

MINUTES OF THE REGULAR MEETING  
OF THE BOARD OF ALDERMEN  
OF THE CITY OF SUNSET HILLS MISSOURI  
HELD ON FEBRUARY 14, 2023

BE IT REMEMBERED that that the Board of Aldermen of the City of Sunset Hills, Missouri met in regular session in the Robert C. Jones Auditorium at City Hall, 3939 S. Lindbergh Boulevard and via Zoom on Tuesday February 14, 2023. The meeting convened at 6:00 p.m.

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

**ROLL CALL:**

Patricia Fribis	-Mayor
Ann McMunn	-Alderman Ward I
Brian Fernandez	-Alderman Ward I
Christine Lieber	-Alderman Ward II
Cathy Friedmann	-Alderman Ward III
Randal Epperson	-Alderman Ward III
Lindsay Hof	-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
Erin Seele	-City Attorney

Absent: Casey Wong -Alderman Ward II

**APPROVAL OF THE AGENDA:**

Alderman Epperson made a motion to approve the agenda with the removal of Bills 47 and 48. Alderman McMunn seconded the motion and it was unanimously approved.

**APPROVAL OF MINUTES:**

Alderman McMunn made a motion to approve the minutes as read for the January 10, 2023 regular and closed session meetings and the January 20, 2023 and February 1, 2023 special and closed session meetings. Alderman Hof seconded the motion and it was unanimously approved.

**EMPLOYEE SERVICE AWARDS:**

Chief Dodge presented Officer Ryan Dupree with the Officer of the Year award and thanked him for his outstanding service.

**CONSENT AGENDA:**

- a) Bills to be approved.
- b) Request by Home Depot for annual outdoor storage of trees and bushes.

c) Swank Motion Pictures request for special event Company Luncheon on April 26, 2023 at 10795 Watson Road

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

**PRESENTATIONS:**

a) Whalen Custom Homes

Mr. Mike Whalen thanked the Board for the extension to obtain the HOA signatures. He requested an additional week to ensure all criteria was met. Mr. Baker stated he felt 30 days was a good extension.

Alderman Daues made a motion to extend the 60-day deadline for filing the plat an additional 30 days from February 14, 2023. Alderman McMunn seconded the motion and it was unanimously approved.

b) 12354 and 12360 Gravois Redevelopment

Mr. Steve Maurer gave his presentation on the proposed 14-unit development. He stated he felt the development addressed the need of young professional residents as well as older residents looking to downsize and have less maintenance. Mr. Maurer stated he would own the property and rent the units out.

There was lengthy discussion on the demand for this type of development. The Board suggested Mr. Maurer hold a meeting with the residents impacted. Mr. Maurer stated he would do that.

Resident Paul Haupt of 11 Kennerly Manor Drive stepped forward and stated he was opposed to the development as presented.

Mr. Maurer thanked the Board for their consideration.

**PUBLIC HEARING:**

**The Board will consider a Petition for a Minor Subdivision, submitted by Gateway Christian Ministries, for the property at 4610 South Lindbergh Boulevard.**

Mr. Nathan Panke stated they would like to subdivide the property so the existing house could remain residential.

**The Board will consider a Petition for a Text Amendment, submitted by the City of Sunset Hills, to amend section 3, (District Regulations) and Appendix A, (Planned Developments) of the Unified Development Ordinance.**

Mr. Baker explained the text amendment was for the UDO and was intended to clarify the Zoning districts where new planned developments were allowed.

**The Board will consider a Text Amendment, submitted by the City of Sunset Hills, to amend Section 10, (Appeals and Variances) of the Unified Development Ordinance.**

Mr. Baker explained the changes were to the criteria for Board of Adjustment when granting and denying variances. He explained it gave flexibility to the variance process.

