

“The minutes were amended to reflect that Patrick Hensley was absent.”

**MINUTES OF MEETING
CITY COUNCIL OF THE CITY OF LADUE
ST. LOUIS COUNTY, MISSOURI
MONDAY, JUNE 15, 2015 4:00 P.M.**

The regular meeting of the City Council of the City of Ladue, St. Louis County, Missouri was held on Monday, June 15, 2015, at 4:00 p.m., at the City Hall, 9345 Clayton Road. The following were present:

The Hon. Nancy Spewak, Mayor, presiding.

Members of the Council present:

A. Charles Hiemenz
John Howell
William Brennan
Harold Burroughs

Members of the Council absent:

John Fox
Patrick Hensley

Four Council Members present.

Also present were Ms. Julie O’Guinn, Finance Director; Police Chief Rich Wooten; Assistant Fire Chief Jeff Johnson; Ms. Anne Lamitola, Public Works Director; Mr. Mike Gartenberg, Building Official and Planning Consultant; Mr. Stephen Hall, Vice-Chairman - Insurance Committee; and Mr. John Maupin, City Attorney.

Approval and Adoption of the Agenda: Mayor Spewak requested an amendment to the agenda to move the Clayton/Warson beautification presentation to the end of the meeting as one Council Member must depart early. Council Member Burroughs moved the adoption and approval of the amended agenda, seconded by Council Member Brennan and the vote thereupon was as follows:

Council Member Hiemenz	“Aye”
Council Member Howell	“Aye”
Council Member Brennan	“Aye”
Council Member Burroughs	“Aye”

The motion was passed unanimously.

Approval of the Minutes: Mayor Spewak asked for any amendments, corrections or clarifications to the Minutes of the Regular Meeting of May 18, 2015. Council Member Hiemenz moved approval of the Minutes; seconded by Council Member Burroughs, and the vote thereupon was as follows:

Council Member Hiemenz	"Aye"
Council Member Howell	"Aye"
Council Member Brennan	"Aye"
Council Member Burroughs	"Aye"

The motion was passed unanimously.

Public Forum: No one addressed the Mayor and Council.

Public Hearing: None

Zoning & Planning Matters: None

Committee Report: (Insurance)

Stephen Hall, Vice-Chairman of the Insurance Committee, presented the information on the Insurance Committee's recommendation for life, disability, workers compensation and property and casualty insurance, including a second layer excess earthquake coverage or excess DIC in place of excess employment practice liability, reducing the limit of the second to a reasonable amount and increasing the fiduciary and cyber liability to \$2 million dollars.

C-1 Approval of purchasing Employee Life Insurance and Employee Long Term Disability Insurance from Mutual of Omaha at an annual cost of \$11,517.66.

Council Member Hiemenz moved the approval of purchasing Employee Life Insurance and Employee Long Term Disability Insurance from Mutual of Omaha at an annual cost of \$11,517.66, seconded by Council Member Brennan and the vote thereupon was as follows:

Council Member Hiemenz	"Aye"
Council Member Howell	"Aye"
Council Member Brennan	"Aye"
Council Member Burroughs	"Aye"

The motion was passed unanimously.

C-2 Approval of a one year renewal for Workers' Compensation with Missouri Employers Mutual at a cost of \$207,607.00.

Council Member Howell moved the approval of a one year renewal for Workers' Compensation with Missouri Employers Mutual at a cost of \$207,607.00, seconded by Council Member Brennan and the vote thereupon was as follows:

Council Member Hiemenz	"Aye"
Council Member Howell	"Aye"
Council Member Brennan	"Aye"
Council Member Burroughs	"Aye"

The motion was passed unanimously.

C-3 Approval of a one year renewal for Property and Casualty Insurance with Travelers Insurance at a cost of \$259,277.00.

Council Member Howell moved the approval of a one year renewal for Property and Casualty Insurance with Travelers Insurance at a cost of \$259,277.00, seconded by Council Member Brennan and the vote thereupon was as follows:

Council Member Hiemenz	"Aye"
Council Member Howell	"Aye"
Council Member Brennan	"Aye"
Council Member Burroughs	"Aye"

The motion was passed unanimously.

Proposed Legislation:

Bill No. 2110 – An ordinance approving the Lot Consolidation of Lots 30 and 31 of New St. Louis Country Club Subdivision, all within the City of Ladue, St. Louis County, Missouri.

