

MINUTES OF THE REGULAR MEETING
OF THE BOARD OF ALDERMEN
OF THE CITY OF SUNSET HILLS MISSOURI
HELD ON JUNE 13, 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 June 13, 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
Casey Wong	-Alderman Ward II
Marie Davis	-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

APPROVAL OF THE AGENDA:

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

APPROVAL OF MINUTES:

Alderman McMunn made a motion to approve the minutes as read for the May 9, 2023 regular and closed session meetings, the May 12, 2023 special and closed session meetings and the May 25, 2023 special meeting. Alderman Hof seconded the motion and it was unanimously approved.

PRESENTATION:

a) 4619 S. Lindbergh

Mr. Mark Doering of Doering Engineering and Mr. Brian Spear of Innovative Construction spoke on behalf of Ontime Express for the project at 4619 S. Lindbergh. Mr. Doering explained Ontime Express would be moving from the Crestwood location to this one and would also be offering shredding. He stated there were currently two entrances onto Sappington Barracks Road, one of which would be closed off. He also explained that they would be redoing all of the concrete work and that MODOT would be putting in a sidewalk. Mr. Spear explained they would be gating the Sappington Barracks entrance in the evening. Brief discussion on the traffic generated

from the business was had. It was explained that there would be 8-10 couriers and they would be dispatched from their homes. Staff would come to the location to pick up pay checks.

CONSENT AGENDA:

- a) Bills to be approved
- b) Renewal of existing annual liquor licenses
- c) Request for temporary liquor license
 1. Rockwell Beer Company 12580 Rott Road June 30, July 14 and August 4, 2023.
 2. Daiquiris on Demand 3915 S. Lindbergh Blvd June 16, 2023
 3. Tipsy Pony 12580 Rott Road June 23, July 21, August 18 and November 4, 2023
(Petitioner requested to be added to agenda on Tuesday morning as a request to be heard- copies were distributed to the Board for review)

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

PUBLIC HEARING:

The Board will consider a petition for a Lot Split, submitted by Anne Julius, to divide a 6.77 acre lot into a 5.77 acre lot and a 1 acre lot, at 9831 Sappington Road

Mark Doering spoke on the project and introduced Ms. Julius. Ms. Julius explained this was her family home and she was only splitting the lot so she could keep it and have the ability to build a new home.

The Board will consider a petition for a Text Amendment, submitted by the City of Sunset Hills, to amend section 7.4.1 of the Unified Development Ordinance, relating to Section 7, Commercial, Office, and/or Industrial Planned Development

Mr. Baker explained staff wanted the requirement codified as opposed to it just being policy.

The Board will consider a petition for a Text Amendment, submitted by the City of Sunset Hills, to amend Appendix A, Section 3 of the Code of Ordinances, and section 6.2.5 and 7.6 of the Unified Development Ordinance, relating to Improvement Guarantee Releases

Mr. Baker explained escrows were currently required and P&Z was required to release them. He stated staff is requesting authorization be given to the Director of Public Works with the oversight of the City Administrator. He explained this would allow the City to be in compliance with State Statutes.

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-LC(B) Planned Development-Limited Commercial submitted by Olga Despotis Perpetuities Trust, for the development of a motor vehicle oriented business at 12405, 12411, & 12417 West Watson Road

The Board will consider a petition for a Conditional Use Permit submitted by Olga Despotis Perpetuities Trust, for the development of a motor vehicle-oriented business at 12405, 12411, & 12417 West Watson Road

The Board will consider a petition for a Preliminary Development Plan submitted by Olga Despotis Perpetuities Trust, for the development of a motor vehicle oriented business at 12405, 12411, & 12417 West Watson Road

Mr. Jim Hall of Hall & Associates gave a presentation for the Despotis bank project. Mr. Hall explained the impact of additional traffic. He explained they moved the fence in and placed decorative shrubs at the request of the Planning Commission to make it decorative. There was discussion of building a WWII Veterans Memorial

monument between the two flag poles to be positioned at the front of the building. Additional discussion was had on the potential of a water feature also being installed for the run off basin.

PUBLIC COMMENT:

No comments were submitted.

Old Business:

**Bill No. 7- An Ordinance adding Public Safety Department under the Missouri Local Government Employees Retirement System
SECOND READING**

Alderman Daues read Bill No. 07 for a second reading.