**The Board will consider a Petition for a Text Amendment, submitted by the City of Sunset Hills, to amend Section 3, (District Regulations) and Section 5.11 (Medical Marijuana) of the Unified Development Ordinance.**

Ms. Gillett explained the text amendment allowed the City to come into compliance with Amendment 3.

**The Board will consider a petition for a Conditional Use permit submitted by Randy Green and Innovated Companies, for the development of a Motor Vehicle Oriented business (Gas Station and Convenience Store) at 12852 Maurer Industrial Drive.**

**The Board will consider a petition for an Amended Development Plan submitted by Randy Green and Innovated Companies, for the development of a Motor Vehicle Oriented business (Gas Station and Convenience Store) at 12852 Maurer Industrial Drive.**

Mayor Fribis stated both items for Randy Green and Innovated Companies had been postponed at the request of the petitioner.

**PUBLIC COMMENT:**

Mayor Fribis read the public comments submitted.

Kim Sigurdson of 3 Kennerly Manor Drive stated she and her husband were against the development proposed by Mr. Maurer.

**Old Business:**

**Bill No 40- An Ordinance amending the procedures for the second reading of a Bill at the same meeting  
SECOND READING**

Alderman Epperson read Bill No. 40 for a second reading.  
Alderman Epperson made a motion to approve Bill No. 40.  
Alderman Lieber seconded the motion.

**ROLL CALL VOTE:**

**Vote: Passed** (Summary Yes=5, No =2)

Aye: Alderman Fernandez, Alderman Lieber, Alderman Epperson, Alderman Hof, Alderman Daues

Nay: Alderman McMunn, Alderman Friedmann

Absent: Alderman Wong

Mayor Fribis declared Bill No. 40 to become Ordinance # 2273.

**CITY OFFICIAL AND COMMITTEE REPORTS:**

City Clerk/City Administrator, Brittany Gillett stated nothing to report

Director of Finance, Susanna Messmer stated they were working on closing the 2022 year and preparing for the audit which will be the week of April 17<sup>th</sup>.

Chief of Police, Stephen Dodge stated the PD had participated in the Polar Plunge at Lake St. Louis this year. He stated they had 11 participants and raised \$4,000.00 which was the sixth highest out of 50 teams. Chief thanked everyone for their support.

City Attorney, Erin Seele stated the Legislative session was currently underway and they were watching a Bill that would amend the current Sunshine Law as well as several others that would impact the City.

City Engineer, Bryson Baker stated American Eagle had some billing issues that were caused by their recent rate changes but that they were being taken care of. Mr. Baker also stated the concrete slab bids came back with good pricing due to going out for bid early. He explained the same was true for the crack sealing. Both projects were on the agenda for approval.

Director of Parks & Recreation, Gerald Brown stated they held a town meeting for the Lynstone Park improvements. He stated staff was very busy conducting tree inventory at the Claire Gempp Davidson Park.

### **COMMITTEE REPORTS:**

Finance Committee -Alderman Fernandez stated the Committee met on January 30<sup>th</sup>. He stated there was discussion on diversifying investments, and that the item on the agenda was for an increase in Commercial Paper. He also explained the audit would be with the same firm used previously.

Economic Development Committee – Alderman Hof stated January 23, 2023 was the first meeting of the year and explained the new definitions for the committee to operate under were on the agenda for approval. Alderman Hof stated March 27, 2023 was the next meeting and would be held via Zoom. She reminded everyone that the Committee meets bi-monthly on the fourth Monday of the month.

Parks & Recreation Commission – Alderman Wong. No report.

Police Advisory Board – Alderman Epperson stated the Board met on February 7, 2023. Alderman Epperson stated there were three items for consideration; budget adjustment for equipment, and benefits package adjustments.

Public Works Committee – Alderman Friedmann stated nothing to report.

### **NEW BUSINESS:**

#### **Bill No 41 – An Ordinance amending the Investment Policy for the City of Sunset Hills FIRST READING**

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

Alderman Daues made a motion to suspend the rules and read Bill No. 41 for a second reading. Alderman Epperson seconded the motion.