Mr. Gartenberg presented information about the lot consolidation request indicating the same person owns both lots and would like to make improvements that would work better if the lots are combined. Improvements consisting of a structure and swimming pool are being considered. Consolidating the lots would avoid a variance which might be needed for the swimming pool location.

Council Member Hiemenz moved the introduction of Bill 2110, seconded by Council Member Howell, which motion passed unanimously.

Council Member Hiemenz moved the first reading of Bill 2110 seconded by Council Member Brennan, which motion passed unanimously.

Council Member Howell moved the second reading of Bill 2110; seconded by Council Member Brennan, which motion passed unanimously.

Council Member Hiemenz moved adoption of Bill 2110, seconded by Council Member Brennan, and the vote thereupon was as follows:

Council Member Hiemenz	"Aye"
Council Member Howell	"Aye"
Council Member Burroughs	"Aye"
Council Member Brennan	"Aye"

The motion was passed unanimously.

Mayor Spewak declared Bill 2110 adopted as Ordinance 2110.

Bill 2111 – An ordinance of the City of Ladue, St. Louis County, Missouri, amending the Code of Ordinances by amending Section 102, Article III, relating to Landscape Review Fee.

Ms. Lamitola presented information regarding the request to change the escrow to a flat fee of \$500 from a \$600 escrow for the landscape review for new homes. Any variance from the actual cost will be charged or credited to the permit fee.

Council Member Burroughs moved the introduction of Bill 2111, seconded by Council Member Brennan, which motion passed unanimously.

Council Member Burroughs moved the first reading of Bill 2111 seconded by Council Member Brennan, which motion passed unanimously.

Council Member Howell moved the second reading of Bill 2111; seconded by Council Member Hiemenz, which motion passed unanimously.

Council Member Hiemenz moved adoption of Bill 2111, seconded by Council Member Burroughs, and the vote thereupon was as follows:

Council Member Hiemenz	"Aye"
Council Member Howell	"Aye"
Council Member Burroughs	"Aye"
Council Member Brennan	"Aye"

The motion was passed unanimously.

Mayor Spewak declared Bill 2111 adopted as Ordinance 2111.

Bill 2112 – An ordinance of the City of Ladue, St. Louis County, Missouri, amending the Code of Ordinances by amending Section 118-1b of Ordinance 1986 relating to building application fee.

Mayor Spewak indicated the building application ordinance also needs amendment due to the change in the escrow fee for landscape review.

Council Member Hiemenz moved the introduction of Bill 2112, seconded by Council Member Howell, which motion passed unanimously.

Council Member Burroughs moved the first reading of Bill 2112 seconded by Council Member Howell, which motion passed unanimously.

Council Member Burroughs moved the second reading of Bill 2112; seconded by Council Member Hiemenz, which motion passed unanimously.

Council Member Hiemenz moved adoption of Bill 2112, seconded by Council Member Brennan, and the vote thereupon was as follows:

Council Member Hiemenz	"Aye"
Council Member Howell	"Aye"
Council Member Burroughs	"Aye"
Council Member Brennan	"Aye"

The motion was passed unanimously.

Mayor Spewak declared Bill 2112 adopted as Ordinance 2112.

Financial Matters:

The Mayor and Council reviewed the vouchers for payment for the month of May 2015. Council Member Hiemenz moved their approval, seconded by Council Member Brennan, which motion passed unanimously.

The Mayor and Council reviewed the Treasurer and Collector's reports for May 2015. The Mayor ordered the reports filed for information.

The Mayor and Council reviewed the Financial report for May 2015. The Mayor ordered the report filed for information.

The Mayor and Council reviewed the Cash Flow Summary for May 2015. The Mayor ordered the report filed for information.

The Mayor and Council reviewed the Land and Lot Delinquent Tax List. The Mayor ordered the report filed for information.

Department Reports

Fire Department: The Mayor and Council reviewed the Fire Department Activity Report for May 2015. The Mayor ordered the report filed.

Mayor Spewak gave a brief update on Firehouse #1. She stated the committee met with staff at Firehouse #2 to get their input on what was working and what could be improved. The next meeting of the oversight committee is scheduled on June 23rd. The City took 2015 to rebuild reserves and we are on schedule. The 2015 budget has funds for design fees through schematics. Chiodini made two amendments to the original design and the budgeted funds should get the City to schematic designs, and then out for construction drawings.

