

MINUTES OF THE REGULAR MEETING
OF THE BOARD OF ALDERMEN
OF THE CITY OF SUNSET HILLS MISSOURI
HELD ON FEBRUARY 8, 2022

BE IT REMEMBERED that that the Board of Aldermen of the City of Sunset Hills, Missouri met in regular session via Zoom on Tuesday February 8, 2022. The meeting convened at 6:01 p.m.

The meeting began with the reciting of the Pledge of Allegiance.

ROLL CALL:

Patricia Fribis	-Mayor
Ann McMunn	-Alderman Ward I
Joe Stewart	-Alderman Ward I
Casey Wong	-Alderman Ward II
Christine Lieber	-Alderman Ward II
Cathy Friedmann	-Alderman Ward III
Randal Epperson	-Alderman Ward III
Thompson Price	-Alderman Ward IV
Fred Daues	-Alderman Ward IV
Brittany Gillett	-City Administrator
Susanna Messmer	-Finance Director
Bryson Baker	-City Engineer
Gerald Brown	-Director of Parks & Recreation
Stephen Dodge	-Chief of Police
Jim Hetlage	-City Attorney

APPROVAL OF THE AGENDA:

Alderman Epperson made a motion to approve the agenda as listed. Alderman Stewart seconded the motion and it was unanimously approved.

APPROVAL OF MINUTES:

Alderman Daues made a motion to accept the minutes as read for the January 11, 2022 regular and closed session meetings and the January 25, 2022 work session meeting. Alderman Epperson seconded the motion and it was unanimously approved.

PROCLAMATION:

Mayor Fribis read the proclamation honoring Rodney Stecher.

CONSENT AGENDA:

- a. Bills to be approved
- b. Request from Laumeier Sculpture Park for City sponsorship of the annual Art Fair May 6-8, 2022, temporary signage, and one way traffic on Rott Road during the event.

Alderman McMunn made a motion to approve the consent agenda. Alderman Daues seconded the motion and it was unanimously approved.

PUBLIC HEARING:

Public Hearing: The Board will consider a petition for a Change of Zoning from R-1 Single Family Residential - 1-acre minimum lot size to R-2 Single Family Residential - 20,000 Square foot minimum lot size submitted by Whalen Custom Homes for a Single-Family Residential Development at 13270 Maple Drive.

Public Hearing: The Board will consider a petition for a Change of Zoning from R-2 Single Family Residential - 20,000 Square foot minimum lot size to PD-R Planned Development - Residential submitted by Whalen Custom Homes for a Single-Family Residential Development at 13270 Maple Drive.

Public Hearing: The Board will consider a petition for a Preliminary Development Plan submitted by Whalen Custom Homes for a Single-Family Residential Development at 13270 Maple Drive.

Mr. Mike Whalen spoke on the meetings they held with the surrounding neighbors in reference to their questions and concerns with the proposed development. He stated they made several major changes to the plans submitted and felt like all major issues previously brought up were addressed. Mr. Whalen stated he felt they did everything they could do to appease the residents and make the project a quality development.

Alderman Daues asked Mr. Whalen if there were any major issues left to resolve. Mr. Whalen stated the major issues had been addressed.

Alderman Daues asked about the private street issue with construction trucks entering and leaving the development. Mr. Whalen stated he negotiated agreements with the respective HOA's for ongoing maintenance. He stated they would fix anything that was damaged by their construction.

Resident Rich Gau spoke on how Mr. Whalen had worked very hard to make the residents happy. He stated he felt there was a need for the documentation outlining the issues Mr. Whalen addressed.

Mayor Fribis asked Mr. Whalen if the protest petition had been withdrawn. Mr. Whalen stated he did not know at this point in time. Ms. Gillett confirmed it had not been withdrawn.

Mr. Stephens spoke on working through some of the residual issues.

Mayor Fribis closed the Whalen public hearings.

Public Hearing: The Board will consider a petition for a Minor Subdivision, submitted by George and Diane Winter to divide the property at 10332 Winter Estates Drive.

Mr. Baker reviewed the petition for a minor subdivision. He explained both parcels would meet all the requirements for the R-1 district. He stated the petition was recommended for approval by the Planning & Zoning Commission.

