

**MINUTES OF MEETING
CITY COUNCIL OF THE CITY OF LADUE
ST. LOUIS COUNTY, MISSOURI
TUESDAY, FEBRUARY 19, 2013, 4:00 P.M.**

The regular meeting of the City Council of the City of Ladue, St. Louis County, Missouri was held on Tuesday, February 19, 2013, at 4:00 p.m., at the City Hall, 9345 Clayton Road. The following were present:

The Hon. Anthony M. Bommarito, Mayor, presiding.

Members of the Council present:

A. Charles Hiemenz
Art Bond
Walter G. Stern
John R. Fox
Harold Burroughs
Nancy Spewak

Six Council Members present.

Also present were Michael W. Wooldridge, Assistant to the Mayor/City Clerk; Mr. Rick Jett, Finance Director; Rich Wooten, Police Chief; Asst. Fire Jeff Johnson, Acting Fire Chief; Ms. Anne Lamitola, Director – Public Works; Mr. James Schmieder, Ladue Building Department; Mr. James Schiele, Chairman – Finance, Revenue, and Taxation Committee; Mr. Mike Gartenberg, Building Official; and Mr. John Maupin, City Attorney.

Approval and Adoption of the Agenda: Council Member Stern moved the adoption of the agenda; seconded by Council Member Burroughs and the vote thereupon was as follows:

Council Member Hiemenz	“Aye”
Council Member Bond	“Aye”
Council Member Stern	“Aye”
Council Member Fox	“Aye”
Council Member Spewak	“Aye”
Council Member Burroughs	“Aye”

The motion was passed unanimously.

Approval of Minutes:

Mayor Bommarito asked for any amendments, corrections or clarifications to the Minutes of the Regular and Closed Meeting of January 22, 2013. Council Member Hiemenz moved approval of the Minutes; seconded by Council Member Stern, which motion passed unanimously.

Public Forum: (see attached transcript)

Public Hearing: (see attached transcript)

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 issue an Amendment to the Special Use Permit of Log Cabin Club, 1140 Log Cabin Lane, to construct an addition (ZPC 12-11).

The hearing will be held at 4:00 p.m., or as soon thereafter as the matter may be properly heard, on Tuesday, February 19, 2013, 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

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 issue an Amendment to the Special Use Permit of Old Warson Country Club, 9841 Old Warson Road, to construct two clubhouse additions (ZPC 12-12).

The Hearing will be held at 4:00 p.m., or as soon thereafter as the matter may be properly heard, on Tuesday, February 19, 2013, 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

Committee Report: (see attached transcript)

Old Business: None

Zoning and Planning Matters: None

Proposed Legislation: None

Financial Matters:

The Council reviewed the **vouchers for payment** for the month of January 2013. Council Member Stern moved their approval, seconded by Council Member Hiemenz, which motion passed unanimously.

The Mayor and Council reviewed the Treasurer and Collector's reports for January 2013. The Mayor ordered the reports filed for information.

The Mayor and Council reviewed the Financial Report for January 2013. The Mayor ordered the reports filed for information.

The Mayor and Council reviewed the Cash Flow Summary for January 2013. The Mayor ordered the report filed for information.

The Mayor and Council reviewed the Delinquent Real Tax Report as of January 2013. The Mayor ordered the report filed for information.

Department Reports:

Fire Department: The Council reviewed the Fire Department Activity Report for January 2013. The Mayor ordered the report filed.

Acting Fire Chief Johnson reported that fire pumper 3914 was back in service after extensive repairs related to a cavitation issue. He stated that talks are continuing with Pearce Mfg. to recover the cost of the repairs for an issue that appears to be a manufacturing defect. A response to the request is expected by the end of the month.

Police Department: The Council reviewed the Police Activity Report for the period January 2013. The Mayor ordered the report filed.

Chief Wooten recognized the work of the Ladue Police and Fire Departments, and the regional traffic reconstruction group for their work investigating a fatal motor vehicle accident on Ladue Road.

Council Member Spewak asked the status of the burglaries that occurred in January 2013. Chief Wooten advised the crimes were under continuing investigation and no arrests have been made.

Chief Wooten reviewed recent outreach to area schools regarding violence in schools, prevention measures, and police response.

Public Works: The Mayor and Council reviewed the Public Works report for the period through January 2013. The Mayor ordered the report filed.

Ms. Lamitola requested approval of a contract with EFK Moen for engineering services related to the Price Road project at a cost of \$119,177.11. She stated the 2013 budget allocated \$175,000.00 for this work.

