

MINUTES OF THE REGULAR MEETING
OF THE BOARD OF ALDERMEN
OF THE CITY OF SUNSET HILLS MISSOURI
HELD ON JULY 11, 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 July 11, 2023. 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
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 McMunn made a motion to approve the agenda as listed. Alderman Hof seconded the motion and it was unanimously approved.

APPROVAL OF MINUTES:

Alderman Davis made a motion to approve the minutes as read for the June 13, 2023 regular and closed session meetings. Alderman McMunn seconded the motion and it was unanimously approved.

EMPLOYEE SERVICE AWARDS:

- a) Sergeant Steve Lucas- 25 years of service

Chief Dodge spoke on Sgt. Lucas's accomplishments during his time with the City and thanked him for his dedication and service.

- b) Gerald Brown, Director of Parks and Recreation- 20 years of service

Ms. Gillett thanked Mr. Brown for his hard work and highlighted his accomplishments over his years of service.

JIM JESSE MAYORAL PRESENTATION:

Mr. Jim Jesse, resident and member of the Historical Society, gave a presentation on the City's first appointed Mayor, Carl W. Kuhlman. Mr. Kuhlman was appointed by the Board after the City's Incorporation in August of 1957. He served as the interim Mayor until his death in February 1958. Mr. Jesse stated he would like to see a picture of Mayor Kuhlman placed in the lobby with the other Mayor portraits.

Mayor Fribis thanked Mr. Jesse for his presentation.

PRESENTATION:

- a) 3600 S. Lindbergh

Mr. Norbert Glassl, resident and attorney for Mr. HR Sheevam, presented two concept drawings, one for a 4-story hotel and one for a 5-story hotel.

Lengthy discussion was had on placement of the new hotel and preserving the privacy of the adjacent residents, the difference in building materials for each as well as the setbacks and lighting requirements.

Mr. Sheevam stated they were looking for guidance from the Board on what they envisioned.

CONSENT AGENDA:

- a) Bills to be approved
- b) Request by Ameriprise Financial for a client appreciation special event September 23, 2023 at 10825 Watson Road
- c) Request by Merlo Plumbing for 40th Anniversary Celebration special event July 13, 2023 at 11041 Gravois Ind. Ct.

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

PUBLIC HEARING:

The Board will consider a petition for a Text Amendment, submitted by the City of Sunset Hills, to amend Section 7.5-2(m) and Appendix A, Section A-1.5 of the Unified Development Ordinance, relating to traffic study requirements

Mr. Baker summarized the proposed traffic would maintain at least a "d" level of service or if the proposed development would result in below a level "d" service, the traffic study must find no greater than a 20% increase in the number of seconds for the proposed development.

Attorney Seele stated for the record, the approved agenda was amended with less than 24 hours notice with the addition of the two public hearings. They were inadvertently left off agenda, but it was decided there was just cause to add them because it was advertised to the public they would be held.

Attorney Seele stated the proposed text amendment was a way to maintain an objective standard of 20% while giving a little flexibility for items to be considered by the Board, where they are not able to be currently.

Alderman Friedmann asked for clarification on the difference between the terms “traffic impact study” and “analysis”. Mr. Baker replied the terms were used interchangeably.

Alderman Epperson stated the terms should be defined if the change was going to be made.

Discussion was had on why it was not corrected previously. Mr. Baker explained it was discussed several times during the time the UDO was being updated, however it was not seen as an issue at that time.

Mr. Baker explained the traffic study was used as a tool to make decisions by other municipalities rather than the pass/fail it is used for by the City. He stated there were several projects in the pipeline that would most likely fail due to the existing pass/fail requirement.

Additional discussion ensued in reference to removing the traffic study completely. Mr. Baker stated he felt it should remain in place as a tool for City.

The Board will consider a petition for a Text Amendment, submitted by the City of Sunset Hills, to amend Section 7.5-2(m) of the Unified Development Ordinance, relating to traffic study requirements

Mr. Baker explained this would put the section back to the way it was prior to the zoning code rewrite. He stated the new verbiage was not as clear as the previous version so they felt it best to tighten up the language and make it more restrictive with clear requirements on traffic studies.

PUBLIC COMMENT:

1. Mayor Fribis read the public comment submitted by Angie Wiegel of 9717 Crestwick Drive in reference to the proposed Missouri American Water Tower replacement.
2. Anne Jesse of 12408 Cinema spoke in favor of the Route 66 Park Plaza sign and the benefits of having it for tourism.
3. Karri Willett of 11682 Denny Road spoke on the speeding issue on Denny Road and requested the City do more to help with placing a stop sign.
4. Dr. Despotis spoke on the veteran memorial and possible designs to be placed on the corner of his project.

