standard. He said that the items he was talking about did not add costs to the City, but would show a commitment to transparency. He pointed out that the Code of Ordinances was not up to date, and that the City could do a better job of providing timely information.

Mayor Furrer clarified that with direction Mr. Jones could work on providing a revised document that he could recommend to the Board for consideration. Alderman Bersche made a motion to that effect. Alderman Fribis seconded the motion, and it passed unanimously.

E. City Engineer, Bryson Baker - Announced that the public meeting for the East sidewalk project will be March 17, at 6pm at the Community Center in meeting rooms.

F. Director of Parks & Recreation- Gerald Brown, indicated nothing to report other than the written report enclosed.

G. Treasurer/Collector-Michael Sawicki – Mr. Sawicki stated the reports were emailed out, and that showed a positive variance at the end of the year, which is always a good thing. Mayor Furrer asked about the deer situation, and Mr. Sawicki stated deer season ended January 15 and the number was down considerably from 2014.

COMMITTEE REPORTS

FINANCE COMMITTEE – Alderman Fribis stated the Finance Committee met on January 25, 2016. The Committee discussed the December Standard and Poor's (S&P) credit rating review, and Mr. Heacock had provided some information including the S&P financial management assessment guide, and how the review lacked clarity in the context of that document. The Committee determined that the priority should be to respond to the review in a positive manner by proceeding with changes like the new finance software system and the hiring of an accounting manager. It was recommended that in the future the Finance Committee should be aware of reviews conducted by S&P as soon as possible. Alderman Fribis also indicated that Mr. Heacock had provided information regarding the City's workers compensation insurance history. She stated that the City's insurance carrier pointed out that the City's aggregate loss ratio is 34.4%, that anything 35% and under is considered excellent, and that the staff should be commended on their efforts and safety record. The next Finance Committee meeting is to be held February 22, 2016 5:30pm Public Works conference room.

Alderman Fribis stated Mr. Brad Lukens with Arbitrage Management Group contacted Ms. Stone, Mr. Heacock, and herself with information that securities the City owns in its 2009 COP Reserve Fund account have appreciated in value with the recent downturn in bond yields. As a result he is recommended that the City sell which would result in about $4,000 to $7,000 in additional earnings above the accrued interest, which would be placed in a money market account. In response to a question by Alderman Musich, Alderman Fribis clarified that $4,000 to $7,000 was a net figure after any transaction costs. Alderman Fribis made a motion to authorize Mr. Lukens with Arbitrage Management Group to sell the securities identified. Alderman Ernst seconded the motion, and it passed unanimously.

Alderman Fribis asked Ms. Stone to follow up with Mr. Lukens to make sure the transaction is approved, and then stated that someone would be designated at the next Finance Committee meeting to be the City contact person authorized to handle future transactions.

ECONOMIC DEVELOPMENT COMMITTEE – Alderman Gau stated there was nothing to report.

PARKS & RECREATION COMMITTEE – Alderman Kostial stated Mr. Brown could better explain the flood damage and the progress. Mr. Brown stated that Minnie HaHa was 50% cleaned up, the trailer was still there but hopefully they could pull it out Friday. He reminded everyone of the Daughter-Daddy dance, said they have about 65 signed up, and invited people to come on out.

PERSONNEL COMMITTEE – Alderman Baebler had nothing to report.

POLICE ADVISORY BOARD - Alderman Bersche had nothing to report.

PUBLIC WORKS COMMITTEE – Alderman Musich stated that the last meeting was February 4, at 6pm. The Committee discussed purchasing new equipment by Public Works. The department is in need of a new mower, and a tar melter. Through the Missouri State Bid Program cost of the boom mower, would be $93,562.01. The budget was $120,000. Also through the Missouri State Bid Program the cost of a new tar melter would be $37,417.00, which is $600 less than the budgeted amount.

Alderman Musich stated that the mower being replaced had a trade in value of $15,000 which was being applied to the cost of the new mower, and that the tar melter being replaced would be sold to another municipality for $8,000.

In response to a question from Mayor Furrer, Alderman Musich clarified that the Committee had not discussed securing the doors. The Mayor asked to put it on the schedule.

Alderman Musich made a motion to buy the new boom mower through the Missouri State Bid Program for $93,562.01. It was seconded by Alderman Krueger, and passed unanimously.

Alderman Musich made a motion to purchase the tar melter through the Missouri State Bid Program for $37,417.00. It was seconded by Alderman Krueger, and passed unanimously.

There was a request to speak by Helen Fitzgerald's for permission for a tent from March 4-21, 2016. The tent is for St. Baldrick's Fundraising & St. Patrick's Day events. There will be a security team to direct traffic and approval from Ameren for parking lot use. Alderman Krueger made a motion to approve the request. It was seconded by Alderman Fribis, and passed unanimously.

Alderman Fribis was asked for an update on the new account manager. She deferred to Mr. Heacock, who stated Mr. Bill Lehmann will be starting on the 16th of February.

Alderman Musich formally and publicly said thank you to all the administrative staff especially Carol Lay and Lori Stone, along with Linda, and Donna Barton, who have served the City loyally and have gone above and beyond their normal duties for the last ten months.

