

BILL NO. 9

ORDINANCE NO. 2010

AN ORDINANCE OF THE CITY OF SUNSET HILLS, MISSOURI, AUTHORIZING AND DIRECTING THE DEPARTMENT OF REVENUE TO CONTINUE APPLICATION AND COLLECTION OF THE LOCAL SALES TAX ON THE TITLING OF MOTOR VEHICLES, TRAILERS, BOATS, AND OUTBOARD MOTORS THAT WERE PURCHASED FROM A SOURCE OTHER THAN A LICENSED MISSOURI DEALER

WHEREAS, the City under the provisions of Section 32.087 RSMo did submit to the qualified voters of the City the question of continuing the application of the local sales tax to the titling of motor vehicles, trailers, boats, and outboard motors that were purchased from a source other than a licensed Missouri dealer, which the voters approved;

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

Section 1. Pursuant to the provisions of Sections 32.087 RSMo, the Board of Aldermen for the City of Sunset Hills does hereby continue application of the local sales tax to the titling of motor vehicles, trailers, boats, and outboard motors that are subject to state sales tax under section 144.020 and purchased from a source other than a licensed Missouri dealer to the voters.

Section 2. The local sales tax shall continue to apply to the titling of motor vehicles, trailers, boats, and outboard motors that were purchased from a source other than a licensed Missouri dealer.

Section 3. The City Clerk shall forward to the Director of Revenue of the State of Missouri by United States registered mail or certified mail, a certified copy of this ordinance.

Section 4. This Ordinance shall take effect immediately upon passage and approval.

PASSED THIS 10th DAY OF May, 2016.

Patricia A. Frelis
MAYOR

APPROVED THIS 10th DAY OF May, 2016.

Patricia A. Frelis
MAYOR

ATTEST:

Jon A. Olson
DEPUTY CITY CLERK



BILL NO. 8
ORDINANCE NO. 2009

AN ORDINANCE GRANTING AN AMENDED CONDITIONAL USE PERMIT TO MISSOURI AMERICAN WATER COMPANY FOR A WALKWAY TO THE LAGOON AND A TORNADO SHELTER FOR THE DISTRIBUTIVE BUILDING AT 12710 WEBER HILL ROAD.

WHEREAS, a petition was received from Missouri American Water Company for a walkway to the lagoon and a tornado shelter for the distributive building at 12710 Weber Hill Road; 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 April 6, 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 May 10, 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 "R-1" Single Family Residential.
2. The Amended Conditional Use Permit Application requests the right to construct a walkway to the lagoon and a tornado shelter for the distributive building at 12710 Weber Hill 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, 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 Missouri American Water Company, to use the premises in the City of Sunset Hills, Missouri, known as 12710 Weber Hill Road for construction of a walkway to the lagoon and a tornado shelter for the distributive building, as is made and provided for in the zoning regulations, Appendix B of the Code of Ordinances.

Section 2. The 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 conditional use permit hereby issued and referred to in Section 1, shall be valid only if the following conditions are observed by permittee:

None.

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

PASSED this 10th day of May, 2016. Patricia A. Frulis
MAYOR

APPROVED this 10th day of May, 2016. Patricia A. Frulis
MAYOR

ATTEST: Lon A. Stone
DEPUTY CITY CLERK



BILL NO. 4

ORDINANCE NO. 2008

AN ORDINANCE OF THE CITY OF SUNSET HILLS MISSOURI AUTHORIZING THE NOTIFICATION OF NEW ELECTRIC CUSTOMERS FOR THE PURPOSE OF OCCUPANCY PERMIT UPDATES.

Whereas, Ameren Missouri has the capability of notifying the City when there are successors of existing utility service by residential or non-residential customers, and

Whereas, this information is very useful for updating occupancy records for code enforcement purposes,

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

Section 1: For any month when there is a change of user of residential or non-residential electric service within the City, Ameren Missouri shall notify the City of Sunset Hills in writing within seven (7) working days after the end of the month of said changes, indicating the address and apartment or unit number, and the name(s) whose name service is connected or billed.

Section 2: Ameren Missouri shall submit annually to the City an invoice for its cost associated with this ordinance. The initial cost of this service shall not exceed \$150. Future price increase, if any, will only reflect the actual cost incurred by Ameren Missouri to provide this service. The City shall pay to Ameren Missouri the amount of the invoice within thirty (30) days of receipt.

Section 3: This Ordinance shall be in full force and effect and after its passage and approval by the Mayor.

PASSED THIS 26th DAY OF April, 2016.

Patricia Frelus
MAYOR

APPROVED THIS 26th DAY OF April, 2016.

Patricia Frelus
MAYOR

ATTEST:

Jon W. Stone
DEPUTY CITY CLERK



BILL NO. 3

ORDINANCE NO. 2007

**AN ORDINANCE APPROVING THE RECORD PLAT OF THE PROPERTY AT 12529,
12537 AND 12541 MARET DRIVE**

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

Section 1. The Record Plat designated P-11-16 submitted by Gabe DuBois is hereby approved.