Council Member Hiemenz moved to approve the contract with EFK Moen for engineering services at a cost of \$119,177.11. The motion was seconded by Council Member Burroughs, and the vote thereupon was as follows:

Council Member Hiemenz	"Aye"
Council Member Bond	"Aye"
Council Member Stern	"Aye"
Council Member Fox	"Aye"
Council Member Spewak	"Aye"
Council Member Burroughs	"Aye"

The motion was passed unanimously.

Ms. Lamitola presented a contract for approval with Horner and Schifrin for engineering services related to drainage improvements along Old Watson Road at a cost of \$14,802.00.

Council Member Hiemenz moved to approve the contract with Horner & Schifrin for engineering services at a cost of \$14,802.00. The motion was seconded by Council Member Burroughs and the vote thereupon was as follows:

Council Member Hiemenz	"Aye"
Council Member Bond	"Aye"
Council Member Stern	"Aye"
Council Member Fox	"Aye"
Council Member Spewak	"Aye"
Council Member Burroughs	"Aye"

The motion was passed unanimously.

Ms. Lamitola asked for approval of a bid from Dave Sinclair Ford for one – ½ ton Ford pickup at a cost of \$20,615 (net cost after trade - \$18,465.00). She indicated that Sinclair Ford was the low bidder.

Council Member Spewak moved to approve the contract with Dave Sinclair Ford for a new Ford pickup at a net cost of \$18,465.00. The motion was seconded by Council Member Stern, and the vote thereupon was as follows:

Council Member Hiemenz	"Aye"
Council Member Bond	"Aye"
Council Member Stern	"Aye"
Council Member Fox	"Aye"
Council Member Spewak	"Aye"
Council Member Burroughs	"Aye"

The motion was passed unanimously.

Municipal Court:

The Mayor and Council reviewed the Municipal Court report for January 2013. The Mayor ordered the report filed.

Administration/City Clerk.

The Mayor and Council reviewed the building department report for January 2013. Year-to-date 16 reportable permits were issued for a construction value of \$5.5 million, an increase of 266.7% compared to 2012.

Mr. Maupin advised that Larry White (former Police Chief) filed an appeal of the summary judgment of the counts in his lawsuit, White v Ladue.

Appointments: None

Liquor Licenses:

An application from Hats, Inc. d.b.a. Truffles in Ladue, 9202 Clayton Road, for renewal of their license to sell intoxicating liquors by the drink. The report from the police department finds no reason why the license should not be issued.

An application from Ladue Pharmacy, LLC, 9832 Clayton Road, for renewal of their license to sell intoxicating liquors and beer in the original package, not for consumption on the premises. The report from the police department finds no reason why the license should not be issued.

Council Member Stern moved the approval of the license renewals; seconded by Council Member Fox, and the vote thereupon was as follows:

Council Member Hiemenz	"Aye"
Council Member Bond	"Aye"
Council Member Fox	"Aye"
Council Member Stern	"Aye"
Council Member Spewak	"Aye"
Council Member Burroughs	"Aye"

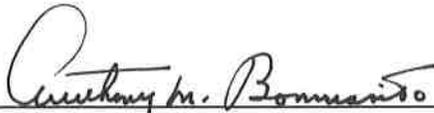
The motion was passed unanimously.

Adjournment:

Mayor Bommarito stated the next regular meetings would be March 18, April 15, and May 20, 2013.

Council Member Stern moved adjournment, seconded by Council Member Fox, which motion passed unanimously. The meeting adjourned at 5:35 PM.

APPROVED THIS 18th DAY OF MARCH 2013.



Anthony M. Bommarito, Mayor

ATTEST:



Michael W. Wooldridge, City Clerk

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MEETING OF THE CITY COUNCIL
CITY OF LADUE
LADUE, MISSOURI

IN THE MATTER OF:)
)
MEETING OF THE CITY COUNCIL)
9345 CLAYTON ROAD)
LADUE, MISSOURI 63124)

Tuesday, February 19, 2013

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Bobbie Luber, LLC  
P.O. Box 31201 ~ 1015 Grupp Road ~ St. Louis, MO 63131  
314.993.0911

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A P P E A R A N C E S :

COUNCIL MEMBERS:

- Mayor Anthony M. Bommarito, Chairman
- Mr. Art Bond
- Mr. Hal Burroughs
- Mr. John R. Fox
- Mr. Charles Hiemenz
- Ms. Nancy Spewak
- Mr. Walter Stern