Alderman Daues asked about the need for a septic system and why they were not hooking up to MSD. Mr. Baker explained MSD gives approval for homes not needing to be hooked onto the sewer system, and that many times it has to do with the distance to their lines.

Mayor Fribis closed the public hearing.

Public Hearing: The Board will consider a petition for an Amended Development Plan, submitted by LC Restaurant, LLC to add a second drive-through lane to an existing restaurant at 10765 Sunset Hills Plaza.

John Schebaum spoke on behalf of Lion's Choice. He explained they wanted to add a second drive thru.

Mayor Fribis closed the public hearing.

Public Hearing: The Board will consider a petition for an Amended Development Plan, submitted by Grant Mechlin, for the redevelopment of property at 3600 South Lindbergh Boulevard.

Mr. Grant Mechlin with Sansone Group spoke on the proposed development. Mr. Mechlin spoke to the progress made on the project thus far. Bass Pro signed their lease, plans were close to completion, and the goal was to be fully under construction in March with a completion date in September and then open for business in November.

Mr. Mechlin spoke to the changes made to the original development plan. He reviewed the Watson Road access site plans that were presented to MoDOT. He explained it would take time to get the access, but the developer was willing to work with the City to put together an escrow which would go towards the design once it was approved. He explained it still had to run through a process with MoDOT. Mr. Mechlin further explained the concept was included but not as condition on the development plan.

Mr. Mechlin then spoke to the proposed changes to the entrance on Lindbergh.

Alderman Lieber spoke in reference to a resident-submitted concept drawing for the access that she had forwarded to the Mayor and Board for review. She explained it was the Board's goal to get the project under way, however she stated the traffic and safety issues needed to be cleared up.

Mayor Fribis asked the engineers to speak to the validity of the drawings submitted.

Discussion ensued between Mayor Fribis and Alderman Lieber on the name of the resident engineer who submitted the drawings.

Dustin Riechmann spoke in reference to the traffic engineering drawings submitted.

Mr. Gau stated that the developer had responded to everything P&Z asked for and thanked Mr. Mechlin for their work.

Alderman Epperson asked if there was a possibility to remove approximately 10 parking spots to enable the lane to be widened.

Mr. Mechlin explained they had to keep the spots they had due to the existing tight parking. Mr. Riechmann, Traffic Engineer, explained there was ample stacking room in the proposal. He then went over the unintended safety consequences of removing those spots.

There was discussion on the existing electric pole and transformer re-location.

Mr. Riechmann stated the site plan accommodated large trucks and he did not see the need for additional lanes. He referenced the unintended safety consequences that could arise from these changes.

There was discussion on the Watson Road access. Mr. Mechlin stated if the Board didn't feel the project was worthwhile without the Watson Road access stipulation in the plan, then there would most likely not be a project.

Ms. Gillett read an email from MoDOT in reference to moving forward with the project and that the proposed traffic layout was acceptable.

Mr. Rich Gau, resident, spoke in favor of the development.

Tom Jowett with Bass Pro Shops spoke to Board and stated they were very excited to become part of Sunset Hills. He stated he was aware the access was critically important to the development. He stated they intended to be good neighbors. He re-iterated it was critically important to move this project along in order to meet deadlines for opening in November.

Mr. Kornfeld with Sansone Group stated how excited they were to bring Bass Pro into the City. He stated it was a great group effort.

Alderman Wong discussed construction hours and how that would affect abutting residential properties. He also touched on operating hours and how they may affect residents. Mr. Jowett explained the store would most likely parallel the hours at the St. Charles store. There was discussion on the operating hours.

Mayor Fribis closed the public hearing

PUBLIC COMMENT:

Mayor Fribis read the public comments submitted.

1. Kirk Syberg of 12422 Alswell Lane spoke in favor of the Bass Pro shop development.

OLD BUSINESS:

None

CITY OFFICIAL AND COMMITTEE REPORTS:

City Clerk/City Administrator, Brittany Gillett stated there would be another UDO work session on February 22 and she thanked the PW street crew for the great job clearing the streets

Director of Finance, Susanna Messmer stated she, Ms. Gillett and Mr. Trentmann made up the investment committee and they had transferred 1.5 million dollars to laddered maturities.

Chief of Police, Stephen Dodge stated he had nothing to report in addition to the items on the agenda for approval.

City Attorney, Jim Hetlage stated nothing to report.