WEBSITE COMMITTEE - Alderman Baebler discussed Mr. Wong's point regarding missing documents on line. She stated that staff has been working on this and they will make sure that in the future meeting minutes are uploaded in a timely matter.

New Business

Bill No. 48 – An ordinance amending the code of ordinances with respect to acceptance of private streets for City maintenance. FIRST READING

Prior to the first reading, Alderman Gau made a motion to table Bill No. 48 and remand it back to Public Works Committee. Alderman Fribis seconded the motion.

Roll Call Vote:

Alderman Kostial	-Nay
Alderman Ernst	-Nay
Alderman Fribis	-Aye
Alderman Baebler	-Aye
Alderman Gau	-Aye
Alderman Krueger	-Aye
Alderman Bersche	-Nay
Alderman Musich	-Nay
Mayor Furrer	-Nay

There being 4 AYE votes and 4 NAY votes, Mayor Furrer voted Nay and the motion failed.

Alderman Ernst read Bill No. 48 for the first time.

Bill No. 49- An ordinance granting an amended conditional use permit to Southview School for classroom and parking lot renovations and additions to the existing school at 11660 Eddie and Park Road. FIRST READING

Alderman Bersche read Bill No. 49 for the first time.

REQUESTS TO BE HEARD (NON-AGENDA)

Mr. Underwood thanked the Board of Aldermen who had the understanding and insight that personal affairs and government affairs never intersect. He commented how close the city came to a disaster. He referenced a few topics mentioned at the workshop regarding the City Administrator, including the job description, and severance package. He also referenced an article in the 2015 edition of The Call, regarding expenditures from 2013, 2014, and 2015. He stated these costs should end now.

Mayor Furrer voiced his thoughts regarding the recent legal conclusion surrounding allegations that he had intentionally struck a bicyclist with his vehicle in July 2014. Mayor Furrer had consistently maintained his innocence, expressed relief that the issue was behind him, and voiced his gratitude to those who supported him and his family throughout the legal process. Mayor Furrer also articulated his frustration and disappointment with the majority of the Board of Alderman for the way some members pre-judged the situation, attempted to impeach him, and made his and his family's lives unbearable at times.

INVOICES TO BE APPROVED

Alderman Ernst made a motion to approve payment of the invoices. Alderman Fribis Seconded the motion, and it was unanimously approved

ADJOURNMENT

Alderman Krueger made a motion to adjourn at 8:46 p.m.. Alderman Gau seconded the motion, and it was unanimously approved.

Recording Secretary

Dede Hendricks

MINUTES OF THE SPECIAL MEETING

OF THE BOARD OF ALDERMEN

OF THE CITY OF SUNSET HILLS MISSOURI

HELD ON FEBRUARY 23th, 2016

BE IT REMEMBERED that the Board of Aldermen of the City of Sunset Hills, Missouri met in a special meeting at City Hall, 3939 S. Lindbergh Blvd., in said City on Tuesday, February 23rd, 2016. The meeting convened at 6:30 p.m.

The meeting began with those present standing for the reciting of the Pledge of Allegiance.

Roll Call

Present:

Mark Furrer	-Mayor	
Denetra Baebler	-Alderman – Ward I	
Richard Gau	-Alderman – Ward I	
Steve Bersche	-Alderman – WARD II	
Thomas Musich	-Alderman – WARD II	
Kurt Krueger	-Alderman – WARD III	
Keith Kostial	-Alderman – WARD III	by-phone/video
Donna Ernst	-Alderman – WARD IV	
Patricia Fribis	-Alderman – WARD IV	
Robert E. Jones	-City Attorney	

Video Conferencing:

Mayor Furrer stated that Mr. Jones had already provided his opinion about video conferencing being legal, and asked why that judgement was being questioned. Alderman Fribis clarified that the intent was not to question whether video conferencing was legal, but to make sure that it was done right.

Alderman Bersche made a motion to allow FaceTime as an acceptable method of video conferencing. The motion was seconded by Alderman Musich. Additional discussion took place. Alderman Fribis provided information from the Missouri Municipal League, questioned whether FaceTime was in fact considered video conferencing, and stated a desire for establishing guidelines. Mr. Jones brought copies of Senate Bill 170 and explained what was allowed under the Sunshine Law with respect to allowing participation in a meeting via video conferencing.

Alderman Musich made a motion to call the previous question and end discussion. Alderman Bersche seconded the motion. Mayor Furrer asked for a roll call vote.

Roll Call Vote:

Alderman Fribis	Nay
Alderman Kostial	Aye
Alderman Bersche	Aye
Alderman Musich	Aye
Alderman Ernst	Aye
Alderman Krueger	Nay
Alderman Gau	Nay
Alderman Baebler	Nay

There being 4 Aye and 4 Nay votes, Mayor Furrer voted Aye; Motion to call the previous question passed.

Mayor Furrer returned to the original motion on the floor to allow FaceTime as an acceptable method of video conferencing, and asked for a roll call vote.

