

MINUTES OF THE REGULAR MEETING  
OF THE BOARD OF ALDERMEN  
OF THE CITY OF SUNSET HILLS MISSOURI  
HELD ON JANUARY 12, 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, January 12, 2016. The meeting convened at 7:00 p.m.

The meeting began with those present standing to recite the Pledge of Allegiance.

**Roll Call**

Present:

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
Donna Ernst	-Alderman – WARD IV
Patricia Fribis	-Alderman – WARD IV
William LaGrand	-Chief of Police
Bryson Baker	-City Engineer
Gerald Brown	-Director of Parks and Recreation
Robert E. Jones	-City Attorney
Michael Sawicki	-City Collector

Absent:

Mark Furrer – Mayor  
Lori Stone – Deputy City Clerk

It should be noted that Alderman Musich, President of the Board of Aldermen, conducted the January 12, 2016 meeting in absence of Mayor Furrer.

**APPROVAL OF THE MINUTES**

Copies of the Minutes of the December 8, 2015, Board of Aldermen meeting were distributed to the members for their review. Alderman Fribis stated that there was an amendment needed on page 6 last paragraph to delete the word “to” between cities and join and page 8 under Public Works Committee report, should read Alderman Musich stated their last meeting, not last there. Alderman Musich requested an amendment to page 7 under Finance Committee Report, it should reflect in some manner that the Finance Committee meeting held on November 23<sup>rd</sup> was not the regularly scheduled date of November 30<sup>th</sup>, and page 8 under Public Works Committee report half way down to change allocate to ala cart.

Alderman Fribis made a motion to accept the amended minutes as submitted. Alderman Baebler seconded the motion, and it was unanimously approved.

Alderman Musich, made a statement to thank the Sunset Hills Public Works Department and Sunset Hills Police Department during the major emergency and natural disaster of the flood that occurred between Christmas and New Year, which demonstrated the community's strong resolve. He also asked Alderman Baebler to report the groups of individuals that helped during the flood.

Alderman Baebler reported and thanked the over 100 volunteers that showed up to sand bag, dig out, load up and clean for Sunset Hills flood victims. Also included was Beth Johnston of Lindbergh Schools who worked to get the word out to get volunteers and fill needs. Precision Landscape, Webster Gardens Lutheran volunteers (led by Georgeann Arnold), Home Depot crews and a large group of military officers for sandbagging and clean-up efforts. A-Mrazek Moving - for containers to move and store items. Chick-fil-a, Jason's Deli, Panera, Pretzel Boys and Helen Fitzgeralds for serving food. She thanked the Lindbergh School Student Council for providing hot chocolate with marshmallows. American Eagle and Vee-Jay Constructions for providing dumpsters. Alderman Baebler stated that some of the residents that have been devastated by the flood have set up "GoFundMe" accounts and links to each of their pages are located on the Sunset Hills website. There is also a Facebook page called "Sunset Hills Flood Victims – Donation Page to help coordinate efforts.

Alderman Fribis added that she would also like to thank Gerald Brown for efforts in vacating Minnie Ha Ha and his help during the flood.

### **Requests to be heard**

- a) **Request from Sunset Ford to promote their 100 year anniversary. They would like to place banners on their light poles and adhere vinyl images on the building throughout the entire 2016 year.**

Mr. Doug Sucher of Sunset Ford was present and explained the request.

Alderman Bersche made a motion to approve the above request. Alderman Kostial seconded the motion, and it was unanimously approved.

### **CITY OFFICIAL AND COMMITTEE REPORTS**

- A. IPM Administration Consultant, Robert Heacock – Mr. Heacock presented his memorandum dated January 6, 2016 to the Board of Aldermen regarding the City Administrator/Clerk Appointment Process.

After lengthy discussion Alderman Gau made a motion to remove the Help Wanted ad that was posted on the Missouri Municipal League website for City Administrator/City Clerk and directed Mr. Heacock to contact the individuals that have applied. Alderman Fribis seconded the motion and it was unanimously approved.

Alderman Gau made a motion to adopt the "Potential Recruitment Steps" memorandum prepared by Mr. Heacock as a general guideline or outline and to move forward in hiring a City Administrator / City Clerk. Board members were asked to submit to Mr. Heacock what characteristics, important qualifications and experience they would like to see developed in the position profile for recruitment of the City Administer/City Clerk. Mr. Heacock will compile a summary from the submissions he receives and present item number one from the "Recruitment Steps" memo at the January 26, 2016 meeting. City attorney Robert Jones also stated he would distribute the ICMA model contract by email for discussion at the meeting.

Alderman Ernst seconded the motion, and it was unanimously approved.

- A. Deputy City Clerk – Absent
- B. Chief of Police - William LaGrand stated nothing to report other than the monthly report that was submitted.
- C. City Attorney - Robert E. Jones stated there are now twelve plaintiffs participating in the lawsuit against St. Louis County pertaining to the police take over bill. County Councilor Peter Crane has agreed on behalf of St. Louis County that the various deadlines in that ordinance will be waived with the exception of the June 16th approval of city standards. Mr. Jones stated that he believes there will be motion practice between parties in the courts and that he will have further guidance at that time.

