

MINUTES OF THE REGULAR MEETING
OF THE BOARD OF ALDERMEN
OF THE CITY OF SUNSET HILLS MISSOURI
HELD ON MARCH 8, 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, March 8, 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:	Mayor Furrer	
	Denetra Baebler	-Alderman – Ward I –by phone/video
	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
	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
	Lori Stone	-Deputy City Clerk
Absent:		

It should be noted that Alderman Musich, President of the Board of Aldermen, conducted the March 8, 2016 meeting due to Mayor Furrer's lack of voice.

APPROVAL OF THE MINUTES

Copies of the Minutes of the February 9, 2016, Board of Aldermen meeting and February 23, 2016 Board of Aldermen Special Meeting were distributed to the members for their review. After some discussion and questions regarding the amended minutes the consensus of the Board was to consider both sets of minutes at the next meeting.

Requests to be heard

- a) **Request from Laumeier Sculpture Park for temporary signage for their annual Art Fair, May 6-8, 2016.**

Ms. Sara Matthews of Laumeier Park was present and requested temporary signage for the fair. Ms. Matthews noted the same signage is used every year.

Alderman Ernst made a motion to approve the signage for the fair. Alderman Krueger seconded the motion, and it was unanimously approved.

b) Request from Laumeier Sculpture Park for temporary liquor license to serve alcohol at the special event Laumeier Art Fair May 6-8, 2016.

Ms. Sara Matthews also requested a temporary liquor license for the three days of the fair May 6, 7 & 8 they will sell wine and liquor during fair hours.

Alderman Bersche made a motion to approve the temporary liquor license. Alderman Ernst seconded the motion, and it was unanimously approved.

c) Request from Alpha Brewing Company for a temporary liquor license to serve alcohol at the special event Laumeier Art Fair May 6-8, 2016.

Mr. Derrick Langeneckert, manager of Alpha Brewing Company requested a temporary liquor license to serve alcohol at the fair.

Alderman Krueger made a motion to approve the temporary liquor license. Alderman Fribis seconded the motion, and it was unanimously approved.

d) Request from 4 Hands Brewing Company for a temporary liquor license to serve alcohol at the special event Laumeier Art Fair May 6-8, 2016.

Ms. Laura Schurk, event manager of 4 Hands Brewing Company, a micro brewing, requested a temporary liquor license to serve alcohol at the fair.

Alderman Ernst made a motion to approve the temporary liquor license. Alderman Fribis seconded the motion, and it was unanimously approved.

e) Request from Memories Car Club to hold their annual car cruise at the Faith Community Center on the first Friday of each month running April through October 2016.

Mr. Greg Murphy, representative, from Memories Car Club requested approval for the annual car cruise to be held at Faith Community Center.

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

PUBLIC HEARING: The Board will consider a petition for an amended development plan submitted by Sol Spaces, LLC for a vestibule addition to the existing building at 12970 Maurer Industrial Drive.

Mr. Matt Ford, with Sol Spaces and Solutions AEC requested approval for a small vestibule addition to the front of the building. This building is currently under renovation.

PUBLIC HEARING: The Board will consider a petition for an amended conditional Use permit, submitted by MoMellow Holdings, LLC for landscaping revisions at 3811 South Lindbergh Blvd.

No representative present.

Alderman Bersche stated at a prior planning and zoning meeting residents of Maret Drive and Sunset Chase Drive had a concern regarding a fence.

Mr. Baker stated there was originally a fence at the prior business and it was taken down. Planning and Zoning commission proposed some crab apple trees, or burning bushes. Planning and Zoning recommends to the board either they put the fence back or to plant evergreens and or shrubs to screen the headlights. This is a special condition incorporated into the bill.

Alderman Baebler stated that Michael Courtois had a meeting with residents and it was agreed that Mr. Courtois would replace the fence and maintain it. Mr. Baker said it would definitely be an option for the board to consider.