Roll Call Vote:

Alderman Fribis	Nay
Alderman Kostial	Aye
Alderman Bersche	Aye
Alderman Musich	Aye
Alderman Ernst	Aye
Alderman Krueger	Aye
Alderman Gau	Nay
Alderman Baebler	Nay

There being 5 Aye and 3 Nay votes, the motion passed.

Private Streets:

Alderman Musich stated the first reading of Bill #48 was at the February 9, 2016 Board of Aldermen meeting. Mayor Furrer asked Alderman Musich to read the bill a second time. Alderman Musich read Bill #48 in it's entirely.

Bill No. 48 -- An ordinance amending the code of ordinances with respect to acceptance of private streets for City maintenance.

Alderman Gau explained at the last Public Works Meeting there was a 3-1 vote taken not to proceed with the ordinance to the Board of Alderman because it needed more work. Alderman Gau also stated that a revised version was drafted with input by himself, Mr. Jones and Public Works Director, Bryson Baker.

After some discussion, a motion was made by Alderman Musich to approve Bill #48 as read. Alderman Bersche seconded the motion. Mayor Furrer asked for a Roll Call Vote.

Alderman Baebler made a motion to continue discussion on Bill #48. Alderman Fribis seconded the motion. Mr. Jones clarified that the motion to continue discussion would supersede the prior motion to approve Bill #48. Mayor Furrer allowed discussion to continue without a vote.

Alderman Fribis asked Mr. Jones to clarify the difference between the Bill as read and the redefined Bill prepared for the meeting. Mr. Jones indicated primarily the changes were intended to facilitate implementation by staff.

Alderman Musich stated that he had significant concerns that the redefined version of Bill #48 would remove clear standards which would then open up the issue of accepting private streets to interpretation, inconsistent practices, and the potential for preferential treatment depending on the people involved.

Alderman Bersche made a motion to call the previous question and end discussion. Alderman Ernst seconded the motion.

Mayor Furrer asked for roll call vote.

Roll Call Vote:

Alderman Fribis	Aye
Alderman Kostial	Aye
Alderman Bersche	Aye
Alderman Musich	Aye
Alderman Ernst	Aye
Alderman Krueger	Aye
Alderman Gau	Aye
Alderman Baebler	Aye

Motion to call the previous question was approved unanimously.

Mayor Furrer returned to the original motion on the floor to Approve Bill #48 and asked for a roll call vote.

Roll Call Vote:

Alderman Fribis	Aye
Alderman Kostial	Aye
Alderman Bersche	Aye
Alderman Musich	Aye
Alderman Ernst	Aye
Alderman Krueger	Aye
Alderman Gau	Nay
Alderman Baebler	Nay

There being 6 Aye votes and 2 Nay votes, the motion passed.

Mayor Furrer stated Bill No. 48 was adopted and would become Ordinance 2000.

Mayor Furrer asked for any questions or comments from the audience. There were none.

A motion to adjourn was made by Alderman Musich. It was approved unanimously by voice vote. Adjourned at 8:16 p.m.

Recording Secretary

Dede Hendricks

Proclamation

Whereas, Lyle Bouck, Jr was born December 17, 1923 in St. Louis Missouri

Whereas, Lyle Bouck, Jr. was one of the youngest commissioned officers in the United States Army.

Whereas, Lyle Bouck, Jr was the Lieutenant in charge of the 394th Infantry Regiment, 99th Infantry Division . During the Battle of the Bulge, Lieutenant Bouck's platoon held off an entire German battalion of more than 500 men for nearly an entire day, significantly delaying the advance of the German troops on the northern front.

Whereas, Lieutenant Lyle Bouck Jr's entire platoon was recognized with a Presidential Unit Citation, and every member of the platoon was decorated. Four Distinguished Service Crosses, five Silver Stars, and ten Bronze Stars with V for Valor were issued to the Platoon.

Whereas, Lieutenant Lyle Bouck, Jr. was a Silver Star recipient as well as a Distinguished Service Cross recipient.

Be it known by all that on this day, the 22 of March, 2016, the City of Sunset Hills, Missouri extend sincere gratitude for your bravery and service to our Country.

Therefore, I, Mark E. Furrer, Mayor of the City of Sunset Hills, Missouri do hereby proclaim March, 22, 2016 as

"Lyle Bouck, Jr. Day in Sunset Hills, Missouri"

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Sunset Hills, Missouri to be affixed this 22 day of March, 2016.

_____

Mark E. Furrer Mayor

AGENDA

BOARD OF ALDERMEN

A closed meeting of the Sunset Hills Board of Aldermen will be held Tuesday, March 22, 2016, in the Conference Room at Sunset Hills City Hall, 3939 South Lindbergh Boulevard, immediately following adjournment of the regular work session meeting which commences at 6:00 p.m. There will also be closed votes, if any, and a closed record of said meeting.

The subject matters of said meeting are (a) litigation in which the City is a party or in which the City is contemplated as a party, (b) hiring, firing, disciplining or promoting of particular employees, (c) leasing, purchase or sale of real estate, and d) proposals and negotiations for contracts, which are the subject matters of closed meetings, votes and records under R.S.Mo. 610.021(1), (2), (3) and (12).