With regard to the remaining Grandview escrow that was abandoned at National City Bank which is now PNC Bank, a letter was sent to the bank and he was contacted by an attorney on their behalf. He is now working to recover that escrow for the city and will be able to report at the next meeting with more detail.

Lastly that House Bill 1943 was filed by Representative Cornejo of St. Charles County which is a significant overhaul of the Sunshine Law chapter 610 of the revised statutes of the State of Missouri. Mr. Jones stated he will share the full context of the bill by email. Some of the concerns are number one, which would require the minutes of a closed session to contain a summary of the discussion at the closed meeting, which would be very difficult to keep confidential matters on real estate transactions, personal matters and litigation. The most concerning new language is the Custodian of Records for the City will need to create an index of all the public records maintained by the City of Sunset Hills which he believes would be a monumental chore. Another concern is the provision that we cannot bill for the research time to determine which portions of public records are exempt from disclosure. If this provision is passed it would no longer be possible to bill.

- D. City Engineer - Bryson Baker stated he would like to give a summary of the flood supplies that were used during the flood. The public works department delivered more than two hundred and fifty tons of sand and disbursed fifteen thousand sand bags. Once they were finished working on cleanup they had to strip all the trucks and load them with salt spreaders for they were out most of Saturday night salting bridges and hills for the ice removal.

Last Thursday Mr. Baker took a tour of the city with FEMA, SEMA, St. Louis County Emergency Management, St. Louis County Public Works and SBA and the group did an assessment of all the properties residential and commercial affected by the floods. They tried to get a brief summary of the value of the damage to the city. With

that information the city and SEMA collected all the information from all the affected areas of St. Louis County, the area was summarized and submitted to FEMA, and FEMA is submitting it to President requesting a declaration for disaster assistance. He stated it has been expedited, but it could be up to two weeks before they would hear anything. Once that takes effect, if a declaration is made the city will get information on contacts for the residents to make contact and work one on one with FEMA.

- E. Director of Parks & Recreation - Gerald Brown gave a follow-up on the flood and what the parks department was doing. He reported it would be at least a couple months before Minnie Ha Ha and the athletic complex would be functional. A house is sitting on the athletic complex that will need to be removed; the electrical supply has been submerged and needs to be replaced. He is in the process of getting estimates for the work that is required.
- F. Treasurer/Collector – Michael Sawicki stated the license report for the year was in the packet and the Treasurer’s report was not quite ready yet and will be available at the next meeting.

## **COMMITTEE REPORTS**

**FINANCE COMMITTEE** – Alderman Fribis stated the Finance Committee met on December 28<sup>th</sup>, 2015 but there was not a quorum so no votes were taken by those present. There was discussion of the direction provided by Mr. Heacock to the Board of Aldermen with respect to city administrator appointment process.

Mr. Heacock reviewed the recent rating received by Standard and Poors and indicated that he would obtain information that would explain the rational for the rating. He will also contact them to see if a reassessment is possible if additional information is provided. The finance committee was not contacted before the rating was issued.

Mr. Heacock stated that two additional applications for the position of Accounting Manager position were received since Mr. Montoya’s departure. Mr. Heacock met with one of the applicants and shared that information with the personnel committee chair. The position is important to fill because of the move to the new finance software and the significance of that project.

The next meeting is January 25, 2016 at 5:30 pm. in the public works board room.

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

**PARKS & RECREATION COMMITTEE** – Alderman Kostial stated there will be a Daddy Daughter Dance on February 13<sup>th</sup> at the community center from 6:30 to 8:30 pm.

**PERSONNEL COMMITTEE** – Alderman Baebler stated the personnel committee had talked about having the personnel manual reviewed many months ago, and thanks to Mr. Heacock, he has found a way to have it reviewed by JW Terrill at no cost to the city. The committee will move forward with allowing them to giving us suggestions with this process to update our personnel manual.