Mr. Michael Courtois 3726 Sunset Chase stated the residents had a lot of nice conversation with the developers and they agreed to install a 150 foot fence; they are spending less on a fence than the evergreens. The residents and developers discussed paint colors. Residents suggested just a cedar color. Mr. Courtois said that was the last talk he had with the developers.

Mr. Chas McMillian 12455 Chrisann Lane is concerned about how Chrisann Lane looks since construction started. Initially the construction company said they would not be using the road, but the road is getting some wear from all of the trucks. Hopefully they will take responsibility and fix the road.

Alderman Musich asked if Mr. McMillian talked to Mo Mellow Holdings, Inc. about the road. Mr. McMillian stated they have not talked with him.

Mr. Baker stated the road is on the property of Mellow Holdings. Mr. McMillian stated he has taken care of the road in the past, but now it is destroyed.

Alderman Musich asked Mr. Jones for his legal input on this topic. Mr. Jones stated that Chrisann Lane is Mellow Holdings property and residents have easements. This would be a private matter between the property owners. Mr. Jones said he would need to look at the easement agreement.

Mr. Baker stated that the right thing to do would be for Mellow Holdings to put the road back in order, and that he will encourage them to do so.

OLD BUSINESS:



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.

SECOND READING.

Alderman Krueger Read Bill No. 49 for a second time. Alderman Krueger made a motion to approve Bill No. 49. Alderman Ernst seconded the motion.

Roll Call Vote:

Alderman Baebler	no response
Alderman Gau	-Aye
Alderman Bersche	-Aye
Alderman Musich	-Aye
Alderman Krueger	-Aye
Alderman Kostial	-Aye
Alderman Ernst	-Aye
Alderman Fribis	-Aye

There being 7 Aye votes and 0 Nay votes, the motion passed.

Alderman Musich declared Bill No. 49 adopted and placed in the custody of the City of Clerk and entered as Ordinance #2001.

Alderman Musich stated that Alderman Baebler did not vote on this bill.

CITY OFFICIAL AND COMMITTEE REPORTS

- A. IPM Administration Consultant, Robert Heacock stated he had a conference call with JW Terrell officials, City Attorney Mr. Jones and Police Chief LaGrand and Bryson Baker regarding the City's personnel manual. Mr. Heacock will be reviewing their comments and making some suggestions to the personnel committee.
- B. Deputy City Clerk – Lori Stone stated nothing to report.
- C. Chief of Police - William LaGrand stated nothing to report other than the monthly report that was submitted.
- D. City Attorney - Robert E. Jones gave a brief update on the police takeover litigation where Sunset Hills is one of twelve cities and two individual plaintiffs challenging the St. Louis county ordinance. The oral arguments are scheduled for April 15. Cross motions have been filed by the cities and by St. Louis County. It will be decided as a matter of law and bring the litigation to a close.

Alderman Musich asked Mr. Jones to notify the Board about the conclusion of the proceedings and if the City could have it up on the website immediately following the report.

- E. City Engineer - Bryson Baker reported the department's new administrative assistant Sarina Cape has started. We are now fully staff since Bob Riggs left in November.

- F. Director of Parks & Recreation - Gerald Brown reported on some flood updates, the athletic complex should be cleared by Thursday and Ameren will be out to turn on power. Mini HaHa Park will be open by March 15.
- G. Treasurer/Collector – Michael Sawicki stated reports have been circulated and that he will be working with Accounting Manager Bill Lehmann to obtain year to date budget figures in order to enhance the next report.

COMMITTEE REPORTS

FINANCE COMMITTEE – Alderman Fribis stated the Finance Committee met on February 22th, 2016 at 5:30 pm. Mr. Bill Lehmann the new City's accounting manager was introduced, he's a CPA with 30 years' experience. Bryson Baker provided an update on property buyouts from the flood. There are 7 property owners, if the City agrees to participate in the buyout the cost would be approximately \$210,000. This combination amount would be from the City, property owners and county funds. The City will be notified by fall of 2016 if SEMA decides that the City is eligible.