Mayor Spewak reported that the City was dissatisfied with the electrical and mechanical engineer which caused the City to add a new mechanical and electrical sub-contractor. This means the original estimate to design the second firehouse will not be enough. The design costs for the first firehouse were capped at 9% of construction. The original design contract for firehouse #2 was capped at 6.5% of construction. Design was budgeted lower for the second house because the design

work was considered to be partially complete. Adding the new sub-contractor and the mezzanine change results in the cost for design to be 0.5% additional. An amendment to the contract is requested for the 0.5% increase for a total of 7%. Council Member Hiemenz asked if the contract could state that design costs be capped at 6.5% plus 0.5% with an amount not to exceed 7%. The Council agreed to this change.

Council Member Howell moved approval of the amendment to the agreement with Chiodini, seconded by Council Member Brennan, and the vote thereupon was as follows:

Council Member Hiemenz	"Aye"
Council Member Howell	"Aye"
Council Member Burroughs	"Aye"
Council Member Brennan	"Aye"

The motion was passed unanimously.

Mayor Spewak reported that the City is ready to publish the Request for Qualifications (RFQ) for Construction Manager. The cost is \$3,086.00. Mr. Maupin stated that state statute requires the publication to be in a certain size population which would include the Kansas City Star. The publication can run with authorization from the Council.

Council Member Howell moved the approval of the publication of the RFQ for Construction Manager at a cost of \$3,086.00, seconded by Council Member Brennan, and the vote thereupon was as follows:

Council Member Hiemenz	"Aye"
Council Member Howell	"Aye"
Council Member Burroughs	"Aye"
Council Member Brennan	"Aye"

The motion was passed unanimously.

Police Department: The Mayor and Council reviewed the Police Activity Report for the period January 1, 2015 through May 31, 2015. The Mayor ordered the report filed.

Public Works: The Mayor and Council reviewed the Public Works report for May 2015. The Mayor ordered the report filed.

Council Member Brennan commented that the McKnight Road project turned out beautifully. Council Member Howell added that he has heard nothing but compliments. Ms. Lamitola stated that they are working on a punch list and had a walk through with MoDOT to approve the punch list for the project. A comment was made that the sidewalk could use cleaning as well as the signage.

Ms. Lamitola announced that Larry Johnson is celebrating his 35th year anniversary with the City.

Ms. Lamitola indicated that the far right west bound lane of Clayton Road at the Schnucks' driveway will be closed next week during the day for four weeks to accommodate a construction project at Lindbergh and Clayton Road in the City of Frontenac.

Ms. Lamitola requested approval of the bid to purchase four salt spreaders. These new salt spreaders have electronic controls to adjust speed and are a more controlled methodology. She stated the bid exceeds the budgeted figure by \$9,334 and requests the leaf vac be deferred to next year as the salt spreaders are more essential. Mayor Spewak indicated that the leaf vac could be purchased if enough funds are available toward the end of the year.

Council Member Burroughs moved the approval of the purchase of four (4) salt spreaders at a cost of \$74,808.00 and three ground speed control systems at a cost of \$14,526.00, seconded by Council Member Howell and the vote thereupon was as follows:

Council Member Hiemenz	"Aye"
Council Member Howell	"Aye"
Council Member Burroughs	"Aye"
Council Member Brennan	"Aye"

The motion was passed unanimously.

Building Permit Extensions:

- a) 6 Clermont Lane; Permit 69884, extended to December 31, 2015.

Ms. Laurie Marx of 5 Clermont Lane addressed the Council indicating that she was a real estate agent, is familiar with construction projects and stated that #6 Clermont Lane is parallel to her with the back yard adjacent. She stated it is a beautiful but sizeable addition, doubling the size of the original house. She appreciates the value added to the neighborhood but respectfully asks if the owners can be asked to clean up and shield some of the debris. Her concerns are the excavation dirt, ladders, scaffolding, mud, porta potty and debris. This is negatively impacting her quality of life and her ability to entertain.

Ms. Lamitola stated that there is no ordinance that would enable a requirement for a fence or landscaping but the City can ask for debris to be cleaned up. Council Member Hiemenz suggested granting a ninety day extension as well as requesting a cleanup of the property. Mr. Gartenberg indicated that he thought the ninety day extension might help the project move quicker but he had reservations that it would be completed within the ninety days. The Council agreed to the shorter extension and asked the building department to request the cleanup.

