



NEWS RELEASE

Contact – Michael Padella, City Administrator

(636) 498-6565 ext. 204

michael.padella@cityofcottleville.com

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City Development Review Process & Sunshine Law Requirements for Public Meetings.

“Recently, there have been news reports and social media queries from residents, business owners, and non-residents regarding the planning and zoning process in the City of Cottleville. In particular, questions arose relating to the postponement of public hearings for multiple proposed developments. The purpose of this summary is to address those questions and dispel incorrect rumors.

By way of background, the City of Cottleville has adopted planning and zoning regulations pursuant to Chapter 89 of the Missouri Revised Statutes. Further, all agendas, meetings, meeting minutes, and other public records are held, prepared, maintained, and retained in accordance with the Missouri Sunshine Law.

Without zoning rules, a property owner has very few limitations on the use to which his or her property may be put. By adopting zoning rules, the City provides limitations on the use of property. Consequently, in order to develop property in the City, the property owner must submit plans to the City for review and approval. The City has limited control over what type of development is proposed. After receiving a development proposal, the law requires that the City place that proposal on a meeting agenda (for consideration by the Planning & Zoning Commission and/or the Board of Aldermen). However, merely being placed on an agenda does not guarantee that the proposal will be approved. Instead, the City reviews the proposal to determine whether it complies with the City Code.

Sometimes, a developer submits an application for a development and is placed on a meeting agenda and, subsequently, the City Staff determines that it needs additional information from the developer. In those circumstances, the development proposal will be postponed to a subsequent meeting. The purpose of that postponement is to ensure that more

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information is available for review by the City, and input from the residents, in order to guarantee a more informed decision making process by the City officials.

Lastly, it is important to understand the purpose and implication of the Missouri Sunshine Law. All meetings of a public governmental body are required to be open to the public, with a few exceptions. Further, all agendas and meeting minutes are public records, and all development submittals are also public records. The Board of Aldermen (or any other City Commission) cannot hold private meetings. This is why the Board of Aldermen cannot attend so-called town halls hosted by private individuals or groups. If the Board of Aldermen, as a body, attended those meetings, there would be no guarantee that the meeting would be conducted in accordance with the Sunshine Law or that an agenda would be posted, minutes kept, records retained, or votes conducted in the manner required under the Sunshine Law. In fact, prohibiting participation in these types of private meetings is expressly contemplated under the Sunshine Law. Instead, the City holds public meetings at a public location which are open to residents, non-residents, business owners, and all other persons alike.

An interactive City government with open participation of the residents is part of what makes Cottleville great. The City will continue to conduct all City business in accordance with the Missouri Sunshine Law and appreciates the active participation of its residents in City government.”

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5490 Fifth Street, Cottleville, Missouri 63304
Office: (636) 498-6565 ~ Fax: (636) 498-6575
www.cityofcottleville.com