IPM Administrative Consultant, Robert Heacock, followed up with Standard & Poors. Prior to December 2016, the last review was performed on August 17, 2012. Mr. Heacock will continue to work on follow-up items related to the report. Mr. Heacock also contacted Gilmore and Bell who stated the rating down grade will not impact the City. Mr. Heacock asked for their assistance with filing required continuing disclosure reports relating the City's outstanding debt. There will be a recommendation to the Board of Alderman to retain Gilmore and Bell at an annual retainer of \$1,000 and a onetime \$1,000 for a five year look back on city reports.

Mr. Heacock and Mr. Lehmann have been in touch with Tyler Technologies regarding the new finance software for the City and are working on implementation schedule.

Mr. Heacock suggested that Bill Lehman and Lori Stone be authorized to sign off with US Bank when assets are sold and a settlement process takes place.

Mr. Lehmann is reviewing the existing internal controls on the credit cards used for City purchases. A report will be submitted to finance committee.

Mr. Heacock indicated that in the 2016 budget the administration staff were not included in the incentive pay merit program and recommended that the four employees each receive a onetime payment of \$855.96. The Finance Committee supported the recommendation.

Mr. Heacock reported that the workers compensation insurance trust cost for workers compensation insurance decrease of 14% which equates to \$14,000 less than the previous year. Because the budget reflected a potential increase in that cost the City will realize a total savings of approximately \$24,000. Alderman Fribis commended the safety committee, which is comprised of members of all the departments, for staying focused on safety training.

Mr. Heacock met with a representative from an insurance group called SLATE which the City can potentially join once the City Administrator is hired. This group joins together to purchase insurance at a savings and is comprised of St. Louis area cities that have a City Administrator.

Alderman Fribis reported that Section 2-241 under article 9 of the City Code was handed out regarding the formation of the finance committee and their duties. Alderman Fribis asked Mr. Heacock to do this to insure that the Committee is fulfilling its obligations and responsibilities. A calendar with the topics of the committee for each month was also distributed to add or delete items for the next meeting.

The next finance meeting will be held on March 28, 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 spoke on the upcoming activities: indoor flea market on March 12 from 8-2, electronic recycling on third Thursday of each month from 12-6 at Watson Trail Park, Annual Easter egg hunt on March 27, 1pm at Watson Trail Park, first adult Easter egg hunt on March 25 at 7pm and Earth Day, April 16, 9:30 to 1pm at the Community Center.

PERSONNEL COMMITTEE – Alderman Baebler had previously left the meeting.

POLICE ADVISORY BOARD - Alderman Bersche reported on the police vehicle replacement. Alderman Bersche is asking for approval for the Police Department to order three 2016 Ford police utility interceptors. This was approved by the Police Advisory Board in September 2015 and also in the fiscal year of 2016 budget approved by the Board of Alderman in December of 2015 and will not exceed the budgeted amount of \$75,246.00.

A motion was made by Alderman Gau to approve the purchase of the three police vehicles. Alderman Krueger seconded the motion and it was unanimously approved.

PUBLIC WORKS COMMITTEE – Alderman Musich stated the committee met March 3, 2016 in the Public Works conference room at 6:00 pm. There was a discussion regarding the purchase of some needed equipment including a one ton double cab pickup truck. The bid price is \$44,928.00 through Missouri State Bid Program and the budgeted amount was \$50,000.

Alderman Musich made a motion to purchase the one ton truck. Alderman Fribis seconded the motion and it was unanimously approved.

Alderman Musich stated the second piece of equipment discussed was a dump truck priced at \$68,631.00, which is over budget amount of \$65,000. However the trade in value of the dump truck the City's is replacing is \$12,000 so the total net cost would be under budget for this item.

Alderman Musich made the motion to accept the bid of \$68,631.00 for the dump truck. Alderman Ernst seconded the motion and it was unanimously approved.

Alderman Musich gave a recap of discussions at the Public Works meeting; a city campus landscape contract, the company the City has been using since 2008 has re-contacted the City regarding this work and will be discussed again at next month's Public Works meeting. Security locks features for both sides of the City Hall building and also possible major lobby enhancements along with redesigning and improvements in the City auditorium. These issues

are still under consideration and will be discussed again at the upcoming Public Works meeting on April 7.