Also Present:

- Mr. John Maupin, City Attorney
- Mr. Michael Wooldridge, City Clerk
  
- Mr. Holt Tipton
- Mr. George Fonyo
- Mr. Ned Lemkemeier
- Mr. John Sant

Court Reporter:  
Bobbie L. Luber  
Registered Professional Reporter #9209  
Missouri CCR #621  
Illinois CSR #084.004673  
Bobbie Luber, LLC  
P.O. Box 31201  
St. Louis, MO 63131  
(314) 993-0911

1                   (The Meeting of the City Council of the City  
2 of Ladue was called to order at 4:00 p.m.)

3                   CHAIRMAN BOMMARITO: Good evening,  
4 everyone. I would like to call the meeting to order.

5                   I apologize for the lack of a microphone,  
6 so I hope you can hear me. I will speak as loud as I  
7 can. If you have any questions, raise your hand and I  
8 will speak up a little louder.

9                   First, I need a motion to adopt the agenda  
10 for this evening's meeting.

11                  MR. STERN: So moved.

12                  MR. BURROUGHS: Second.

13                  CHAIRMAN BOMMARITO: All in favor?

14                  MR. BOND: Aye.

15                  MR. BURROUGHS: Aye.

16                  MR. FOX: Aye.

17                  MR. HIEMENZ: Aye.

18                  MR. STERN: Aye.

19                  MS. SPEWAK: Aye.

20                  CHAIRMAN BOMMARITO: Opposed?

21                  Second, we need a motion to approve the  
22 minutes of the regular meeting of January 17, 2013.

23                  MR. STERN: So moved.

24                  MR. HIEMENZ: Second.

25                  CHAIRMAN BOMMARITO: All in favor?

1 MR. BOND: Aye.

2 MR. BURROUGHS: Aye.

3 MR. FOX: Aye.

4 MR. HIEMENZ: Aye.

5 MR. STERN: Aye.

6 MS. SPEWAK: Aye.

7 CHAIRMAN BOMMARITO: Opposed?

8 At this time there is a public forum. If  
9 there is anyone in the audience who would like to say  
10 a few words to the Council, you have an opportunity at  
11 this time. If you stand, come forward, and state your  
12 name. Yes, sir.

13 MR. TEVLIN: My name is Lou Tevlin. And I  
14 live on Magnolia Drive, number 9 Magnolia Drive. I'm  
15 here to request a waiver or exception to the current  
16 moratorium on fences in Ladue.

17 Last autumn I checked with Jim in the  
18 Building Department about replacing an original  
19 1949-1950 chain-link fence. And it was grandfathered  
20 at the time. So I went back after I found a  
21 contractor and checked with Jim, and notified him of  
22 when we would be doing it as a courtesy, and learned  
23 of the moratorium.

24 They are scheduled to do the work on the  
25 25th and the 26th. And on the 28th I leave town on a

1 business trip.

2 So I'm requesting that -- you know, the  
3 moratorium as far as my understanding is, you know,  
4 big fences, and this is a white picket, white vinyl  
5 fence which has stone work, complete upgrade. So I'm  
6 asking for a waiver.

7 CHAIRMAN BOMMARITO: Does anybody on the  
8 Council have a comment?

9 MR. MAUPIN: Jim, have you seen the  
10 application? Do you know what he is going to build?  
11 Can you explain that?

12 MR. SCHMIEDER: Yes. The application is  
13 for a 36-inch white vinyl fence to replace, I believe,  
14 a 36-inch chain-link fence. It starts at the two side  
15 corners of the house, respectively, and then works its  
16 way back towards the rear property line along the side  
17 property line of the property.

18 The application was received by my office  
19 on Friday. Mr. Gartenberg has not had the opportunity  
20 to review it yet. But at this point in time we are  
21 holding the application until we can figure out what  
22 fence ordinance we have to assess the application more  
23 specifically.

24 MR. MAUPIN: From all the different  
25 changes, proposed changes in the current fence

1 ordinance that you have seen or discussed, would any  
2 of those changes affect this fence?

3 MR. SCHMIEDER: No. I saw the draft  
4 ordinance I believe last week in an email that I  
5 received from Mr. Wooldridge. I believe that this  
6 fence would comply with the proposed ordinance, as I  
7 have read it.

8 MR. MAUPIN: I think the Council could vote  
9 to waive the moratorium for this application, subject  
10 to the review and approval by staff.