OLD BUSINESS:

**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
FOR RECONSIDERATION**

Alderman Fernandez read Bill No. 08 for reconsideration.
Alderman Hof made a motion to approve Bill No. 08.
Alderman Epperson seconded the motion.

ROLL CALL VOTE:

Vote: Passed (Summary Yes=6, No=2)

Aye: Alderman Davis, Alderman Friedmann, Alderman Epperson, Alderman Hof, Alderman Daues, Alderman Fernandez
Nay: Alderman McMunn, Alderman Wong

Mayor Fribis declared Bill No. 08 to become Ordinance # 2300.

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

Alderman Davis read Bill No. 13 for a second reading.
Alderman Daues made a motion to approve Bill No. 13.
Alderman Hof seconded the motion.

ROLL CALL VOTE:

Vote: Passed (Summary Yes=8)

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

Mayor Fribis declared Bill No. 13 to become Ordinance # 2301.

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

Alderman Epperson read Bill No. 15 for a second reading.
Alderman Epperson made a motion to approve Bill No. 15.
Alderman McMunn seconded the motion.

ROLL CALL VOTE:

Vote: Passed (Summary Yes=8)

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

Mayor Fribis declared Bill No. 15 to become Ordinance # 2302.

**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
SECOND READING**

Alderman Hof read Bill No. 16 for a second reading.
Alderman Daues made a motion to approve Bill No. 16.
Alderman Epperson seconded the motion.

ROLL CALL VOTE:

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

Aye: Alderman Fernandez, Alderman Davis, Alderman Friedmann, Alderman Epperson, Alderman Hof, Alderman McMunn, Alderman Daues

Nay: Alderman Wong

Mayor Fribis declared Bill No. 16 to become Ordinance # 2303.

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
SECOND READING

Alderman McMunn read Bill No. 17 for a second reading.
Alderman Epperson made a motion to approve Bill No. 17.
Alderman Daues seconded the motion.

ROLL CALL VOTE:

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

Aye: Alderman Daues, Alderman Epperson, Alderman Friedmann, Alderman Davis, Alderman Fernandez, Alderman McMunn, Alderman Hof
Nay: Alderman Wong

Mayor Fribis declared Bill No. 17 to become Ordinance # 2304.

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

Alderman Wong read Bill No. 18 for a second reading.
Alderman Epperson made a motion to approve Bill No. 18.
Alderman Daues seconded the motion.

Alderman Wong asked what kind of fountain would be installed. Discussion was had on requiring a fountain. Mr. Despotis stated the type of water feature would depend on how much water they would be allowed to have in the wet basin.

Alderman Wong, at the agreement of the applicant, made a motion to amend the ordinance to require a water feature with the final development plan.

Alderman Epperson 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

The motion to amend passed.

Roll call for approval of Bill 18 as amended was read.

ROLL CALL VOTE:

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

Aye: Alderman Fernandez, Alderman Davis, Alderman Friedmann, Alderman Epperson, Alderman Hof, Alderman Daues, Alderman McMunn
Nay: Alderman Wong

Mayor Fribis declared Bill No. 18 as amended to become Ordinance # 2305.

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

Alderman Friedmann read Bill No. 19 for a second reading.
Alderman McMunn made a motion to approve Bill No. 19.
Alderman Daues seconded the motion.

Alderman Epperson stated he would vote against the sign due to the potential of it opening up requests for additional signs in the City and the potential for lawsuits if denied.

Alderman Friedmann stated she appreciated all the work by the Historical Society, however she felt it was inappropriate to allow the sign when the La Quinta across the street was unable to advertise their business on the existing pole sign.

Alderman Davis stated she felt it was a wonderful sign that would be great for tourism.

Alderman Epperson stated he wanted it on the record that he felt it was a conflict of interest for Alderman Davis to vote due to her membership on the Historical Society and felt she should abstain.

Alderman Davis stated she was not part of the committee.

Mayor Fribis stated she felt the organizations were being mixed up. She explained the Historical Society was responsible for acquiring the sign, but Alderman Davis worked with The Foundation, which was completely separate.

Anne Jesse of the Historical Society came forward and stated she had served as Secretary since 2014 and Alderman Davis had not been a member during that time.

