

**MINUTES OF MEETING
CITY COUNCIL OF THE CITY OF LADUE
ST. LOUIS COUNTY, MISSOURI
TUESDAY, JANUARY 20, 2015, 4:00 P.M.**

The regular meeting of the City Council of the City of Ladue, St. Louis County, Missouri was held on Tuesday, January 20, 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 M. Howell
Patrick Hensley
John R. Fox
Harold Burroughs
William Brennan

Six Council Members present.

Also present were Michael W. Wooldridge, Assistant to the Mayor/City Clerk; Rich Wooten, Police Chief; Fire Chief John Bailot; Jeff Johnson, Assistant Fire Chief; Ms. Anne Lamitola, Director – Public Works; Mr. Mike Gartenberg, Building Official and City Planning Consultant; Mr. John Maupin, City Attorney.

Approval and Adoption of the Agenda: Council Member Howell moved the adoption of the agenda as amended to include approval of a building permit extension at 527 High Hampton; seconded by Council Member Fox and the vote thereupon was as follows:

| | |
|--------------------------|-------|
| Council Member Hiemenz | “Aye” |
| Council Member Howell | “Aye” |
| Council Member Hensley | “Aye” |
| Council Member Fox | “Aye” |
| Council Member Burroughs | “Aye” |
| Council Member Brennan | “Aye” |

The motion was passed unanimously.

Approval of Minutes:

Mayor Spewak asked for any amendments, corrections or clarifications to the Minutes of the Regular Meeting of the Regular Meeting of December 15, 2014. Council Member Hiemenz moved approval of the Minutes as amended by Mayor Spewak and Council Member Burroughs; seconded by Council Member Hensley, which motion passed unanimously.

Public Forum: (No came forward to address the Mayor and City Council.)

Public Hearing:

NOTICE OF PUBLIC HEARING
CITY COUNCIL, CITY OF LADUE
ST. LOUIS COUNTY, MISSOURI

Notice is hereby given that the City Council of the City of Ladue will hold a Public Hearing on a recommendation submitted by the Zoning and Planning Commission that the City Council amend Zoning Ordinance 1175 Section X relating to sign regulations (ZPC 14 - 04).

The Hearing will be held at 4:00 p.m., or as soon thereafter as the matter may be properly heard, on Monday, January 20, 2015, at the Ladue City Hall, 9345 Clayton Road.

The Hearing will be open to the public and any person interested in the proceedings will be given an opportunity to be heard.

Pursuant to Section 610.022 RSMo., the City Council could vote to close the public meeting and move to executive session to discuss matters relating to litigation, legal actions and/or communications from the City Attorney as provided under section 610.021 (1) RSMo.

Michael W. Wooldridge
City Clerk/Assistant to Mayor

(Transcript attached as part of the minutes)

Zoning and Planning Matters:

Request for a review of the City's sign code in the Code of Ordinances Section 130 and Zoning Ordinance 1175, Section X, and a 120 day moratorium on signs for non-retail businesses on a second floor in a shopping center.

Council Member Fox moved to refer the request for a review of Zoning Ordinance 1175, Sec. X and the Code of Ordinances Section 130, and a 120 day moratorium on signs for non-retail businesses on a second floor in a shopping center to the Zoning and Planning Commission for review and recommendation. The motion was seconded by Council Member Burroughs and the vote thereupon was as follows:

| | |
|--------------------------|-------|
| Council Member Hiemenz | "Aye" |
| Council Member Howell | "Aye" |
| Council Member Hensley | "Aye" |
| Council Member Fox | "Aye" |
| Council Member Brennan | "Aye" |
| Council Member Burroughs | "Aye" |

The motion was passed by a unanimous vote.

Request for an amendment to Zoning Code 1175 Sec. A, (4), (b), regarding accessory buildings and structures in the side yard of properties in the E-1 district.

Council Member Burroughs moved to refer the request for an amendment to Zoning Ordinance 1175, Sec. A, (4), (b), to the Zoning and Planning Commission for review and recommendation. The motion was seconded by Council Member Howell and the vote thereupon was as follows:

| | |
|--------------------------|-------|
| Council Member Hiemenz | "Aye" |
| Council Member Howell | "Aye" |
| Council Member Hensley | "Aye" |
| Council Member Fox | "Aye" |
| Council Member Brennan | "Aye" |
| Council Member Burroughs | "Aye" |

The motion was passed by a unanimous vote.

Proposed Legislation:

Bill 2104 – an ordinance amending the Code of Ordinances by adding Section 102, Article III, relating to landscape review.

