

BILL NO. 52

ORDINANCE NO. 2004

AN ORDINANCE REGARDING OPEN AND HONEST GOVERNMENT THROUGH ONLINE TRANSPARENCY TO PUBLIC INFORMATION AND DOCUMENTS

WHEREAS, the Board of Aldermen of the City of Sunset Hills, Missouri, recognizes that it is the public policy of the State of Missouri that access by all persons to public records promotes the transparency and accountability of public bodies at all levels of government. It is a legal obligation of elected officials and government officers, personnel, and employees to comply with the Missouri Sunshine Law, Chapter 610 et. Seq. RSMo. To promote basic principles of democracy and the fundamental philosophy of the American constitutional form of government, all persons are entitled to access to the public records mandated by the Sunshine Law regarding the affairs of government and the official acts and policies of those who represent them as public officials.

Timely, convenient, and complete access is necessary to enable the people to fulfill their duties of discussing public issues fully and freely, making informed political judgments, and monitoring government to ensure that it is being conducted in the public interest. The Board of Aldermen believes it important that through this Ordinance, public records can, should, and will be made available online so that the people have complete and prompt access to the same information as its elected officials, appointed officials and employees. Accordingly, this Ordinance is intended to proactively and promptly make available public records prepared and maintained by the City in its normal course of business operations.

THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF SUNSET HILLS, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section 1. Contact information. For all elected officials, department heads, committee members appointed officials and employees. the name, position or title, phone number, and email address shall be posted online under the general directory as well as any appropriate department or committee sections that an individual participates on as a member.

Section 2. Public governmental bodies. As used in this Ordinance, definitions of “public governmental body,” “public record” and “public meeting” shall be as set forth in Section 610.010, RSMo. (a) Agendas and board/committee packets (including all exhibits or attachments that are public records) shall be posted online at least 24 hours prior to the public meeting of a public governmental body. (b) Unofficial minutes for such public meetings shall be posted online as soon as possible after the public meeting. Official or approved versions of public meeting minutes shall be posted online as soon as possible after the public meeting in which the minutes were approved. (c) Ordinances and resolutions (with all exhibits or attachments) passed, adopted, or approved shall be posted online as soon as possible after passage, adoption, or approval.

Section 3. Budgets, Expenditures, and Audits. (a) Detailed budgets for the City and all departments shall be posted online after approval. (b) Third-party expenditures via bill list or

check register as well as annual, total expenditures to each vendor shall be posted online. (c) Audited comprehensive annual financial reports shall be posted online as soon as possible, but no later than nine months after the close of the City's fiscal year.

Documents posted online pursuant to this Ordinance may be in a searchable, downloadable format, and the documents shall remain available online for as long as reasonably feasible but in no case less than five years.

This Ordinance shall take effect on May 1, 2016.

PASSED THIS 8th DAY OF March, 2016.



MAYOR

APPROVED THIS 8th DAY OF March, 2016.



MAYOR

ATTEST: 

DEPUTY CITY CLERK



BILL NO.51
ORDINANCE NO. 2003

AN ORDINANCE GRANTING AN AMENDED CONDITIONAL USE PERMIT TO MO MELLOW HOLDINGS, LLC FOR OPERATION OF A RESTAURANT AT 3811 S. LINDBERGH BOULEVARD AND 12408 MARET DRIVE.

WHEREAS, a petition was received from MO Mellow Holdings, LLC for an amended conditional use permit for a restaurant at 3811 S. Lindbergh Boulevard and 12408 Maret Drive; and

WHEREAS, said petition was duly referred to the Planning and Zoning Commission for its investigation and report; and

WHEREAS, public notice of a meeting of the Planning and Zoning Commission upon said petition was posted according to law and ordinance; and

WHEREAS, a meeting was held before the Planning and Zoning Commission on February 3, 2016, upon said petition; and

WHEREAS, the Planning and Zoning Commission has submitted its report recommending approval to the Board of Aldermen; and

WHEREAS, a public hearing was scheduled before the Board of Aldermen on March 8, 2016 in accordance with the Zoning Regulations, Appendix B of the Code of Ordinances.