Alderman Wong asked City Attorney Seele if it was a conflict of interest.

Attorney Seele reiterated it was not a conflict of interest for Alderman Davis to vote as she had explained the previous meeting when the objection was originally stated.

Mr. Phil Denton, Chairman of the Conservation Council, came forward and stated that no members from his organization served on the Historical Society, and that no Historical Society members served on their board either. Mr. Denton stated the two organizations are separate.

ROLL CALL VOTE:

Vote: Passed (Summary Yes=6, No =2)

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

Nay: Alderman Friedmann, Alderman Epperson

Mayor Fribis declared Bill No. 19 to become Ordinance # 2306.

CITY OFFICIAL AND COMMITTEE REPORTS:

City Clerk/City Administrator, Brittany Gillett stated that staff had finished the mid-year budget adjustment requests and that she had been gathering ethics policies for boards and councils from various communities within the state of Missouri and would push that information out as soon as our committee was ready.

Director of Finance, Susanna Messmer stated they had published the first popular annual financial report on the website transparency portal.

Chief of Police, Stephen Dodge stated nothing to report.

City Attorney, Erin Seele stated nothing new to report.

City Engineer, Bryson Baker stated the retaining wall base for the new campus sign was completed and they were waiting on the sign company. He explained they were still working on getting the concrete slab replacements going and that there was also some in house slab replacement going on.

Director of Parks & Recreation, Gerald Brown stated the restroom at Stieren park would finally be installed and they were waiting on the agreement with MSD to move forward with the Lynstone Park project. Mr. Brown stated the asphaltting at the athletic fields parking was scheduled for the first week in August and would be closed to the public that entire week.

COMMITTEE REPORTS:

Finance Committee -Alderman Fernandez stated they met July 10, and held their mid-year budget review. He explained the investments were earning a lot more per month since other investment opportunities became available. He also stated the report on the portal was a very user-friendly document in comparison to previous reports and gave a great snapshot of the finances.

Economic Development Committee – Alderman Hof stated nothing to report.

Parks & Recreation Commission – Alderman Wong stated the Markets and Music event would be on July 12 and they were getting a good turn out so far.

Mayor Fribis asked Mr. Brown about the Pedestrian Bridge.

Mr. Brown stated the official opening of the Pedestrian Bridge on June 24. He explained the event went and they had a great turnout. He also stated the triathlon was a success with approximately 200 participants with no known injuries.

Mayor Fribis stated Mr. Brown did a great heading up the project with Fenton, Kirkwood, Great River Greenways and MoDOT. She stated it was a great accomplishment for our City and those involved.

Police Advisory Board – Alderman Epperson stated nothing new to report.

Public Works Committee – Alderman Friedmann stated nothing to report.

NEW BUSINESS:

Bill No. 20- An Ordinance authorizing the City to enter into “SunCrest Fest” Carnival Special Event agreement and granting further authority FIRST READING

Alderman Daues read Bill No. 20 for a first reading.

Alderman Epperson made a motion to suspend the rules and read Bill No. 20 for a second reading. Alderman Daues seconded the motion.

ROLL CALL VOTE:

Vote: Passed (Summary Yes=8)

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

Alderman Daues read Bill No. 20 for a second reading.
Alderman Daues made a motion to approve Bill No. 20.
Alderman McMunn seconded the motion.

ROLL CALL VOTE:

Vote: Passed (Summary Yes=8)

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

Mayor Fribis declared Bill No. 20 to become Ordinance # 2307.

**Bill No 21- An Ordinance amending Section 7.5-Application Requirements of Section 7- Commercial, Office, and/or Industrial Planned Development Section 1.5 of Appendix A of the Unified Development Ordinance related to Traffic Study Requirements and Level “D” Service
FIRST READING**

Alderman Fernandez read Bill No. 21 for a first reading.

Discussion was had on removing the verbiage “Analysis” and provide a definition for the term “Traffic Study”.

There was consensus to bring back a definition for traffic study for the second reading.

Lengthy discussion ensued in reference to the level of service requirement. Alderman Wong asked about a survey of other municipalities. Mr. Baker explained he did verify with other cities; Kirkwood, Des Peres, Ladue and Chesterfield, who used it as a tool instead of as an approval or denial mechanism.

**Bill No. 22- An Ordinance amending Section 7.5- Application Requirements of Section 7- Commercial, Office, and/or Industrial Planned Development of the Unified Development Ordinance related to Traffic Study Requirements
FIRST READING**

Alderman Davis read Bill No. 22 for a first reading.