Alderman Musich also indicated that there is a public hearing on March 17 at 6pm, regarding E. Watson sidewalk projects.

WEBSITE COMMITTEE – Alderman Baebler previously left the meeting.

New Business

**Bill No. 50- An ordinance approving an amended development plan for SOL Spaces LLC to add a vestibule to the existing building on the property at 12970 Maurer Industrial Drive.
FIRST READING**

Alderman Ernest read Bill No. 50 for a first reading. Alderman Krueger made a motion to suspend the rules. Alderman Gau seconded the motion.

Roll Call Vote:

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

There being 7 AYE votes and 0 Nay votes, the motion passed.

Alderman Ernst proceeded to read Bill No. 50 for a second time when Mr. Baker noted that the address for Bill No. 50 was incorrect. Alderman Ernst re-read Bill No. 50 again by title only with correct address of 12970 Maurer Industrial Drive, first reading.

Alderman Gau made a motion to suspend the rules in order to read the bill a second time. Alderman Krueger seconded the motion.

Roll Call Vote:

Alderman Gau	Aye
Alderman Bersche	Aye
Alderman Musich	Aye
Alderman Krueger	Aye
Alderman Kostial	Aye

Alderman Ernst	Aye
Alderman Fribis	Aye

There being 7 Aye and 0 Nay votes, the motion passed.

Alderman Ernst read Bill No. 50 for a second time. Alderman Krueger made a motion to approve Bill No. 50. Alderman Gau seconded the motion.

Roll Call Vote:

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

There being 7 Aye and 0 Nay votes, the motion passed.

Alderman Musich declared Bill No. 50 becomes Ordinance #2002.

Before Bill No. 51 was read, questions were raised regarding several amendments to Bill No. 51 because of road conditions during construction.

Bill No. 51- An ordinance granting an amended conditional use permit to Mo Mellow Holdings, LLC for operation of a restaurant at 3811 S. Lindbergh Blvd. and 12408 Maret Drive. FIRST READING

Alderman Gau read Bill No. 51 for a first reading. Alderman Gau made a motion to amend Section 3a to strike/scratch everything after the (and/or), leaving just the fence. Alderman Fribis seconded the motion and motion unanimously passed.

Alderman Gau made a motion to amend Bill No. 51 Sub paragraph b of Section 3 the permittee is encourage Mo Mellow Holdings, LLC to restore Chrisann Lane to the condition of the roadway prior to construction. Alderman Ernst seconded motion and motion unanimously passed.

Alderman Gau made a motion to suspend the rules and read Amended Bill No. 51 for a second time as amended. Alderman Krueger seconded the motion.

Roll Call Vote:

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

There being 7 Aye votes and 0 Nay votes the motion passed.

Alderman Gau read Bill No. 51 as amended for a second time. Alderman Gau made a motion to approve Bill No. 51. Alderman Krueger seconded the motion.

Roll Call Vote:

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

There being 7 Aye votes and 0 Nay votes the motion passed.

Alderman Musich declared Bill No. 51 becomes ordinance #2003.

Bill No. 52- An ordinance regarding open and honest government through online transparency to public information and documents. FIRST READING

Alderman Fribis read Bill No. 52 for a first reading.

Bill No. 53- An ordinance authorizing the City of Sunset Hills to execute a contract retaining special legal counsel for the limited purpose of providing advice and direction with respect to bond and investment compliance standards. FIRST READING

Alderman Bersche read Bill No. 53 for a first reading.

Resolution No. 376- A resolution declaring Parks Department surplus property and authorizing the sale of such property.

Alderman Kostial read Resolution No. 376. Motion to approve Resolution No. 376 made by Alderman Gau and seconded by Alderman Ernst and motion was unanimously approved.

Resolution No. 377-A resolution declaring Police Department surplus property and authorizing the sale of such property.

Alderman Krueger read Resolution No. 377. Motion to approve Resolution No. 377 made by Alderman Gau and seconded by Alderman Fribis and motion unanimously approved.