#### **ROLL CALL VOTE:**

**Vote: Passed** (Summary Yes=7)

Alderman McMunn, Alderman Fernandez, Alderman Lieber, Alderman Friedmann, Alderman Epperson, Alderman Hof, Alderman Daues

Absent: Alderman Wong

Alderman Fernandez read Bill No. 41 for a second reading.

Alderman Epperson made a motion to approve Bill No. 41.

Alderman Hof seconded the motion.

#### **ROLL CALL VOTE:**

**Vote: Passed** (Summary Yes=7)

Alderman McMunn, Alderman Fernandez, Alderman Lieber, Alderman Friedmann, Alderman Epperson, Alderman Hof, Alderman Daues

Absent: Alderman Wong

Mayor Fribis declared Bill No. 41 to become Ordinance # 2274.

**Bill No. 42- An Ordinance amending Chapter 2, Article VII of the Code of Ordinances regarding the general responsibilities of the Business Development Committee  
FIRST READING**

Alderman McMunn read Bill No. 42 for a first reading.

Alderman Epperson made a motion to suspend the rules and read Bill No. 42 for a second reading.  
Alderman McMunn seconded the motion.

**ROLL CALL VOTE:**

**Vote: Passed** (Summary Yes=7)

Alderman McMunn, Alderman Fernandez, Alderman Lieber, Alderman Friedmann, Alderman Epperson, Alderman Hof, Alderman Daues

Absent: Alderman Wong

Alderman McMunn read Bill No. 42 for a second reading.  
Alderman McMunn made a motion to approve Bill No. 42.  
Alderman Epperson seconded the motion.

**ROLL CALL VOTE:**

**Vote: Passed** (Summary Yes=7)

Alderman McMunn, Alderman Fernandez, Alderman Lieber, Alderman Friedmann, Alderman Epperson, Alderman Hof, Alderman Daues

Absent: Alderman Wong

Mayor Fribis declared Bill No. 42 to become Ordinance # 2275.

**Bill No. 43- An Ordinance approving a Minor Subdivision Plat for 4610 South Lindbergh Boulevard  
FIRST READING**

Alderman Lieber read Bill No. 43 for a first reading.

**Bill No. 44- An Ordinance amending Section 3 and Appendix A of the Unified Development Ordinance of the City of Sunset Hills, Missouri relating to Planned Developments  
FIRST READING**

Alderman Epperson read Bill No. 44 for a first reading.

Lengthy discussion was had on why the amendment was being made and if it would be burdensome to staff.

**Bill No. 45- An Ordinance amending Section 10 of the Unified Development Ordinance of the City of Sunset Hills, Missouri relating to duties of the Board of Adjustment, Appeals and variances  
FIRST READING**

Alderman Friedmann read Bill No. 45 for a first reading.

Alderman Epperson made a motion to suspend the rules and read Bill No. 45 for a second reading.  
Alderman Daues seconded the motion.

**ROLL CALL VOTE:**

**Vote: Failed** (Summary Yes=6, No =1)

Alderman McMunn, Alderman Fernandez, Alderman Lieber, Alderman Epperson, Alderman Hof, Alderman Daues  
Nay: Alderman Friedmann

Absent: Alderman Wong

**Bill No. 46- An Ordinance amending various sections of the Unified Development Ordinance of the City of Sunset Hills, Missouri relating to Marijuana land uses in compliance with Amendment 3 to the Missouri Constitution  
FIRST READING**

Alderman Daues read Bill No. 46 for a first reading.

City Attorney Seele explained it was staff's intent to include the verbiage to allow recreational sales within the Local Commercial and General Commercial zoning areas.

Alderman McMunn made a motion to include Local Commercial and General Commercial zoning areas for recreational sales.

Alderman Daues seconded the motion and it was unanimously approved.