11 MR. FOX: So moved.

12 MS. SPEWAK: Second.

13 CHAIRMAN BOMMARITO: All in favor?

14 MR. BOND: Aye.

15 MR. BURROUGHS: Aye.

16 MR. FOX: Aye.

17 MR. HIEMENZ: Aye.

18 MR. STERN: Aye.

19 MS. SPEWAK: Aye.

20 CHAIRMAN BOMMARITO: Opposed?

21 MR. TEVLIN: Thank you.

22 CHAIRMAN BOMMARITO: Thank you.

23 MR. HIEMENZ: Do we know the status of that  
24 coming back in front of Council?

25 CHAIRMAN BOMMARITO: I think it is the

1 final from Planning and Zoning.

2 MR. HIEMENZ: Is that being referred back  
3 to us?

4 CHAIRMAN BOMMARITO: I would hope it is the  
5 final plan from Planning and Zoning.

6 Anybody else in the audience that would  
7 like to say a few words?

8 At this time I would like to open the  
9 public hearing.

10 We have a request by the Log Cabin Club at  
11 1140 Log Cabin Lane for an amendment to the special  
12 use permit to construct an addition. We need a motion  
13 to open the public hearing.

14 MR. HIEMENZ: So moved.

15 MR. STERN: Second.

16 CHAIRMAN BOMMARITO: All in favor?

17 MR. BOND: Aye.

18 MR. BURROUGHS: Aye.

19 MR. FOX: Aye.

20 MR. HIEMENZ: Aye.

21 MR. STERN: Aye.

22 MS. SPEWAK: Aye.

23 CHAIRMAN BOMMARITO: Opposed?

24 Would a representative make a presentation  
25 for Log Cabin? Is there someone here to make a

1 presentation?

2 MR. TIPTON: We made a presentation two  
3 months ago to the City Council. My name is Holt  
4 Tipton. I'm with Musick Construction Company. We are  
5 the general contractor for the project. This is Scott  
6 Volding, from Volding Architectures.

7 The project consists of a small addition to  
8 the kitchen, and an addition for storage of six golf  
9 carts.

10 Materials are all exactly the same as the  
11 existing club. Painted siding, copper gutters, cedar  
12 shake roof. And the addition is on the -- as you can  
13 see, on the north side. Clayton Road is over here.

14 It was approved at the Planning and Zoning  
15 meeting last month. And there are no restrictions or  
16 tag-ons. Do you have a question?

17 MR. HIEMENZ: When you say no restrictions,  
18 there are five conditions.

19 MR. TIPTON: What are those conditions?

20 MR. WOOLDRIDGE: The same ones I gave you.

21 MR. HIEMENZ: Perseveration.

22 MR. TIPTON: I never saw this. The first  
23 one is fine. The second one is fine. And the third  
24 is fine. Four, we would love to begin construction as  
25 soon as you issue us a permit. And five is fine.

1 I apologize, I didn't see this. But we can  
2 conform to all of those.

3 MR. HIEMENZ: Thank you.

4 MR. WOOLDRIDGE: Other than that, this  
5 issue was reviewed at the January meeting, and the  
6 commission recommends approval of this with the five  
7 conditions that you have before you.

8 MR. MAUPIN: Mr. Mayor, we need to include  
9 in the public record of this hearing the Code of  
10 Ordinances of the City of Ladue, the application by  
11 the Log Cabin Club for the amendment to special use  
12 permit, and the entire file of the staff pertaining to  
13 this application, and particularly the recommendation  
14 of the Zoning and Planning Commission from the  
15 chairman, Mr. Peter Fischer, dated January 24, 2013,  
16 which unanimously recommends the approval of the  
17 application with the inclusion of the five conditions  
18 that Mr. Tipton has agreed to.

19 CHAIRMAN BOMMARITO: Any other comments?  
20 Any comment from the public? I need a motion to close  
21 the hearing.

22 MR. STERN: So moved.

23 MR. BURROUGHS: Second.

24 CHAIRMAN BOMMARITO: All in favor?

25 MR. BOND: Aye.

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MR. BURROUGHS: Aye.

MR. FOX: Aye.

MR. HIEMENZ: Aye.

MR. STERN: Aye.

MS. SPEWAK: Aye.

CHAIRMAN BOMMARITO: I need a motion to approve the recommendation of the Zoning and Planning Commission.

MS. SPEWAK: So moved.

MR. FOX: Second.