Based on the entire record of this application, being the evidence presented at the public hearing and the exhibits submitted at such hearing, the Board of Aldermen of the City of Sunset Hills makes the following findings of fact and conclusions of law:

FINDINGS OF FACT

1. The proposed site is zoned "C-1" Commercial.
2. The Amended Conditional Use Permit Application requests the right to operate a restaurant in a building at 3811 S. Lindbergh Boulevard and 12408 Maret Drive.
3. The Planning and Zoning Commission has recommended that the Amended Conditional Use Permit be approved.
4. The provisions of Appendix B-Zoning Regulations of the Code of Ordinances, Sec. 7.3 require the Board of Aldermen to determine after hearing whether or not such conditional use will:

- (A) Substantially increase traffic hazards or congestion
- (B) Substantially increase fire hazards.
- (C) Adversely affect the character of the neighborhood.
- (D) Adversely affect the general welfare of the community.
- (E) Overtax public utilities
- (F) Conflict with standards contained in Subsections 7.3-2 and 7.3-3
- (G) Conflict with the goals and objectives or proposed land use in the

Comprehensive Plan.

In this regard, the Board of Alderman finds that the proposed conditional use will not:

- (A) SUBSTANTIALLY INCREASE TRAFFIC HAZARDS OR
CONGESTION
- (B) SUBSTANTIALLY INCREASE FIRE HAZARDS.
- (C) ADVERSELY AFFECT THE CHARACTER OF THE
NEIGHBORHOOD.
- (D) ADVERSELY AFFECT THE GENERAL WELFARE OF THE
COMMUNITY.
- (E) OVERTAX PUBLIC UTILITIES
- (F) CONFLICT WITH STANDARDS CONTAINED IN SUBSECTIONS
7.3-2 AND 7.3-3 OF THE CODE OR ORDINANCES.
- (G) CONFLICT WITH THE GOALS AND OBJECTIVES OR PROPOSED
LAND USE IN THE COMPREHENSIVE PLAN.

CONCLUSIONS OF LAW

The Board of Aldermen concludes that, based upon the facts found herein and the findings of the Board that the standards for the issuance of Conditional Use permits as set forth in Sec. 7.3 of the Zoning Regulations Code of Ordinances are not violated, an Amended Conditional Use Permit shall issue to Petitioner herein as requested.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF SUNSET HILLS, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section 1. An amended conditional use permit, subject to the conditions hereinafter specifically set forth, is hereby granted to MO Mellow Holdings, LLC, to use the premises in the City of Sunset Hills, Missouri, known as 3811 S. Lindbergh Boulevard and 12408 Maret Drive for operation of a restaurant, as is made and provided for in the zoning regulations, Appendix B of the Code of Ordinances.

Section 2. The amended conditional use permit hereby issued, and referred to in Section 1, is issued to the named permittee only and shall not be assigned or transferred, except by permission of the City of Sunset Hills in accordance with Section 7.4-5.

Section 3. The amended conditional use permit hereby issued and referred to in Section 1, shall be valid only if the following conditions are observed by permittee:

a: Permittee shall install along Maret Drive a six foot tall privacy fence for a distance of approximately 150 feet.

b: Permittee is encouraged to restore Chrisann Lane to the condition of the roadway prior to construction.

Section 4. This Ordinance shall take effect and be in full force from and after its passage and approval.

PASSED this 8th day of March, 2016. _____ *Mark*
MAYOR

APPROVED this 8th day of March, 2016. _____ *Mark*
MAYOR

ATTEST: _____ *Gon'el Stone*
DEPUTY CITY CLERK



BILL NO. 50

ORDINANCE NO. 2002

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.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF SUNSET HILLS, MISSOURI, AS FOLLOWS:

Section 1: A Development Plan was previously approved by the Board of Aldermen for a building at 3811 S. Lindbergh Boulevard.

Section 2: A public hearing upon the petition of Sol Spaces, LLC for an Amended Development Plan to add a vestibule to the existing building was held on March 8, 2016 before the Board of Aldermen of the City of Sunset Hills.

Section 3: The Amended Development Plan submitted by Sol Spaces, LLC to add a vestibule to the existing building at 12970 Maurer Industrial Drive is hereby approved. The Petitioner shall not be required to construct a masonry dumpster enclosure.

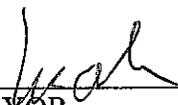
Section 4: This ordinance shall take effect immediately upon its passage and approval.

PASSED THIS 8th DAY OF March, 2016.



MAYOR

APPROVED THIS 8th DAY OF March, 2016.