Resolution No. 378-A resolution approving The JW Terrill Proposal for renewal of workers compensation and employers liability insurance coverages for the City of Sunset Hills.

Alderman Ernst read Resolution No. 378. Motion to Approve Resolution No. 378 made by Alderman Gau and seconded it by Alderman Fribis and motion unanimously approved.

Alderman Musich proclaim the month of April as "Arbor Month".

Alderman Musich read the proclamation.

REQUESTS TO BE HEARD (NON-AGENDA)

Dan Werner, 9104 Rott Road stated the review of the Comprehensive Plan will be next week, would like residents to attend. Mr. Werner had concerns regarding the spending of what he thought was \$100,000 on an out-of-town company doing this plan and we can't even help our residents during a time of crisis.

Eric Thias 13 Roosevelt Drive stated his concerns about Bill 53 spending money to retain additional legal counsels and outside specialized contractors for the City of Sunset Hills.

Alderman Kostial questioned whether the citizens are fully aware of who the City has consulting contracts with, their start dates and end dates and the cost.

Alderman Fribis reiterated that in the report that she gave out that the \$1,000.00 for Gilmore and Bell was very minimal for this service. Mr. Jones stated the contracts are open to public scrutiny and if anyone has a question in the community this information is available at City Hall.

Mr. Baker also stated that any contract with the City comes before the Board so it's voted on and becomes public record.

INVOICES TO BE APPROVED

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

APPOINTMENTS

a) Casey Wong-Personnel Committee to replace Robert Beumer. Alderman Musich made a motion to approve the above appointment. Alderman Kostial seconded the motion, and it was unanimously approved.

b) Kelly Snyder-Police Advisory Board to replace Christy Jaeger. Alderman Fribis made a motion to approve the above appointment. Alderman Bersche seconded the motion, and it was unanimously approved.

Mr. Wong stated he looks forward to be working on the personnel committee and being involved with the board in the hiring of the new city administrator. Mr. Wong requested a second reading on Bill No. 52, since the residents want this on-line transparency.

Alderman Musich asked for a motion to suspend the rule on Bill No. 52. Alderman Fribis made the motion to suspend the rule on Bill No. 52 and it was seconded by Alderman Bersche.

Roll Call Vote:

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

There being 7 Aye votes and 0 Nay votes, the motion passed.

Alderman Bersche read Bill No. 52 for a second time. Alderman Ernst made a motion to approve Bill No. 52. Alderman Bersche seconded the motion.

Roll Call Vote:

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

There being 7 Aye votes and 0 Nay votes, the motion passed.

Alderman Musich declared Bill No. 52 to become ordinance #2004.

Mayor Furrer stated during his term as mayor, He decided to appoint some new people. He appointed them based on the right people doing a fair and honest job for the City. He is very proud of the people he brought in.

A MOTION TO HOLD A CLOSED MEETING

Alderman Krueger made a motion to hold a closed meeting with closed votes and records immediately after adjournment of the March 22, 2016, April 12, 2016 and April 26, 2016 meetings. Alderman Ernst made a motion to approve and Alderman Fribis seconded the motion, and the members voted:

Roll Call Vote:

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

There being 7 AYE votes and 0 NAY votes, the motion passed.

ANNOUNCEMENTS

Mr. Baker acknowledged the Boy Scouts in attendance tonight.

Mr. Jones reminded the board the meeting of March 22, 2016 has the City Administrator process scheduled and encouraged Board members with any additional topics to get them to the staff. Certification from the election will not be available by April 12th so Mr. Jones indicated that the Board may wish to cancel the meeting. This has been done historically.

Mr. Heacock recognized Lori Stone for her 20 years of service.

Mr. Warner reminded everyone that Thursday, March 10, is a questions and answer session for the mayoral candidates.

ADJOURNMENT

Alderman Gau made a motion to adjourn at 8:36 PM. Alderman Krueger seconded the motion, and it was unanimously approved.

Recording Secretary

Dede Hendricks