Brief discussion was had on the pending state legislation making the same change.

Alderman Epperson made a motion to approve Bill No. 07.

Alderman Daues seconded the motion.

ROLL CALL VOTE:

Vote: **Passed** (Summary Yes=8)

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

Mayor Fribis declared Bill No. 07 to become Ordinance # 2297.

**Bill No. 8- An Ordinance granting a Conditional Use Permit to Collective Solutions, LLC for a new Wireless Telecommunications Facility at 109 Deane Court, Per application P-13-23
SECOND READING**

Alderman Hof read Bill No. 08 for a second reading.

Alderman Epperson made a motion to approve Bill No. 08.

Alderman Davis seconded the motion.

ROLL CALL VOTE:

Vote: **Failed** (Summary Yes=3, No =5)

Alderman Fernandez, Alderman Davis, Alderman Epperson

Nay: Alderman McMunn, Alderman Wong, Alderman Friedmann, Alderman Hof, Alderman Daues

CITY OFFICIAL AND COMMITTEE REPORTS:

City Clerk/City Administrator, Brittany Gillett reminded the Board that the newsletter article deadline was Friday.

Director of Finance, Susanna Messmer stated the Financial Statements were uploaded to the Transparency Portal.

Chief of Police, Stephen Dodge stated they had been in discussions with several South County municipalities in reference to creating an auto theft/break- in Task Force. He stated the Task Force be activated in waves to

follow the criminal activity. Chief Dodge stated there would be a Public Safety event in conjunction with the Parks day camp on June 21.

City Attorney, Erin Seele stated nothing to report.

City Engineer, Bryson Baker stated the P&Z Commission made the recommendation for the Board to send notice to the developer to complete the overlay of Maret Drive in 20 days or the City would commence enforcement and legal actions to complete the project and legal action to take monies of the contractor if not completed. The motion was passed by the Commission with a vote of 8 to zero.

Director of Parks & Recreation, Gerald Brown stated nothing to report.

COMMITTEE REPORTS:

Finance Committee -Alderman Fernandez stated the Finance Committee discussed different investments and are revisiting investment policies. He stated the City was earning more money on their cash than previously.

Economic Development Committee – Alderman Hof stated there was nothing to report as the May meeting was cancelled. She explained the next meeting would be July 24 at 6 pm via Zoom.

Parks & Recreation Commission – Alderman Wong stated the Markets & Music event would be on June 14 at 5:30 pm, The Pedestrian Bridge opening was scheduled for June 24 at 10 am in Emmenegger Park, and the triathlon would be held on June 25th. Alderman Wong stated the Stieren Bathroom completion, Athletic field parking lot and equipment installation would all be coming up in the next few months.

Police Advisory Board – Alderman Epperson stated the meeting was held on May 24, and the communications officer updated them on their work with the local business ABC123. He stated the Cops and Bobbers event location was still undecided and that there was discussion on the additional PD SUV expenses.

Public Works Committee – Alderman Friedmann stated the Eddie and Park sidewalk project would go out to bid in a month, one easement was still needed for the West Watson project and then they would ask MODOT for permission to go out for bid, and they were holding the authorization for Keely to start work until everything was lined out.

NEW BUSINESS:

Bill No. 12- An Ordinance amending Chapter 25, Taxation, to enact a new section to provide for no automatic adjustments pursuant to Section 393.275 RSMO

FIRST READING

***Staff has requested a second reading**

Alderman Epperson read Bill No. 12 for a first reading.

Alderman Epperson made a motion to suspend the rules and read Bill No. 12 for a second reading. Alderman McMunn seconded the motion.

ROLL CALL VOTE:

Vote: **Passed** (Summary Yes=8)

Alderman Davis, Alderman Friedmann, Alderman Epperson, Alderman Hof, Alderman Daues, Alderman McMunn, Alderman Fernandez.

Alderman Epperson read Bill No. 12 or a second reading.

Alderman Epperson made a motion to approve Bill No. 12.
Alderman McMunn seconded the motion.

ROLL CALL VOTE:

Vote: **Passed** (Summary Yes=8)

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

Mayor Fribis declared Bill No. 12 to become Ordinance # 2298.

**Bill No. 13- An Ordinance approving a lot split for 9831 Sappington Road
FIRST READING**

Alderman Friedmann read Bill No. 13 for a first reading.