MAYOR

ATTEST


DEPUTY CITY CLERK



BILL NO. 49
ORDINANCE NO. 2001

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.

WHEREAS, Petitioner has heretofore filed an application for an Amended Conditional Use Permit for a classroom and parking lot renovations and additions to the existing school at 11660 Eddie and Park Road. The application was considered by the Planning and Zoning Commission of the City of Sunset Hills, and its report and recommendation for approval has been presented to the Board of Aldermen. Thereafter, a public hearing was scheduled in accordance with the provisions of the Zoning Regulations, Appendix B of the Code of Ordinances, before the Board of Aldermen, and evidence was presented at such hearing held on February 9, 2016.

Based on the entire record of this application, being the evidence presented at the public hearing and the exhibits submitted at such hearing, the Board of Aldermen of the City of Sunset Hills makes the following findings of fact and conclusions of law.

FINDINGS OF FACT

1. The proposed site is zoned "R-4" Single Family Residential.
2. The Amended Conditional Use Permit Application requests the right to construct classroom and parking lot renovations and additions to the existing school at 11660 Eddie and Park Road.
3. The Planning and Zoning Commission has recommended that the Amended Conditional Use Permit be approved.

4. The provisions of Appendix B-Zoning Regulations of the Code of Ordinances, Sec. 7.3 require the Board of Aldermen to determine after hearing whether or not such conditional use will:

- (A) Substantially increase traffic hazards or congestion.
- (B) Substantially increase fire hazards.
- (C) Adversely affect the character of the neighborhood.
- (D) Adversely affect the general welfare of the community.
- (E) Overtax public utilities.
- (F) Conflict with standards contained in Subsections 7.3-2 and 7.3-3
- (G) Conflict with the goals and objectives or proposed land use in the Comprehensive

Plan.

In this regard, it is the finding of the Board that:

(A) THE PROPOSED CONDITIONAL USE WILL NOT SUBSTANTIALLY INCREASE TRAFFIC HAZARDS OR CONGESTION.

(B) THE PROPOSED CONDITIONAL USE WILL NOT SUBSTANTIALLY INCREASE FIRE HAZARDS.

(C) THE PROPOSED CONDITIONAL USE WILL NOT ADVERSELY AFFECT THE CHARACTER OF THE NEIGHBORHOOD.

(D) THE PROPOSED CONDITIONAL USE WILL NOT ADVERSELY AFFECT THE GENERAL WELFARE OF THE COMMUNITY.

(E) THE PROPOSED CONDITIONAL USE WILL NOT OVERTAX PUBLIC UTILITIES.

(F) THE PROPOSED CONDITIONAL USE WILL NOT CONFLICT WITH STANDARDS CONTAINED IN SUBSECTIONS 7.3-2 AND 7.3-3.

(G) THE PROPOSED CONDITIONAL USE WILL NOT CONFLICT WITH THE GOALS AND OBJECTIVES OR PROPOSED LAND USE IN THE COMPREHENSIVE PLAN.

CONCLUSIONS OF LAW

The Board of Aldermen concludes that, based upon the facts found herein and the findings of the Board that the standards for the issuance of Conditional Use Permits as set forth in Sec. 7.3 of the Zoning Regulations-Code of Ordinances are not violated, an Amended Conditional Use Permit shall issue to Petitioner herein as requested, subject to the following conditions, to-wit:

None.

PASSED this 8th day of March, 2016. *Mark*
MAYOR

APPROVED this 8th day of March, 2016. *Mark*
MAYOR

ATTEST: *Jon A Stone*
DEPUTY CITY CLERK



ORDINANCE NO. 2000

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES WITH RESPECT TO
ACCEPTANCE OF PRIVATE STREETS FOR CITY MAINTENANCE**

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF SUNSET HILLS, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section 1. Appendix A, Section 2 of the Code of Ordinances of the City of Sunset Hills shall be amended by adding the following as a new subsection 2.4 thereto:

2.4 Procedure for acceptance of private streets for public maintenance: The following procedures shall be followed in order to present an application to the Board of Aldermen for acceptance of private streets for maintenance by the City of Sunset Hills, Missouri (“City”):

(a) The adjacent property owners or their representative (“applicant”) shall submit an application to the Department of Public Works (“Department”) requesting that the City consider accepting a private street for maintenance by the City. If the subject street is within a subdivision that has a homeowners’ or property owners’ association, the application shall be joined or written by an authorized representative of the association board, and the application shall include any subdivision plat, indentures, declarations, bylaws, and any other governing documents applicable to the subdivision.