CHAIRMAN BOMMARITO: All in favor?

MR. BOND: Aye.

MR. BURROUGHS: Aye.

MR. FOX: Aye.

MR. HIEMENZ: Aye.

MR. STERN: Aye.

MS. SPEWAK: Aye.

CHAIRMAN BOMMARITO: Opposed?

The second request of the public hearing is a request from Old Warson Country Club at 9841 Old Warson Road to an amendment to discuss their special use permit to construct two additions. We need a motion to open the public hearing.

MS. SPEWAK: So moved.

MR. BURROUGHS: Second.

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CHAIRMAN BOMMARITO: All in favor?

MR. BOND: Aye.

MR. BURROUGHS: Aye.

MR. FOX: Aye.

MR. HIEMENZ: Aye.

MR. STERN: Aye.

MS. SPEWAK: Aye.

CHAIRMAN BOMMARITO: Opposed?

Does someone from Old Warson want to come forward? Who is going to make a presentation?

MR. TIPTON: My name is Holt Tipton. I'm with Musick Construction. This is Aidan Murphy, general manager of Old Warson.

Number 1 is good. Number 2 is good. Number 3 is good. 4, we would love to begin immediately. And 5 is good. They are all the same conditions. Is this the same thing you just gave me?

MR. MAUPIN: Could have been.

MR. TIPTON: Okay. We agree to all five.

CHAIRMAN BOMMARITO: Did you just get the job, or what?

MR. FOX: Holt, we are glad you are happy with it.

MR. TIPTON: Sorry.

CHAIRMAN BOMMARITO: Thank you. Mike, do

1 you have anything?

2 MR. WOOLDRIDGE: As background on this,  
3 they are going to add a screened patio as well as a  
4 new tee house, rest rooms, and small bar for the  
5 southeast end of the building. The total area of both  
6 additions will be approximately 2,850 square feet.

7 The addition that is closest to any road  
8 would be at the southeast corner. And it's  
9 approximately 380 feet north of Old Warson Road. So  
10 there is not going to be much, if any, visibility from  
11 Old Warson on this.

12 MR. TIPTON: That is not a big deal, but it  
13 is not screened. It's just open.

14 MR. WOOLDRIDGE: Okay. And then you have  
15 before you the five recommendations from the  
16 commission. And, here again, they approved it  
17 unanimously at their last meeting on January 23rd.

18 MR. FOX: Does this mean you will never be  
19 more than 100 feet from the bar at Old Warson?

20 MR. TIPTON: Pretty close. They get their  
21 cart out of the golf course.

22 CHAIRMAN BOMMARITO: John, do you want to  
23 add anything?

24 MR. MAUPIN: We need to again add in the  
25 public record for this hearing the Code of Ordinances

1 of the City of Ladue, and the entire file from Zoning  
2 and Planning pertaining to this application,  
3 particularly the recommendation of the chair of the  
4 Zoning and Planning Commission, Mr. Peter Fischer,  
5 dated January 24th, 2013, reporting that the Zoning  
6 and Planning Commission voted six-to-nothing to  
7 recommend to approve the allocation, including the  
8 five conditions, which Mr. Tipton has discussed and  
9 has agreed to abide by.

10 CHAIRMAN BOMMARITO: Is there any public  
11 comment on the motion before we close the hearing? If  
12 not, we need to close the hearing.

13 MR. HIEMENZ: So moved.

14 MR. STERN: Second.

15 CHAIRMAN BOMMARITO: All in favor?

16 MR. BOND: Aye.

17 MR. BURROUGHS: Aye.

18 MR. FOX: Aye.

19 MR. HIEMENZ: Aye.

20 MR. STERN: Aye.

21 MS. SPEWAK: Aye.

22 CHAIRMAN BOMMARITO: Opposed?

23 At this time we need a motion to approve  
24 the recommendation of the Zoning and Planning  
25 Commission.

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MR. HIEMENZ: So moved.

MR. BURROUGHS: Second.

CHAIRMAN BOMMARITO: All in favor?

MR. BOND: Aye.

MR. BURROUGHS: Aye.

MR. FOX: Aye.

MR. HIEMENZ: Aye.

MR. STERN: Aye.

MS. SPEWAK: Aye.

CHAIRMAN BOMMARITO: Opposed?

Thank you very much.

At this time, there was a committee report back in October, there was a committee formed to discuss and set up, to define the structure of our Governance Committee for our city. The committee consists of Ned Lemkemeier, George Fonyo, and Mr. John Sant, as well as myself.