**Bill No. 47- An Ordinance granting a Conditional Use Permit to Randy Green for a change of use at 12852 Maurer Industrial Drive to authorize a Motor Vehicle Oriented business, per application P-19-22  
\*Postponed**

**Bill No. 48 An Ordinance approving an Amended Development Plan for construction of a Gas Station and Convenience Store at 12852 Maurer Industrial Drive  
\*Postponed**

**Bill No. 49- An Ordinance amending various sections of Chapter 16, Miscellaneous Offenses and Provisions, of the Code of Ordinances in compliance with Amendment 3 to the Missouri Constitution  
FIRST READING**

Alderman Hof read Bill No. 49 for a first reading.

Alderman McMunn made a motion to suspend the rules and read Bill No. 49 for a second reading.  
Alderman Epperson seconded the motion.

**ROLL CALL VOTE:**

**Vote: Passed** (Summary Yes=7)

Alderman McMunn, Alderman Fernandez, Alderman Lieber, Alderman Friedmann, Alderman Epperson, Alderman Hof, Alderman Daues

Absent: Alderman Wong

Alderman Hof read Bill No. 49 for a second reading.

Alderman McMunn made a motion to approve Bill No. 49.

Alderman Hof seconded the motion.

**ROLL CALL VOTE:**

**Vote: Passed** (Summary Yes=7)

Alderman McMunn, Alderman Fernandez, Alderman Wong, Alderman Lieber, Alderman Friedmann, Alderman Epperson, Alderman Hof, Alderman Daues

Absent: Alderman Wong

Mayor Fribis declared Bill No. 49 to become Ordinance # 2276.

**Resolution No. 659- A Resolution approving a contract with Groundworks Contracting Inc. and authorizing the Mayor and City Administrator to execute the same on behalf of the City of Sunset Hills**

Alderman Fernandez read Resolution No. 659.

Alderman McMunn made a motion to approve Resolution No. 659.  
Alderman Epperson seconded the motion and it was unanimously approved.

**Resolution No. 660- A Resolution approving a contract with Sikich LLP and authorizing the Mayor and City Administrator to execute the same on behalf of the City of Sunset Hills**

Alderman McMunn read Resolution No. 660.  
Alderman McMunn made a motion to approve Resolution No. 660.  
Alderman Daues seconded the motion and it was unanimously approved.

**Resolution No. 661- A Resolution amending the City of Sunset Hills Personnel Policy Manual**

Alderman Lieber read Resolution No. 661.  
Alderman Lieber made a motion to approve Resolution No. 661.  
Alderman Epperson seconded the motion and it was unanimously approved.

**Resolution No. 662- A Resolution approving a contract for the purchase of a 2021 C1500 Chevrolet Silverado and authorizing the Mayor and City Administrator to execute the same on behalf of the City of Sunset Hills**

Alderman Epperson read Resolution No. 662.  
Alderman Epperson made a motion to approve Resolution No. 662.  
Alderman Lieber seconded the motion and it was unanimously approved.

**Resolution No. 663- A Resolution approving the replacement of Water Heaters in the Sunset Hills Community Center at 3915 S. Lindbergh Boulevard and authorizing the Mayor and City Administrator to execute the same on behalf of the City of Sunset Hills**

Alderman Friedmann read Resolution No. 663.  
Alderman Epperson made a motion to approve Resolution No. 663.  
Alderman Daues seconded the motion and it was unanimously approved.

**Resolution No. 664- A Resolution declaring surplus property and authorizing the sale of such property on Gov.Deals website**

Alderman Daues read Resolution No. 664.  
Alderman Daues made a motion to approve Resolution No. 664.  
Alderman McMunn seconded the motion and it was unanimously approved.

**Resolution No. 665- A Resolution declaring Surplus property and authorizing the sale of such property**

Alderman Hof read Resolution No. 665.  
Alderman McMunn made a motion to approve Resolution No. 665.  
Alderman Hof seconded the motion and it was unanimously approved.