City Engineer, Bryson Baker thanked the PW road crew and also the Parks crew for helping fill in for some covid staff shortages. He explained they put down 185 tons of salt and drive over a thousand miles during the winter storm event.

Director of Parks & Recreation, Gerald Brown stated the Parks Board directed him to look into revising the Tree manual and asked how the Board felt about moving forward with that. The Board

COMMITTEE REPORTS:

Finance Committee -Alderman Stewart stated nothing to report.

Economic Development Committee – Aldermen Price stated nothing to report.

Parks & Recreation Commission – Alderman Wong stated they had a successful sweetheart dance, day camp registration started Monday Feb 7, rentals would open on February 21 as well as the driving range.

Police Advisory Board – Alderman Epperson stated there was a meeting on January 26. They discussed retro-fitting of existing police cars with new lights and sirens. He also stated the Vehicle tampering ordinance as well as the joint Grant were on the agenda for review.

Public Works Committee – Alderman Friedmann stated there was a meeting on the 3rd and that they discussed the new A/V equipment out for bid and stated they were still investigating the salt dome retaining wall repair issues.

NEW BUSINESS:

Bill No. 29- An Ordinance of the City of Sunset Hills, Missouri providing for the rezoning of 10.41 acres, more or less, from R-1 Single Family Residential to R-2 Single Family Residential located at 13270 Maple Drive, Sunset Hills, Missouri, owned by ABM Holdings, LLC and matters related thereto, as per application p-21-21

FIRST READING

Alderman Daues read Bill No. 29 for a first reading.

Bill No. 30 - An Ordinance of the City of Sunset Hills, Missouri providing for the rezoning of 10.41 acres, more or less, from R-2 Single Family Residential to PD-R Planned Development- Residential located at 13270 Maple Drive, Sunset Hills, Missouri, owned by ABM Holdings, LLC and matters related thereto, as per application p-22-21

FIRST READING

Alderman Price read Bill No. 30 for a first reading.

Alderman Wong asked the Board if they had any comments on the information discussed earlier on this development.

Alderman Stewart stated he felt the developer had made huge progress meeting the needs of the residents

Bill No. 31- An Ordinance of the City of Sunset Hills, Missouri providing for the approval of a Preliminary Development Plan for 10.41 acres, more or less, located at 13270 Maple Drive, Sunset Hills, Missouri, owned by ABM Holdings, LLC and matters related thereto, as per application p-23-21

FIRST READING

Alderman Epperson read Bill No. 31 for a first reading

Bill No. 37- An Ordinance of the City of Sunset Hills, Missouri, providing for the Minor Subdivision of property owned by George and Diane Winter consisting of 6.0 acres, more or less, located at 10332 Winter Estates Drive, Sunset Hills, Missouri, into two residential lots and matters related thereto, as per application P-01-22

FIRST READING

Alderman Friedmann read Bill No. 37 for a first reading.

Alderman Wong read Bill no. 39 for a first reading. There was discussion that Bill No. 38 was inadvertently skipped.

Mayor Fribis asked Alderman Lieber to read Bill No. 38.

Bill No. 38 – An Ordinance of the City of Sunset Hills, Missouri, providing for the approval of an Amended Development Plan for a parcel of property, containing 1.12 acres, more or less, located at 10765 Sunset Hills Plaza, Sunset Hills, Missouri, owned by Sunset Hills Owner LLC and matters related thereto, as per application P-02-22

FIRST READING

***Petitioner has requested a second reading**

Alderman Lieber read Bill No. 38 for a first reading.

Alderman McMunn made a motion to suspend the rules and read Bill No. 38 for a second reading.
Alderman Epperson seconded the motion.

ROLL CALL VOTE:

Vote: Passed (Summary Yes=8)

Alderman McMunn, Alderman Stewart, Alderman Wong, Alderman Lieber, Alderman Friedmann, Alderman Epperson, Alderman Price, Alderman Daues

Alderman Lieber read Bill No. 38 for a second reading.
Alderman Epperson made a motion to approve Bill No. 38.
Alderman Stewart seconded the motion.

ROLL CALL VOTE:

Vote: Passed (Summary Yes=8)

Alderman McMunn, Alderman Stewart, Alderman Wong, Alderman Lieber, Alderman Friedmann, Alderman Epperson, Alderman Price, Alderman Daues

Mayor Fribis declared Bill No. 38 to become Ordinance # 2232.