At this time Mr. Sant, John Sant, would like to give a report of that.

MR. SANT: Mayor Bommarito has asked me to report on behalf of the committee, with the charge of reviewing corporate governance and lines of reporting within the City of Ladue.

We have unanimously recommended that the City of Ladue convert to a city administrator form of

1 government with detailed job descriptions along the  
2 lines that the City of Frontenac has.

3 And we also recommend that the Council  
4 consider reducing the number of boards and commissions  
5 and committees that you now have, and perhaps  
6 establishing term limits for the members of the  
7 committee.

8 I would like to take just a minute to  
9 elaborate a little bit on our recommendations.

10 First, we have recommended for three  
11 reasons that the present title called  
12 City Clerk/Assistant to the Mayor form of government  
13 be replaced. And we base that on three principal  
14 reasons.

15 The first is that there are conflicting  
16 provisions within the city ordinances and documents as  
17 to the line of reporting. I think it's 246, or  
18 something, of the Municipal Ordinance that the City  
19 Clerk will have general superintendency over the  
20 administrative functions of the city.

21 But then there is an exhibit to the  
22 personnel manual that says that all the functions  
23 reflected on the chart report to the mayor. So there  
24 certainly is some ambiguity there.

25 Second, we don't believe that the term

1 "City Clerk/Assistant to the Mayor" conveys or  
2 connotes the authority that the full-time manager of  
3 operations should have. In my line titles are  
4 important. When I was made chief lawyer a long time  
5 ago I got the title Associate General Counsel. And I  
6 go charging up to the meeting and give a card and it  
7 says associate. And they say, who is in charge?  
8 There is no one else. Why me then, I'm just an  
9 associate. I finally got that changed.

10 And third, and perhaps most important,  
11 surrounding municipalities have a much clearer, in our  
12 opinion, and much stronger forms of government.  
13 Chesterfield, Des Peres, Frontenac, Town & Country as  
14 third and fourth class cities have a city  
15 administrator form of government. Clayton, Olivette,  
16 Richmond Heights as charter cities have a city manager  
17 type of government.

18 We are proposing Ladue being a fourth class  
19 city, that the Council change to a city administrator  
20 form of government. And within that form of  
21 government the city administrator would have the  
22 management control over the supervisory and  
23 administrative functions of the city through personnel  
24 in the departments. It is a pretty straightforward,  
25 clear charter.

1           The City Clerk would have, I guess you  
2 could refer to reduced powers from what that title has  
3 now in our city. It would be essentially a  
4 recordkeeping, record maintenance position.

5           The Building Commissioner, we would  
6 recommend it become an employee rather than an  
7 independent contractor, and be proposed detailed job  
8 descriptions for each of these positions and the other  
9 positions in the city based on what Frontenac has.  
10 And those are very detailed. In each case they  
11 provide the department head reports to the city  
12 administrator, who in turn reports to the mayor, who  
13 has general supervision and control over the  
14 administrator.

15           You might ask, why did we refer to  
16 Frontenac? We looked at the organization charts of  
17 several municipalities, and we looked at their  
18 ordinances and we looked at their job descriptions,  
19 and it seemed to us that Frontenac has the clearest,  
20 most straightforward organization chart. And we  
21 thought the detailed descriptions were good.

22           What we are recommending is that those form  
23 the basis for Ladue determining exactly how they want  
24 to write theirs. But in each case, as I mentioned,  
25 the department head would report to the city

1 administrator.

2           And so those are the main points, unless I  
3 have forgotten some, for the city administrator part  
4 of our report.

5           We also, as I mentioned, recommend taking a  
6 look at the number of committees and commissions and  
7 boards you have. There are 27, by my count, from the  
8 list that I got. The City of Frontenac has three.  
9 Mayor Bommarito has suggested six. In any case, 27  
10 seems like an awful lot.

11           And we also suggest that there perhaps be  
12 term limits set for membership on these committees.  
13 It's not a lifetime position.

14           I want to emphasize what we have not done.  
15 We have not recommended particular job descriptions --  
16 detailed job qualifications for the positions that  
17 would be for the City Administrator and the department  
18 heads. It was concluded this went beyond our charter.

19           And we have not proposed the exact job  
20 description. We think there needs to be a look at how  
21 things function within the city, and what the greatest  
22 tasks are, and pull those into job descriptions.