**Bill No. 14- An Ordinance amending Section 7.4.1- Pre-filing review and transmittal of Application of Section 7- Commercial, Office, and or Industrial Planned Development of the Unified Development Ordinance related to notice of the required Neighborhood meeting
FIRST READING**

***Petitioner has requested a second reading**

Alderman Wong read Bill No. 14 for a first reading.

Alderman Wong made a motion to suspend the rules and read Bill No. 14 for a second reading.
Alderman Hof seconded the motion.

ROLL CALL VOTE:

Vote: **Passed** (Summary Yes=8)

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

Alderman Wong read Bill No. 14 for a second reading.
Alderman Wong made a motion to approve Bill No. 14.
Alderman McMunn seconded the motion.

ROLL CALL VOTE:

Vote: **Passed** (Summary Yes=8)

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

Mayor Fribis declared Bill No. 14 to become Ordinance # 2299.

**Bill No. 15- An Ordinance amending the Unified Development Ordinance related to Improvement Guarantee Releases
FIRST READING**

Alderman Davis read Bill No. 15 for a first reading.

**Bill No. 16- An Ordinance rezoning 12405, 12411, & 12417 West Watson Road from R-2 Single Family Residential to PD-LC(B) Planned Development-Limited Commercial and amending the official zoning map
FIRST READING**

***Petitioner has requested a second reading**

Alderman Fernandez read Bill No. 16 for a first reading.

Discussion was had on having a second reading.

Ms. Gillett stated there was new language for the Board to review requiring the driveway on South Lindbergh be reconstructed at the time the lots to the North are redeveloped.

Alderman Epperson made a motion to include the new language requiring the driveway on South Lindbergh be reconstructed at the time the lots to the North are redeveloped.

Alderman Daues seconded the motion.

Additional discussion was had on having a second reading.

Alderman Daues made a motion to suspend the rules and read Bill No. 16 for a second reading.
Alderman Davis seconded the motion.

The Board unanimously approved the previous motion to include the additional language before voting on the motion for a second reading.

ROLL CALL VOTE:

Vote: **Failed** (Summary Yes=4, No =4)

Aye: Alderman Davis, Alderman Epperson, Alderman Hof, Alderman Daues

Nay: Alderman McMunn, Alderman Fernandez, Alderman Wong, Alderman Friedmann

Bill No. 17- An Ordinance granting a Conditional Use Permit to George Despotis for Construction of a bank with a drive through, per application P-28-22

FIRST READING

***Petitioner has requested a second reading**

Alderman McMunn read Bill No. 17 for a first reading.

There was brief discussion on the request for a second reading on Bills 17 and 18. The petitioner agreed to withdraw the request for a second reading on both of the Bills.

Ms. Gillett stated the same amendment to the language should be added to the CUP.

Alderman Epperson made a motion to include the new language requiring the driveway on South Lindbergh be reconstructed at the time the lots to the North are redeveloped.

Alderman Daues seconded the motion and it was unanimously approved.

Bill No. 18- An Ordinance approving a Preliminary Development Plan for 12405, 12411, & 12417 West Watson Road

FIRST READING

***Petitioner has requested a second reading**

Alderman Daues read Bill No. 18 for a first reading.

Alderman Daues made a motion to include the new language requiring the driveway on South Lindbergh be reconstructed at the time the lots to the North are redeveloped.

Alderman Hof seconded the motion and it was unanimously approved.

**Bill No. 19-An Ordinance approving Historic Route 66 neon sign at 10709 Watson Road
FIRST READING**

Alderman Hof read Bill No. 19 for a first reading.

Alderman Davis made a motion to suspend the rules and read Bill No. 19 for a second reading.
Alderman Wong seconded the motion.

ROLL CALL VOTE:

Vote: Failed (Summary Yes=5, No =3)

Aye: Alderman McMunn, Alderman Davis, Alderman Hof, Alderman Wong, Alderman Fernandez

Nay: Alderman Friedmann, Alderman Epperson, Alderman Daues

Resolution No. 681- A Resolution approving an affidavit to certify the use of Road and Bridge Tax proceeds from the St. Louis County Department of Revenue and authorizing the Mayor and City Administrator to execute the same on behalf of the City of Sunset Hills

Alderman Epperson read Resolution No. 681.

Alderman Epperson made a motion to approve Resolution No. 681.