Mayor Spewak explained that the proposed ordinance will provide for a more structured and comprehensive review of landscape details for certain projects in the city. She stated that an amended bill has been distributed that limits this review to only those projects proposing a new main building.

Council Member Fox moved the introduction of Bill 2104, as amended, seconded by Council Member Burroughs, which motion passed unanimously.

Council Member Burroughs moved the first reading of Bill 2104, as amended, seconded by Council Member Hiemenz, which motion passed unanimously.

Council Member Hensley moved the second reading of Bill 2104, as amended; seconded by Council Member Burroughs, which motion passed unanimously.

Council Member Hiemenz moved adoption of Bill 2104, amended, seconded by Council Member Burroughs, and the vote thereupon was as follows:

| | |
|--------------------------|-------|
| Council Member Hiemenz | "Aye" |
| Council Member Howell | "Aye" |
| Council Member Hensley | "Aye" |
| Council Member Fox | "Aye" |
| Council Member Brennan | "Aye" |
| Council Member Burroughs | "Aye" |

The motion was passed by a unanimous vote.

Mayor Spewak declared Bill 2104 adopted as **Ordinance 2104**.

Bill 2105 – an ordinance authorizing the execution of an agreement between the cities of Ladue and University City for the Price Road improvements, pertaining specifically to the pavement rehabilitation work with the municipal boundaries of the City of University City.

Ms. Lamitola explained the agreement will provide for the repaving of the University City portion of North Price not originally included in the Price Road project. She stated the cost for the additional work will be paid by University City under the provisions of the original federal grant.

Council Member Hiemenz moved the introduction of Bill 2105, seconded by Council Member Fox, which motion passed unanimously.

Council Member Burroughs moved the first reading of Bill 2105 seconded by Council Member Brennan, which motion passed unanimously.

Council Member Hensley moved the second reading of Bill 2105; seconded by Council Member Burroughs, which motion passed unanimously.

Council Member Burroughs moved adoption of Bill 2105, seconded by Council Member Howell, and the vote thereupon was as follows:

| | |
|--------------------------|-------|
| Council Member Hiemenz | "Aye" |
| Council Member Howell | "Aye" |
| Council Member Hensley | "Aye" |
| Council Member Fox | "Aye" |
| Council Member Brennan | "Aye" |
| Council Member Burroughs | "Aye" |

The motion was passed by a unanimous vote.

Mayor Spewak declared Bill 2105 adopted as **Ordinance 2105**.

Bill 2106 – an ordinance amending Zoning Ordinance 1175, Sec. X, C and Sec. X, F, (4), (b) pertaining to signs on two-story buildings in a shopping center.

Council Member Fox moved the introduction of Bill 2106, seconded by Council Member Burroughs, which motion passed unanimously.

Council Member Fox moved the first reading of Bill 2106 seconded by Council Member Burroughs, which motion passed unanimously.

Council Member Hensley moved the second reading of Bill 2106; seconded by Council Member Burroughs, which motion passed unanimously.

Council Member Burroughs moved adoption of Bill 2106, seconded by Council Member Hensley, and the vote thereupon was as follows:

| | |
|--------------------------|-------|
| Council Member Hiemenz | “Aye” |
| Council Member Howell | “Aye” |
| Council Member Hensley | “Aye” |
| Council Member Fox | “Aye” |
| Council Member Brennan | “Aye” |
| Council Member Burroughs | “Aye” |

The motion was passed by a unanimous vote.

Mayor Spewak declared Bill 2106 adopted as **Ordinance 2106**.

Bill 2107 – an ordinance authorizing the execution of a user agreement with St. Louis County for dispatch equipment interoperable radio system.

Chief Wooten stated the agreement is for the equipment and maintenance that will be provided to the department by the St. Louis County Emergency Communications Commission.

Council Member Hiemenz moved the introduction of Bill 2107, seconded by Council Member Burroughs, which motion passed unanimously.

Council Member Brennan moved the first reading of Bill 2107 seconded by Council Member Burroughs, which motion passed unanimously.

Council Member Burroughs moved the second reading of Bill 2107; seconded by Council Member Hiemenz, which motion passed unanimously.

Council Member Burroughs moved adoption of Bill 2107, seconded by Council Member Hensley, and the vote thereupon was as follows:

| | |
|--------------------------|-------|
| Council Member Hiemenz | "Aye" |
| Council Member Howell | "Aye" |
| Council Member Hensley | "Aye" |
| Council Member Fox | "Aye" |
| Council Member Brennan | "Aye" |
| Council Member Burroughs | "Aye" |

The motion was passed by a unanimous vote.