23           I would conclude, however, that I would  
24 recommend that if the Council concludes that the city  
25 administrator form of government is something that

1 makes sense for the City of Ladue, that you retain a  
2 management consulting firm, for what I think would be  
3 very limited and hopefully relatively inexpensive  
4 tasks. And that would be to look at the job  
5 qualifications and requirements for positions of other  
6 cities in our surrounding areas. Look at how things  
7 function here and come up with a detailed recommended  
8 chart of organization, job descriptions, and job  
9 qualifications, and then the City Council can look at  
10 that and change it as they may see fit. If they  
11 approve something then the conforming ordinances would  
12 be adopted and then the mayor, with the advice and  
13 approval of the Council, can go about the task of  
14 limiting positions.

15 So that in kind of a nutshell is what we  
16 are proposing. And I and the other members of the  
17 committee would be happy to answer any questions or  
18 elaborate on anything you might have. Thank you.

19 CHAIRMAN BOMMARITO: Anybody like to make a  
20 comment?

21 MR. FOX: Mayor, I would just say, I would  
22 like to thank the special committee for their  
23 analysis.

24 I think the city has been run the way it is  
25 run now for 77 years. We will have to carefully

1 review the suggestions.

2 I did a little research. I think -- my  
3 feeling is the Council should think about this. I  
4 found on Missouri Municipal League there is a 25 page  
5 document entitled Forms of Government for Missouri  
6 Municipalities, and specifically discusses the pluses  
7 and minuses of what we currently have and what's being  
8 proposed. And I suggested to Mr. Wooldridge that he  
9 send a copy of that to every member of the Council so  
10 we can read through it and maybe get a better idea of  
11 what the pros and cons are.

12 I also -- I would say I agree with  
13 Mr. Sant; it would be an excellent idea to hire  
14 somebody to review things so that we can have a  
15 professional perspective on what the best practices  
16 are. I think that's a really good idea.

17 I would just note on the question of the  
18 number of committees. When I got your recommendation  
19 I went through the chart, and of the committees I  
20 think Tony has got the number of the -- that sounds  
21 like a good number, but I would say most of the  
22 committees meet only on an as-needed basis. So it's  
23 not like they are on the calendar every month doing  
24 something.

25 I personally think it's a good thing for us

1 to involve the experienced and talented people that we  
2 have in the City of Ladue. And there is no harm in  
3 something like the Dogwood Festival Committee, because  
4 they have one thing that they do when they do it. Or,  
5 for example, the Architectural Review Board meets as  
6 needed when there is something to review, but they  
7 don't have a standard meeting schedule.

8 So I would be careful that we don't turn  
9 off some of our citizens who volunteer for us and who  
10 are available to help us out when a question comes up,  
11 or they might have some expertise.

12 But I certainly think it makes sense always  
13 to review the way things are set up. And I understand  
14 that we are the only class four city in the county  
15 that has this particular form of administration. But  
16 on the other hand it has worked for 77 years, and so I  
17 would be careful deciding exactly how we would want to  
18 alter anything.

19 Finally, I would just say, there is a  
20 comment in your recommendation that says this doesn't  
21 require a reason we should implement it quickly. I  
22 disagree with that. Because of the fact we have a  
23 longstanding system and we value the input of the  
24 citizens, even if it's technically legal to do that, I  
25 would be reluctant to do it without having input from

1 our citizens as to what is being considered.

2 CHAIRMAN BOMMARITO: Anybody else have a  
3 comment?

4 MR. STERN: I would like to express my  
5 thanks to the committee also, because this has been an  
6 area that we are well aware that we have operated  
7 differently perhaps than anybody else. As John said,  
8 we have operated that way for a long time.

9 I think your suggestions are good and  
10 certainly open when we want to -- when we arrive as  
11 you indicate a suggestion of how we are set up that we  
12 hire, and there are people available without spending  
13 a fortune, as we have done on occasions, for things  
14 that wouldn't be all that expensive but certainly  
15 worthwhile, to get someone to review whatever we  
16 ultimately come up with.

17 I have a tendency to agree with John about  
18 the number of committees. I think one of the  
19 strengths of Ladue, frankly, is that we have -- first  
20 of all, everyone that volunteers, including ourselves,  
21 work for nothing. And we do that for our love of the  
22 city. And I think I can speak for myself, I enjoy  
23 being on the Council.