**Bill No. 39 – An Ordinance of the City of Sunset Hills, Missouri, providing for the approval of an Amended Development Plan for a parcel of property containing 8.51 acres, more or less, located at 3600 South Lindbergh Boulevard, Sunset Hills, Missouri, owned by Sunset Hills Owner LLC and matters related thereto, as per application P-03-22
FIRST READING**

Alderman McMunn read Bill No. 39 for a first reading.
Alderman Price made a motion to suspend the rules and read Bill No. 39 for a second reading.
Motion failed due to no second.

**Bill No. 40- An Ordinance amending Section 17-17 of Chapter 17 of the Code of Ordinances of the City of Sunset Hills with respect to tampering with motor vehicles
FIRST READING**

Alderman Stewart read Bill No. 40 for a first reading.
Alderman Epperson stated he was concerned with the Ordinance verbiage and wanted additional discussion.
Attorney Hetlage explained the reasoning for the wording of the Ordinance. Lengthy discussion ensued.
Alderman Stewart made a motion to suspend the rules and read Bill 40 for a second reading.
Alderman Price seconded the motion.

ROLL CALL VOTE:

Vote: Passed (Summary Yes=7, No =1)

Aye: Alderman McMunn, Alderman Stewart, Alderman Lieber, Alderman Friedmann, Alderman Epperson, Alderman Price, Alderman Daues
Nay: Alderman Wong

Motion Failed

Lengthy discussion was held on the content and use of the proposed ordinance.

**Bill No. 41- An Ordinance electing to participate in the Show Me Green Sales Tax Holiday
FIRST READING**

***Staff has requested a Second Reading**

Alderman Daues read Bill No. 41 for a first reading.

Alderman Price made a motion to suspend the rules and read Bill 41 for a second reading.
Alderman Daues seconded the motion.

ROLL CALL VOTE:

Vote: Passed (Summary Yes=8)

Alderman McMunn, Alderman Stewart, Alderman Wong, Alderman Lieber, Alderman Friedmann, Alderman Epperson, Alderman Price, Alderman Daues

Alderman Daues read Bill No. 41 for a second reading.
Alderman McMunn made a motion to approve Bill No. 41.
Alderman Price seconded the motion.

ROLL CALL VOTE:

Vote: Passed/Failed (Summary Yes=8)

Alderman McMunn, Alderman Stewart, Alderman Wong, Alderman Lieber, Alderman Friedmann, Alderman Epperson, Alderman Price, Alderman Daues

Mayor Fribis declared Bill No. 41 to become Ordinance # 2233.

Resolution No. 601- A Resolution approving a contract with Axon Enterprise, Inc. and authorizing the Mayor and/or City Administrator to execute the same on behalf of the City of Sunset Hills

Alderman Price read Resolution No. 601
Alderman Price made a motion to approve Resolution No. 601.
Alderman McMunn seconded the motion and it was unanimously approved.

Resolution No. 602- A Resolution approving an agreement of St. Louis County, Missouri, to approve City of Sunset Hills Police Department, Missouri and City of Crestwood Police Department, Missouri submitting an application to the Missouri 911 Service Board's 911 Financial Assistance program and entry into a project agreement

Alderman Epperson read Resolution No. 602
Alderman Epperson made a motion to approve Resolution No. 602.
Alderman Price seconded the motion and it was unanimously approved.

Resolution No. 603 – A Resolution approving a contract with Bates Electric and authorizing the Mayor and/or City Administrator to execute the same on behalf of the City of Sunset Hills

Alderman Friedmann read Resolution No. 603
Alderman Price made a motion to approve Resolution No. 603.
Alderman Daues seconded the motion and it was unanimously approved.

Resolution No. 604 – A Resolution approving a contract with Ditch Witch and authorizing the Mayor and/or City Administrator to execute the same on behalf of the City of Sunset Hills

Alderman Stewart read Resolution No. 604
Alderman Stewart made a motion to approve Resolution No. 604.

Alderman Epperson asked why equipment was not shared with PW. Mr. Brown explained they need the same equipment at the same time of year. He further explained this would be used by the Parks almost daily during the active season. Alderman Friedmann asked where the equipment would be stored, Mr. Brown replied at Watson Trail Park.