Alderman McMunn seconded the motion and it was unanimously approved.

Resolution No. 682- A Resolution approving a contract for purchase of 3 marked Police SUV's, associated emergency equipment, vehicle graphics and installations and authorizing the Mayor and City Administrator to execute the same on behalf of the City of Sunset Hills

Alderman Friedmann read Resolution No. 682.

Alderman McMunn made a motion to approve Resolution No. 68279.

Alderman Hof seconded the motion and it was unanimously approved.

APPOINTMENTS:

None.

RE- APPOINTMENTS:

a) Christine Lieber- Police Advisory Board term to expire 7/13/2025

Alderman Epperson made a motion to approve to reappointment

Alderman Hof seconded the motion and it was unanimously approved.

GENERAL DISCUSSION:

a) Creation of an Advisory Historical Preservation Commission

Discussion was had on what would change if a Preservation Commission was developed in place of the Historical Society. Ms. Gillett explained the City operates similarly to most other municipalities with the Historical Society/Commission operating independently from the City as a 501 (c) (3). They keep their own records and bank accounts. Ms. Gillett stated the major change with setting up the Historical Preservation Commission would be that the financial decisions would have to be approved by the Board of Aldermen, and oversight on all revenue and expenditures would be required.

b) Ethics Ordinance

Lengthy discussion was had on the proposed changes to the ordinance, as well as the existing verbiage being confusing.

Alderman Wong stated the suggestions were meant to take the politics out of seeking an ethics opinion.

Alderman McMunn asked Attorney Seele if she saw a way to improve the ordinance. Attorney Seele stated she agreed it was confusing the way it was written but that ultimately the decision to act on anything was up to the Board.

Mayor Fribis asked if it was advisable to have a sub-committee of Aldermen to review the current ethics ordinance.

Alderman Daues, McMunn and Epperson volunteered to serve on the committee.

Alderman Daues asked the Board to consider having 4 members on the committee and asked Alderman Friedmann to serve. Alderman Friedmann agreed to serve on the committee.

Alderman Epperson expressed concern over the street sign replacement project in process. He stated he felt the new signs were a rebranding of the city and that the project should have been approved by the Board of Aldermen, even though the Public Works Committee, comprised of four Aldermen, approved the project.

Alderman Friedmann, Chairman of the Public Works Committee, apologized for not bring forth to the Board.

Discussion ensued over the new street signs being green for public streets and blue for private streets. Mr. Baker explained the color coding helped identify private streets for staff when plowing or doing repairs. He stated they felt it would be an attractive change and would help with identification, but had no preference and were amenable to whatever the Board decided.

Alderman Epperson stated he felt they should move forward with blue only street signs.

Alderman Epperson made a motion to move forward with all blue signs.

Additional discussion was had on what signs had been ordered. Mr. Baker explained they had ordered some of the blue signs but had not ordered any new green signs at that point.

Alderman Friedmann seconded Alderman Epperson's motion to move forward with all blue street signs.

The motion was unanimously approved.

Alderman Epperson reiterated that anything on this scale in the future, with that much visibility, should be brought to the Board for approval.

Mayor Fribis stated the Board made the policy and the Department Heads followed the policy while doing their jobs. She asked Alderman Epperson if he wanted the Department Heads to bring all decisions to the Board.

Alderman Epperson replied no, however with a project that visible he felt it needed to be approved by the Board.

Mayor Fribis asked members of the audience if they had any business to be addressed by the Board.

Mr. Stephen Baker with Walnut Grill came forward and presented his liquor license renewal to Ms. Stone.

REQUEST TO MEET IN CLOSED SESSION PURSUANT TO 610.21 (1), (3) and (12) RSMo TO DISCUSS LEGAL, AND CONTRACT MATTERS:

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

ROLL CALL VOTE:

Vote: Passed/Failed (Summary Yes=8)

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

The Board went into closed session at 7:32 p.m.

The Board reconvened in open session at 8:32 p.m.

Alderman Daues made a motion to direct Attorney Seele to redraft the Finance Committee ordinance to require the Finance Committee to make a recommendation to the Board whenever City property is proposed for sale or lease.

Alderman Epperson seconded the motion and it was unanimously approved.

ADJOURNMENT:

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

Meeting adjourned at 8:33 p.m.

Deputy City Clerk
Lori Stone