**POLICE ADVISORY BOARD** - Alderman Bersche stated there is nothing to report.

PUBLIC WORKS COMMITTEE – Alderman Musich stated the committee met January 7, 2016 at 6:00 pm. and spoke about the sanitary sewer lateral program; the city was contacted by the National League of Cities and received a contract that Mr. Jones reviewed. Mr. Jones then stated that this a voluntary program, so it is unlike the statutory sewer lateral tax that is enabled by the revised statutes of the State of Missouri. He further stated that those who wish to participate under this voluntary program which covers external sewer lines, external waterlines and in home plumbing would be voluntary. Mr. Jones further stated that he had a concern that the contract stated it is a non-exclusive license, but also states that the City will not extend a similar contract with a competitor during the period of the agreement. He stated that if the board decides to proceed with this he would like to resolve the inconsistencies in the agreement. The term is for three years, so if the city would decide to go in a different direction unless there is some kind of provision to terminate the contract he believes the city would still be under an exclusive contract. Mr. Jones agreed he would obtain this information before the next meeting. Alderman Musich stated that he contacted several cities that use the program and that there were no negative comments about the service that they provided or the services in their literature. They all said the company that provided this work did a very worthwhile job and they were happy to work with the National League of Cities for this particular utility services partner company. In addition Alderman Musich stated that the people using these services from utility services partner are certainly happy with their arrangement and that they give good service. Alderman Fribis explained to the citizens present that what we are getting into here is not a mandatory program that the city requires them to pay for, and that it is a voluntary program that the city will sign the contract with this company. The company would mail to residents and possible businesses to determine for themselves if they want to utilize this voluntary service. Collector Sawicki speaking as a resident stated that Missouri American Water has a program similar that they can also participate in. Alderman Fribis stated you can still participate in that program. Alderman Musich added the cost of the utility services partner program; is \$7.75 per month or \$88 annually and it's a warranty program. He added that he mentioned last month that this was an ala cart fee structure and you can also get outdoor water coverage for \$5.75 per month and in-home plumbing warranty service through the same utility services company for \$6.99 per month, so it depends on what the individual homeowner desires and what they feel comfortable with. This program will not cost the City of Sunset Hills anything and city does not make any money off of this either. Alderman Musich also stated at the last public works meeting we identified surplus equipment; the city has a tar melter that is no longer needed. Alderman Musich stated the next public works meeting will be February 7, at 6pm.

WEBSITE COMMITTEE – Alderman Baebler wanted to say thanks to Ryan Taylor & Wes Searcy for adding information regarding the flood as it was very fluid happening and they were very responsive to adding information and helping the residents to give them exposure for their donations and “GoFundMe page”.

### **New 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 America for sewer line, water line an in-home plumbing warranties.  
FIRST READING**

**Resolution No. 372 - A resolution approving the JW Terrill proposal for renewal of existing insurance coverages for the City of Sunset Hills.**

Alderman Baebler read Resolution No. 372. Alderman Baebler made a motion to approve Resolution No. 372. Alderman Fribis seconded the motion and it was unanimously approved.

**Resolution No. 373- A resolution approving a \$54,872.00 amendment of the 2016 Administration budget.**

Alderman Kostial read Resolution No. 373. Alderman Fribis made a motion to approve Resolution No. 373. Alderman Ernst seconded the motion and it was unanimously approved.

**Resolution No. 374- A resolution approving an amendment of the 2015 Parks & Recreation budget.**

Alderman Bersche read Resolution No. 374. Alderman Ernst made a motion to approve Resolution No. 374. Alderman Baebler seconded the motion and it was unanimously approved.

**Resolution No. 375- A resolution declaring surplus property and authorizing the sale of such property.**

Alderman Krueger read Resolution No. 375. Alderman Krueger made a motion to approve Resolution NO. 375. Alderman Kostial seconded the motion and it was unanimously approved.

**REQUESTS TO BE HEARD (NON-AGENDA)**

Steve & Emilie Hayes, 12918 Weber Hill Road

Jennifer Daniels, 13344 W. Watson

John Straub, 13328 W. Watson

Charito Pattichot, 13336 W. Watson

John Hume on behalf of his mother Shirley – 13320 W. Watson

Each of these residents spoke on the devastation and heartbreak they endured during the flood of 2015/2016, most brought pictures, which in turn told the story. Each family explained their setbacks in losing everything, some moving in with relatives and some losing days of work. They are all very grateful for all of the city entities and public's help, from food, dumpsters, donations, and 24 hour assistance from Aldermen Baebler. Resident that spoke are asking for help from FEMA or a buyout from the city. Alderman Musich asked Bryson Baker, Public Works Director, to identify the relationship he has with FEMA, what they planned to do

with the flood area. Mr. Baker said right now the city is in a holding pattern waiting with FEMA, but that it seems likely that President Obama will declare this an emergency disaster area. If a declaration is issued the city will have to work with SEMA and FEMA to define the potential program that might be made available. Information will be placed on the city's website. Those with questions are encouraged to call the public works department.

**INVOICES TO BE APPROVED**

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

**A MOTION TO HOLD A CLOSED MEETING**

Alderman Ernest read item 12. Alderman Fribis made a motion to hold a closed meeting vote and record immediately after adjournment of February 9, 2016 and February 23, 2016 meeting. Alderman Bersche seconded the motion, and the members voted:

**Roll Call Vote:**

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

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

At this time Alderman Krueger made a request to meet in closed session pursuant to 610.21.3 RSMo to discuss personnel matters. This closed session was approved at the December 8, 2015 Board of Aldermen meeting.

**ADJOURNMENT**

Alderman Gau made a motion to adjourn at 9:42 PM. Alderman Krueger seconded the motion, and it was unanimously approved.

Recording Secretary

Dede Hendricks