Alderman Price seconded the motion and it was unanimously approved.

Resolution No. 605 – A Resolution approving a contract with All American Painting Company and authorizing the Mayor and/or City Administrator to execute the same on behalf of the City of Sunset Hills

Alderman Lieber read Resolution No. 605.
Alderman Wong made a motion to approve Resolution No. 605.
Alderman McMunn seconded the motion and it was unanimously approved.

Resolution No. 606- A Resolution declaring surplus property and authorizing the sale of such property

Alderman McMunn read Resolution No. 606.
Alderman McMunn made a motion to approve Resolution No. 606.
Alderman Stewart seconded the motion and it was unanimously approved.

Resolution No 607- A Resolution approving a contract with Bates Electric Inc. and authorizing the Mayor and/or City Administrator to execute the same on behalf of the City of Sunset Hills

Alderman Stewart read Resolution No. 607.
Alderman Stewart made a motion to approve Resolution No. 607.
Alderman Price seconded the motion and it was unanimously approved.

Resolution No. 608- A Resolution approving a contract with Pat Kelly Equipment Co., Inc. and authorizing the Mayor and/or City Administrator to execute the same on behalf of the City of Sunset Hills

Alderman Daues read Resolution No. 608.

Alderman Epperson asked why the City did not go with a bid that was lower that did not fit specs. Mr. Baker asked Attorney Hetlage if the City would have to re-bid to change the contract. There was discussion on the bid process and requirement. Attorney Hetlage replied the item should go out for re-bid if the City wanted to go with a different vendor.

Alderman Epperson made a motion for the air compressor to go out for re-bid.
Alderman McMunn seconded the motion and it was unanimously approved

APPOINTMENTS:

None

GENERAL DISCUSSION:

Alderman Wong made a motion to amend the approved minutes from December 14, 2021 to reflect his vote on Bill No. 20 as a nay. Alderman McMunn seconded the motion.

Alderman Stewart stated he felt the issue should be held over to the next month in order for the Board to review the audio before voting to change the record. Alderman Price stated he agreed with Alderman Stewart and that it should be reviewed prior to voting.

The motion passed 5 aye votes to 3 nay votes.

Aye: Alderman McMunn, Alderman Wong, Alderman Lieber, Alderman Friedmann, Alderman Daues

Nay: Alderman Stewart, Alderman Price, Alderman Epperson

Alderman Friedmann made a motion to direct the City Administrator and Finance Director, who are board members of the Shoppes at Sunset Hills CID, to advise Aldermen of any meetings of the Board of the CID as soon as they are posted.

Alderman Daues seconded the motion.

Alderman McMunn asked if the information would be posted on the website. Alderman Friedmann stated that was going to be her second motion.

The motion passed unanimously.

Alderman Friedmann made a motion to add a Shoppes at Sunset Hills CID section to the agenda and minutes portion of the website.

Alderman Daues seconded the motion and it was unanimously approved.

Alderman Friedmann stated the Missouri CID statute allowed for the City to be reimbursed for expenses incurred.

Alderman Wong asked if the CID was charging sales tax. Ms. Gillett stated they wouldn't do that until the actual project was developed. Alderman Friedmann asked if they had a budget yet. Ms. Gillett stated she had not seen a budget yet.

Alderman Friedmann made a motion to direct the City Administrator and/or Finance Director to maintain records of expenses incurred to review the CID annual budgets and reports for purposes of seeking reimbursement of the expenses from the CID.

Alderman McMunn seconded the motion and it was unanimously approved.

REQUEST TO MEET IN CLOSED SESSION PURSUANT TO 610.21 (1) TO DISCUSS LEGAL MATTERS:

Alderman Epperson made a motion to go into closed session. Alderman Stewart seconded the motion.

ROLL CALL VOTE:

Vote: Passed (Summary Yes= 8)

Alderman McMunn, Alderman Stewart, Alderman Wong, Alderman Lieber, Alderman Friedmann, Alderman Epperson, Alderman Price, Alderman Daues

The Board went into closed session at 9:10 p.m.

The Board reconvened in open session at 10:57 p.m.

ADJOURNMENT:

Alderman Epperson made a motion to adjourn the meeting. Alderman Stewart seconded the motion and it was unanimously approved.

Meeting adjourned at 10:57 p.m.

Deputy City Clerk
Lori Stone