Mayor Spewak declared Bill 2107 adopted as **Ordinance 2107**.

Financial Matters:

The Council reviewed the **vouchers for payment** for the month of December 2014. Council Member Fox moved their approval, seconded by Council Member Burroughs, which motion passed unanimously.

The Mayor and Council reviewed the Treasurer and Collector's reports for December 2014. The Mayor ordered the reports filed for information.

The Financial Report for December 2014 was not presented because of year-end closing.

The Mayor and Council reviewed the Cash Flow Summary for December 2014. The Mayor ordered the report filed for information.

The Mayor and Council reviewed the Delinquent Real Estate Tax Report as of December 2014. The Mayor ordered the report filed for information.

Department Reports:

Fire Department: The Council reviewed the Fire Department Activity Report for December 2014. The Mayor ordered the report filed.

Chief Bailot requested approval of a contract with Emergency Reporting for fire incident reporting software at an initial one-year cost of \$3,132.00, and annual

recurring cost of \$2,383.00. He stated this software will replace the currently used Firehouse Reporting software.

Council Member Fox moved to approve the contract with Emergency Reporting for fire incident reporting software at an initial one-year cost of \$3,132.00, and annual reoccurring cost of \$2,383.00. The motion was seconded by Council Member Howell, and the vote thereupon was as follows:

| | |
|--------------------------|-------|
| Council Member Hiemenz | "Aye" |
| Council Member Howell | "Aye" |
| Council Member Hensley | "Aye" |
| Council Member Fox | "Aye" |
| Council Member Brennan | "Aye" |
| Council Member Burroughs | "Aye" |

The motion was passed by a majority vote.

Approval of change orders 19 & 20 for Firehouse #2 at a total cost of \$15,972.00.

Chief Bailot advised these change orders had been reviewed and recommended for approval by the Firehouse Building Oversight Committee.

Council Member Fox moved to approve change orders 19 & 20 for Firehouse #2 at a total cost of \$15,972.00. The motion was seconded by Council Member Burroughs, and the vote thereupon was as follows:

| | |
|--------------------------|-------|
| Council Member Hiemenz | "Aye" |
| Council Member Howell | "Aye" |
| Council Member Hensley | "Aye" |
| Council Member Fox | "Aye" |
| Council Member Brennan | "Aye" |
| Council Member Burroughs | "Aye" |

The motion was passed by a majority vote.

Chief Bailot requested approval for an additional contract expense with Reinhold Electric at a cost of \$721.00. He stated additional work is required for the traffic signal at Firehouse #2 to be connected to the MODOT signal.

Council Member Fox moved to approve the additional contract expense with Reinhold Electric for \$721.00. The motion was seconded by Council Member Hiemenz, and the vote thereupon was as follows:

| | |
|--------------------------|-------|
| Council Member Hiemenz | "Aye" |
| Council Member Howell | "Aye" |
| Council Member Hensley | "Aye" |
| Council Member Fox | "Aye" |
| Council Member Brennan | "Aye" |
| Council Member Burroughs | "Aye" |

The motion was passed by a majority vote.

Chief Bailot requested approval for the transfer of the MCI trailer and tow vehicle to the Clayton Fire Department.

Chief Bailot stated the City has maintained the Mass Casualty Trailer and vehicle for a number of years. He explained part of the maintenance is a recurring cost for the replacement of expired medical items. Chief Bailot stated during the recent civil unrest in the area the trailer was mobilized in Clayton and Clayton replaced the expired medical items at their cost. The City of Clayton has since advised they are willing to assume responsibility for the trailer and tow vehicle.

Council Member Fox moved the approval for the transfer of the MCI trailer and tow vehicle to the Clayton Fire Department. The motion was seconded by Council Member Hiemenz, and the vote thereupon was as follows:

| | |
|--------------------------|-------|
| Council Member Hiemenz | "Aye" |
| Council Member Howell | "Aye" |
| Council Member Hensley | "Aye" |
| Council Member Fox | "Aye" |
| Council Member Brennan | "Aye" |
| Council Member Burroughs | "Aye" |

The motion was passed by a majority vote.

Police Department: The Council reviewed the Police Activity Report for the period January 1, 2014 through December 31, 2014. The Mayor ordered the report filed.

Public Works: The Mayor and Council reviewed the Public Works report for the period through December 2014. The Mayor ordered the report filed.