(b) The Director of Public Works shall present the application to the Public Works Committee. The Department shall review the condition of the subject street and document all of the Department’s concerns including but not limited to street condition, legal issues and ownership issues. The Department shall also prepare a non-compliance report of any deficiencies that do not comply with Sunset Hills street standards and codes. The Department shall further prepare a report regarding the annual maintenance costs to the City if the private street is accepted for public maintenance. The Department’s reports will be presented to the Public Works Committee and provided to the applicant.

(c) If the subject street is not fully compliant with all Sunset Hills street standards and codes, then the applicant shall submit detailed engineering plans which specify all necessary improvements required to cure any deficiency and bring the street into full compliance with City standards and codes. The proposed construction plan shall include a complete and accurate cost estimate for all proposed improvements and shall be certified by a licensed and registered design

professional. Thereafter, the construction plans shall be reviewed by the Department to determine whether the application and plans are complete and will cure the deficiencies.

(d) The application, construction plans, and Department reports shall be submitted to the Public Works Committee, then to the Planning and Zoning Commission for review, evaluation, and a recommendation for approval. The applicant shall meet with the Public Works Committee and Planning and Zoning Commission and jointly collaborate in an attempt to resolve all outstanding issues relating to street standards. The Public Works Committee shall provide a recommendation to the Planning and Zoning Commission in favor of or against approval of the application. The Planning and Zoning Commission shall provide a recommendation to the Board of Aldermen in favor of or against approval of the application.

(e) The recommendations of the Public Works Committee and the Planning and Zoning Commission together with the application, construction plans, and all Department reports shall be presented to the Board of Aldermen for consideration. The Board shall consider, among other factors, who benefits from accepting the private street for public maintenance, the annual costs to the City, and any compelling public interest in accepting the private street. The City shall not accept any private street that does not allow public access.

(f) The Board of Aldermen shall vote on whether to accept the private street(s) for public maintenance and the Board's acceptance is conditional upon the timely construction of improvements to raise the street(s) to City street standards and code. The recommendations of the Public Works Committee and the Planning and Zoning Commission shall not be binding upon the Board of Aldermen. Construction shall begin within three months of conditional Board acceptance and shall be completed within one year without penalty unless expressly approved otherwise. The applicant is responsible for ensuring that construction is timely and properly completed, as agreed, in order to raise the street to City standards and codes. The applicant is responsible for all costs including but not limited to the costs of inspection, construction plans, and construction.

(g) Upon the Director of Public Works certifying that the subject street is fully compliant with City standards and codes, the Director will so inform the Board of Aldermen. Thereafter, the Board's acceptance will no longer be conditional and the private street shall be deemed accepted by the City for public maintenance.

Section 2. All ordinances or parts of ordinances in conflict herewith are to the extent of such conflict repealed.

Section 3. This Ordinance shall take effect and be in full force from and after its passage and approval.

PASSED THIS 23rd DAY OF February, 2016.

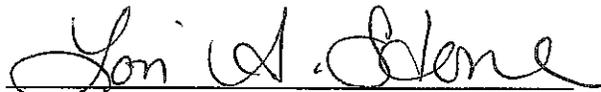


MAYOR

APPROVED THIS 23rd DAY OF February, 2016.



MAYOR

ATTEST: 

DEPUTY CITY CLERK



BILL NO. 47

ORDINANCE NO. 1999

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. D/B/A SERVICE LINE WARRANTIES OF AMERICA FOR SEWER LINE, WATER LINE AND IN-HOME PLUMBING WARRANTIES

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF SUNSET HILLS, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section 1. The Mayor of the City of Sunset Hills, Missouri, is hereby authorized to execute the Agreement attached hereto with Utility Service Partners Private Label, Inc. D/B/A Service Line Warranties of America for sewer line, water line and in-home plumbing warranties.

Section 2. All ordinances or parts of ordinances in conflict herewith are to the extent of such conflict repealed.

Section 3. This Ordinance shall take effect and be in full force from and after its passage and approval.

PASSED THIS 9th DAY OF February, 2016.

[Signature]
MAYOR

APPROVED THIS 9th DAY OF February, 2016.

[Signature]
MAYOR

ATTEST:

[Signature]
DEPUTY CITY CLERK