Approval of this ordinance is specifically conditioned upon establishment and posting of a bond in an amount to be determined by the Director of Public Works securing installation and completion of improvements.

Section 2. This Ordinance shall take effect immediately upon passage and approval.

PASSED THIS 26th DAY OF April, 2016.

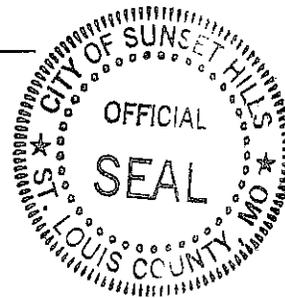
Patricia Frulis
MAYOR

APPROVED THIS 26th DAY OF April, 2016.

Patricia Frulis
MAYOR

ATTEST:

Janice A. Stone
DEPUTY CITY CLERK



BILL NO. 1
ORDINANCE NO. 2006

AN ORDINANCE GRANTING AN AMENDED CONDITIONAL USE PERMIT TO ALLOW HOME DEPOT TO UTILIZE 44 PARKING SPACES, THE SIDEWALK DIRECTLY IN FRONT OF LAWN AND GARDEN, THE AREA IN FRONT OF THE BUILDING FROM THE WEST CORNER OF THE GARDEN CENTER TO THE EAST CORNER WITH A 6 FOOT WALKWAY AND THE AREA ALONG THE SIDE OF THE BUILDING, AT 10890 SUNSET PLAZA, FOR SALES DISPLAY.

WHEREAS, Petitioner has heretofore filed an application for an Amended Conditional Use Permit to operate business at Sunset Plaza. 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 April 28, 2015.

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 "PD-BC" Planned District.
2. The Amended Conditional Use Permit Application requests the right to operate the business at Sunset Plaza.
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:

a) Petitioner may utilize 44 parking spaces, the sidewalk directly in front of lawn and garden, the area in front of the building from the west corner of the garden center to the east corner with a 6 foot walkway and the area along the side of the building, at Sunset Plaza, for sales display.

b) This permit will begin on March 1, 2016 and will expire on November 1, 2016. However, if the footprint of the area described in paragraph a) above does not change, this permit shall also be valid from March 1, 2017 to November 1, 2017 and from March 1, 2018 to November 1, 2018

PASSED this 26th day of April, 2016. Patricia Grubis
MAYOR

APPROVED this 26th day of April, 2016. Patricia Grubis
MAYOR

ATTEST: Don W. Stone
DEPUTY CITY CLERK



BILL NO. 53

ORDINANCE NO. 2005

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 DISCLOSURE COMPLIANCE STANDARDS AND FILINGS.

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

WHEREAS, the Board of Aldermen ("Board") of the City of Sunset Hills, State of Missouri ("City") finds and declares that there is reason to believe that it needs legal representation with respect to disclosure compliance standards and preparation and filing of any audited financial statements or operating data required by the Disclosure Agreements with respect to the Bonds for the fiscal years that ended December 31, 2010, 2011, 2012, 2013 or 2014; and

WHEREAS, the Board finds and declares that its City Attorney is not in a position to render optimal advice and direction in this matter and it is in the best interests of all concerned, including but not limited to the taxpayers and residents of the City, that the City engage special counsel for advice and direction in this matter; and

WHEREAS, Gilmore & Bell, P.C. is a firm comprised of experienced bond counsel who are qualified to render expert legal advice and such attorneys have been retained by other cities as well as Sunset Hills for such services in the past.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD AS FOLLOWS:

Section 1. Gilmore & Bell, P.C., is hereby retained as Special Counsel to the City of Sunset Hills to render advice and direction to its Board with respect to disclosure compliance standards and preparation and filing of any audited financial statements or operating data required by the Disclosure Agreements with respect to the Bonds for the fiscal years that ended December 31, 2010, 2011, 2012, 2013 or 2014. The Mayor is hereby authorized to execute the retention agreement with Special Counsel attached hereto.

Section 2. Special Counsel shall receive a flat fee of \$1,000.00 annually for their legal services in connection with disclosure compliance standards and a one-time fee of \$1000.00 for preparation and filing of any audited financial statements or operating data required by the Disclosure Agreements with respect to the Bonds for the fiscal years that ended December 31, 2010, 2011, 2012, 2013 or 2014.

Section 3. This Ordinance shall be in full force and effect from and after its passage by the Board and approval by the Mayor. Any ordinances inconsistent with this Ordinance are hereby repealed.

PASSED THIS 26th DAY OF April, 2016.

Patricia Frelus
MAYOR

APPROVED THIS 26th DAY OF April, 2016.

Patricia Frelus
MAYOR

ATTEST: Yonice A. Stone
DEPUTY CITY CLERK