Ms. Lamitola requested approval of a supplemental agreement with EFK Moen for construction engineering services on the Price Road Improvement Project at a cost of \$72,942.45. She stated the proposed fee is consistent with the project budget for the project.

Council Member Fox moved the approval of a supplemental agreement with EFK Moen for construction engineering services on the Price Road Improvement Project at a cost of \$72,942.45. The motion was seconded by Council Member Hiemenz, and the vote thereupon was as follows:

| | |
|--------------------------|-------|
| Council Member Hiemenz | "Aye" |
| Council Member Howell | "Aye" |
| Council Member Hensley | "Aye" |
| Council Member Fox | "Aye" |
| Council Member Brennan | "Aye" |
| Council Member Burroughs | "Aye" |

The motion was passed by a majority vote.

Municipal Court:

The Mayor and Council reviewed the Municipal Court report for December 2014. The Mayor ordered the report filed.

Administration/City Clerk.

The Mayor and Council reviewed the building department report for December 2014

Mr. Gartenberg requested approval of building permit extensions for:

25 Berkley Lane, Permit 69371, extended to October 31, 2015;

Godwin Lane, Permit 140306, extended to March 31, 2015;
527 High Hampton, Permit 140204, extended to April 14, 2015.

Council Member Hiemenz asked why the Berkley Lane project is turning into a two-year project. Mr. Gartenberg advised there were issues between the resident and the contractor originally retained for the project.

Council Member Hensley moved approval of the permit extensions as recommended by Mr. Gartenberg. The motion was seconded by Council Member Fox, and the vote thereupon was as follows:

| | |
|--------------------------|-------|
| Council Member Hiemenz | "Aye" |
| Council Member Howell | "Aye" |
| Council Member Hensley | "Aye" |
| Council Member Fox | "Aye" |
| Council Member Brennan | "Aye" |
| Council Member Burroughs | "Aye" |

The motion was passed by a unanimous vote.

Mayor Spewak requested approval of a contract with Christner for Landscape Plan Review. She advised this contract will be used for the plan reviews as outlined in the previously approved Bill 2104.

Council Member Fox moved approval of the contract with Christner for Landscape Plan Review. The motion was seconded by Council Member Hensley, and the vote thereupon was as follows:

| | |
|--------------------------|-------|
| Council Member Hiemenz | "Aye" |
| Council Member Howell | "Aye" |
| Council Member Hensley | "Aye" |
| Council Member Fox | "Aye" |
| Council Member Brennan | "Aye" |
| Council Member Burroughs | "Aye" |

The motion was passed by a unanimous vote.

Appointments: (None)

Liquor Licenses: None

Adjournment:

Mayor Spewak stated the next regular meetings would be February 17, 2015, and March 16, 2015.

Mayor Spewak advised there were items for discussion in executive session involving legal matters under RSMo. Section 610.021 (1).

Council Member Hiemenz moved to go into closed session for discussion of legal matters as provided under RSMo. 610.021 (1); seconded by Council Member Hensley, and the vote thereupon was as follows:

| | |
|--------------------------|-------|
| Council Member Hiemenz | "Aye" |
| Council Member Howell | "Aye" |
| Council Member Hensley | "Aye" |
| Council Member Fox | "Aye" |
| Council Member Burroughs | "Aye" |
| Council Member Brennan | "Aye" |

The motion was passed unanimously.

(The Mayor and Council went into closed session at 4:50 PM with Mr. Wooldridge, Fire Chief Bailot, and Mr. Maupin).

Council Member Hiemenz moved to return to open session, seconded by Council Member Burroughs, and the vote thereupon was as follows:

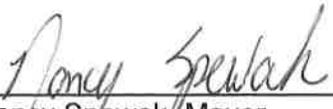
| | |
|------------------------|-------|
| Council Member Hiemenz | "Aye" |
| Council Member Howell | "Aye" |
| Council Member Hensley | "Aye" |
| Council Member Fox | "Aye" |
| Council Member Brennan | "Aye" |

The motion was passed unanimously.

(returned to open session at 5:05 PM)

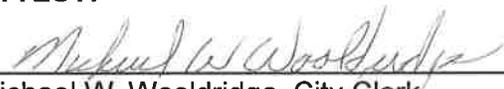
Council Member Fox moved adjournment, seconded by Council Member Burroughs, which motion passed unanimously. The meeting adjourned at 5:05 PM.

APPROVED THIS 17th DAY OF FEBRUARY 2015.



Nancy Spewak, Mayor

ATTEST:



Michael W. Wooldridge, City Clerk