**Resolution No 666- A Resolution approving a contract with LNB Studio and authorizing the Mayor and City Administrator to execute the same on behalf of the City of Sunset Hills**

Alderman Fernandez read Resolution No. 666.

Alderman Hof made a motion to approve Resolution No. 666.  
Alderman McMunn seconded the motion and it was unanimously approved.

**Resolution No. 667- A Resolution approving a contract for the purchase of a Turfco 1550 Tow Behind Top Dresser and authorizing the Mayor and City Administrator to execute the same on behalf of the City of Sunset Hills**

Alderman McMunn read Resolution No. 667.  
Alderman McMunn made a motion to approve Resolution No. 667.  
Alderman Hof seconded the motion and it was unanimously approved.

**Resolution No. 668- A Resolution approving a contract with Sweetens Concrete Services and authorizing the Mayor and City Administrator to execute the same on behalf of the City of Sunset Hills**

Alderman Epperson read Resolution No. 668.  
Alderman Epperson made a motion to approve Resolution No. 668.

Alderman Hof inquired about the previous issues with Sweetens completing their contract. for concrete slab replacement. Mr. Baker explained this type of project was handled by a separate division and Sweetens ensured him there would not be staffing issues. Mr. Baker stated Sweetens, even with the issues incurred on the last project, do work that is above and beyond what most of the other contractors do. He stated they were confident in Sweetens abilities to complete the concrete joint sealing project.

Alderman Daues seconded the motion and it was unanimously approved.

**APPOINTMENTS:**

None

**RE- APPOINTMENTS:**

- a) Todd Powers: Planning and Zoning Commission term to expire 02/01/2027
- b) Michael Hopfinger: Planning and Zoning Commission term to expire 02/01/2027

Alderman Epperson made a motion to postpone the re-appointments until interested residents could submit their forms. Alderman Daues seconded the motion and it was unanimously approved.

**GENERAL DISCUSSION:**

- a) Horizon Newsletter Articles

Lengthy discussion was had on whether or not to continue the Alderman columns in the newsletter. There was discussion on the issue of getting the columns submitted on time. Alderman Daues stated it should not be a burden on staff to obtain the columns and that if the Aldermen committed to doing them, they should be submitted in a timely fashion. The general consensus was to continue writing the columns. The deadline for submitting the articles for the newsletter was re-stated as the Friday after the Board meeting, Monday at the latest.

Alderman Hof discussed the previous Communications Audit that was voted down by the Board. She stated she felt that would have been very beneficial in reference to the newsletter discussion and many other topics impacting the residents.



The Board discussed whether or not there would be a second meeting in March. Ms. Gillett stated there was not historically a second meeting in March unless the Board had a different intent. She explained that the April meeting would be the fourth Tuesday of the month due to the Municipal election certifications.

Alderman Epperson asked about commercial vehicles being parked on City streets and stated he felt it needed to be re-visited with the high number of commercial vehicles parked in front of homes.

Alderman Epperson made a motion to direct staff to come back with options for amending the ordinance for commercial vehicle parking.

Alderman Friedmann seconded the motion and it was unanimously approved.

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

Alderman McMunn made a motion to go into closed session. Alderman Hof seconded the motion.

**ROLL CALL VOTE:**

**Vote: Passed** (Summary Yes=7)

Alderman McMunn, Alderman Fernandez, Alderman Lieber, Alderman Friedmann, Alderman Epperson, Alderman Hof, Alderman Daues

Absent: Alderman Wong

The Board went into closed session at 8:16 p.m.

The Board reconvened in open session at 10:16 p.m.

**ADJOURNMENT:**

Alderman Hof made a motion to adjourn the meeting. Alderman McMunn seconded the motion and it was unanimously approved.

Meeting adjourned at 10:16 p.m.

Deputy City Clerk  
Lori Stone