Council Member Hiemenz moved the approval of a ninety (90) day extension for the permit at 6 Clermont Lane, seconded by Council Member Howell, and the vote thereupon was as follows:

Council Member Hiemenz	"Aye"
Council Member Howell	"Aye"
Council Member Burroughs	"Aye"
Council Member Brennan	"Aye"

The motion was passed unanimously.

- b) 9834 Old Warson Road, Permit 69475, extended to July 31, 2015.

Council Member Howell moved the approval of the building permit extension for 9834 Old Warson Road, Permit 69475 to July 31, 2015, seconded by Council Member Brennan, and the vote thereupon was as follows:

Council Member Hiemenz	"Aye"
Council Member Howell	"Aye"
Council Member Burroughs	"Aye"
Council Member Brennan	"Aye"

The motion was passed unanimously.

Administration/City Clerk: Report from the City Attorney.

Mr. Maupin had nothing to report.

Appointments: (None)

Liquor Licenses:

An application from Pei Wei Asian Diner, 8885 Ladue Road, for renewal of their liquor license to sell intoxicating liquors by the drink for consumption on the premises, for sale in the original package, beer or malt liquor not in excess of 5% by weight for consumption on the premises, with Sunday sales. The report from the police department indicates the application is pending the result of the fingerprint check, but otherwise finds no reason why the license should not be issued.

Council Member Howell moved to approve the liquor license renewal pending the returned fingerprint report, seconded by Council Member Brennan, and the vote thereupon was as follows:

Council Member Hiemenz	"Aye"
Council Member Howell	"Aye"
Council Member Burroughs	"Aye"
Council Member Brennan	"Aye"

The motion was passed unanimously.

An application from Log Cabin Club, 1140 Log Cabin Lane, for renewal of their liquor license to sell intoxicating liquor by the drink for consumption on the premises, including beer or malt liquor not in excess of 5% by weight and with Sunday sales. The report from the police department finds no reason why the license should not be issued.

An application from Bogey Club, 9266 Clayton Road, for renewal of their liquor license to sell intoxicating liquor by the drink for consumption on the premises, including beer or malt liquor not in excess of 5% by weight and with Sunday sales. The report from the police department finds no reason why the license should not be issued.

An application from Deer Creek Club, 9861 Deer Creek Hill, for renewal of their liquor license to sell intoxicating liquor by the drink for consumption on the premises, for sale in the original package, beer or malt liquor not in excess of 5% by weight for consumption on the premises, wine sampling and with Sunday sales. The report from the police department finds no reason why the license should not be issued.

Council Member Howell moved the approval of the liquor license renewals for Log Cabin Club, Bogey Club and Deer Creek Club. The motion was seconded by Council Member Brennan and the vote thereupon was as follows:

Council Member Hiemenz	"Aye"
Council Member Howell	"Aye"
Council Member Brennan	"Aye"
Council Member Burroughs	"Aye"

The motion was passed unanimously.

Council Member Howell left the meeting at 4:45 pm.

Clayton/Warson Beautification Plan:

Ms. Laurel Harrington from Christner presented the Clayton/Warson Beautification Plan indicating the types of grants available for the project. There was an inquiry about the types of lighting available; either from above or from the ground. The conservative budget of the project was noted with the additional retaining wall and railing included that might not be needed.

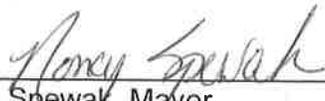
Council Member Hiemenz commented on the back lit metal screens and whether they were conducive to Ladue. They are at the entrance to the community and may open the way for more use in residential and commercial design. He stated he wants to make sure that they are compatible with the Ladue aesthetic culture and requested to see an example. Ms. Harrington indicated that she would provide an example.

Mayor Spewak noted that the next City Council meetings would be on July 20th and August 17th.

Adjournment:

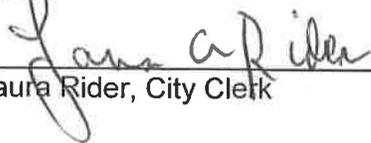
Council Member Burroughs moved adjournment, seconded by Council Member Brennan, which motion passed unanimously. The meeting adjourned at 5:04 PM.

APPROVED THIS 20th DAY OF JULY 2015.



Nancy Spewak, Mayor

ATTEST:



Laura Rider, City Clerk