**Bill No. 23- An Ordinance amending Chapter 2, Article IX of the Code of Ordinances to add an additional duty for the City’s Finance Committee
FIRST READING**

Alderman Epperson read Bill No. 23 for a first reading.

Alderman Fernandez clarified that this was in reference to the sale or leases of real property only.

Alderman Epperson made a motion to suspend the rules and read Bill No. 23 for a second reading.
Alderman Hof seconded the motion.

ROLL CALL VOTE:

Vote: Passed (Summary Yes=8)

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

Alderman Epperson read Bill No. 23 for a second reading.
Alderman Epperson made a motion to approve Bill No. 23.
Alderman Hof seconded the motion.

ROLL CALL VOTE:

Vote: Passed (Summary Yes=8)

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

Mayor Fribis declared Bill No. 23 to become Ordinance # 2308.

**Bill No. 24- An Ordinance approving an easement agreement between the City of Sunset Hills and DIF Sunset Place LLC for the Eddie & Park Road sidewalk project
FIRST READING**

Alderman Hof read Bill No. 24 for a first reading.

Alderman Daues made a motion to suspend the rules and read Bill No. 24 for a second reading.
Alderman Hof seconded the motion.

ROLL CALL VOTE:

Vote: Passed (Summary Yes=8)

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

Alderman Hof read Bill No. 24 for a second reading.
Alderman Hof made a motion to approve Bill No. 24.
Alderman McMunn seconded the motion.

ROLL CALL VOTE:

Vote: Passed (Summary Yes=8)

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

Mayor Fribis declared Bill No. 24 to become Ordinance # 2309.

Resolution No. 683- A Resolution approving an agreement for Custom Property Solutions, LLC and authorizing the Mayor and City Administrator to execute the same on behalf of the City of Sunset Hills

Alderman McMunn read Resolution No. 683.
Alderman McMunn made a motion to approve Resolution No. 683.
Alderman Epperson seconded the motion and it was unanimously approved.

Resolution No. 684- A Resolution approving a contract renewal for the postage meter rental and maintenance agreement and authorizing the Mayor and City Administrator to execute the same on behalf of the City of Sunset Hills

Alderman Wong read Resolution No. 684.

Alderman Wong made a motion to approve Resolution No. 684.

Alderman McMunn seconded the motion and it was unanimously approved.

Resolution No. 685- A Resolution declaring surplus property and authorizing the sale of such property

Alderman Friedmann read Resolution No. 685.

Alderman Friedmann made a motion to approve Resolution No. 685.

Alderman McMunn seconded the motion and it was unanimously approved.

Resolution No. 686- A Resolution approving a maintenance agreement with Metropolitan St. Louis Sewer District (MSD) and authorizing the Mayor and City Administrator to execute the same on behalf of the City of Sunset Hills

Alderman Daues read Resolution No. 686.

Alderman Daues made a motion to approve Resolution No. 686.

Alderman Hof seconded the motion and it was unanimously approved.

APPOINTMENTS:

None.

Alderman McMunn inquired about openings on committees. Ms. Gillett stated there were some re-appointments on Finance and some on Economic Development. She stated she received some volunteer interest forms that were forwarded to the Board and were accepting nominations.

Alderman McMunn nominated Jeff Myers for the Economic Development Committee.

Alderman Daues seconded the motion.

The nomination will be on the August agenda.

GENERAL DISCUSSION:

Alderman Hof addressed approving consent agenda special event permits. She stated she felt the Board needed to look closely at the requests and referenced some issues Faith Church encountered with pedestrians crossing Highway 30 for the 4th of July fireworks display. She explained closer review could help protect the residents.

Alderman Wong brought up speeding concerns on Denny Road. Mr. Baker reviewed the speed study done for the road and stated it was a cut through. He explained that speeding is not controlled by stop signs, and the study did not warrant an additional sign. Additional discussion was had on other ways to control the speeding. There was discussion of speed humps/ramps being utilized since they are lower profile than a speed bump and can be removed. Alderman Epperson inquired about dropping the speed limit by 5 miles per hour. Mr. Baker stated that was an option.

Ms. Gillett stated they would research some additional options and bring them back to the Board.

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

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

The Board went into closed session at 8:07 p.m.

The Board reconvened in open session at 9:25 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 9:25 p.m.

Deputy City Clerk
Lori Stone