24 But I think, you know, we do have a lot of  
25 committees, and we do have a lot of people that are

1 involved. Some, certainly like Zoning and Planning  
2 and ZBA, meet every month. And some are much more  
3 involved than others. I think the more people that  
4 are involved in the city on a volunteer basis I think  
5 the better off we are, and I think it is limited to  
6 really a feeling of being involved in their city. If  
7 we were to all of a sudden cut it back significantly  
8 to any great extent, I think that would not be  
9 perceived, frankly, by our citizens as a positive  
10 thing.

11 But, there again, that would be also  
12 something perhaps for, you know, or not, for a  
13 consultant.

14 And just out of curiosity, you mentioned  
15 that there are other cities around us other than  
16 Frontenac that have, you know, this type of  
17 government. Did you look at those, any of them, that  
18 are in the contiguous area, so to speak, other than  
19 Frontenac?

20 The only reason I'm asking in particular, I  
21 do remember, I know very well who was the mayor then,  
22 and she inherited a mess. And so that the city, as I  
23 understand it, and I don't know all the details, but  
24 whatever they came up with was to solve a particular  
25 problem that perhaps other similar cities around the

1 area that maybe didn't have. I just don't know if  
2 their, you know, ordinance would be necessarily  
3 indicative of what perhaps other comparable cities  
4 would say.

5 MR. SANT: We generally looked at, as I  
6 mentioned, Chesterfield. I know that Des Peres is an  
7 administrator form of government. I don't actually  
8 remember looking at theirs. But Town & Country,  
9 Chesterfield, and Frontenac, of course. And then we  
10 also looked at Clayton and Olivette and  
11 Richmond Heights.

12 MR. STERN: Those are charter cities.

13 MR. SANT: Right. But we looked at the  
14 general way they have themselves organized.

15 MR. STERN: Okay. We will look at it  
16 again. I would like to thank you all for your effort.  
17 It's an important task that we needed to have done,  
18 and we thank you for it.

19 MR. HIEMENZ: John, I might add as serving  
20 on the committee, Walt, to your question on different  
21 cities. The one thing we did find, whether it be a  
22 third or fourth class city was in looking at our  
23 number one charge, which was lines of reporting. That  
24 every city that we looked at, Creve Coeur, Frontenac,  
25 Richmond Heights, Clayton, the cities that John

1 mentioned, they all have very distinct lines of  
2 reporting through a city administrator to the mayor  
3 and aldermen or councilmen.

4           And I think, again, reflecting back on  
5 October when this Council authorized the advisement  
6 committee, that was the number one charge. Right now  
7 we have very murky lines of communication. Our mayor  
8 indicated that our department heads had confusion  
9 because of that.

10           I encourage my fellow councilmen to recall  
11 why this advisory committee was put together, and at  
12 the very least look at what we have done in terms of  
13 connecting the lines of our department heads. It's  
14 very important for our department heads as well as our  
15 current and future mayors, and as a by-product of that  
16 as a city administrator form of government, which is  
17 well defined and perimeters established. Assistant to  
18 the Mayor, there is really nothing even in our Ladue  
19 code that indicates that in there.

20           MR. BOND: Charlie, also on that structure.  
21 I think as we move on down the road, recruitment may  
22 be somewhat of an issue, too, if we don't look at this  
23 as the committee presented it. I think it has got a  
24 lot of strength.

25           One aspect in the conversation about the

1 committees. I think we really rely on our  
2 institutional knowledge for many of these committees.  
3 I look back to how we used to rely on Clay Mollman in  
4 the ZBA to help kind of -- help us navigate through  
5 based on what had been done as precedence in years  
6 past. His knowledge was so important to the  
7 functioning of the ZBA. I'd be very fearful of  
8 potentially losing that type of institutional  
9 knowledge.

10 MR. BURROUGHS: Mr. Mayor, if I might,  
11 following up on what Councilman Arnold has to relay --  
12 Fox, excuse me. I think there is a significant gap --  
13 I have wanted to do that for some time.

14 I think there is a significant gap in the  
15 way our ordinances are drafted, and the way we conduct  
16 our city business. That gap has evolved over time.  
17 With due respect, 77 years worth of Ladue history, it  
18 is, I think, time for a change so that our ordinances  
19 actually reflect our current practices.

20 I think it was a surprise to many of the  
21 Council to discover how much authority the mayor  
22 actually had relative to employment matters and so on  
23 and so forth within the city charter -- or within the  
24 city government.

25 As far as the committees go, I personally

1 feel a lot of sentimental attachment to the committees  
2 that study collection and disposal of leaves and  
3 brush. I would hate to see that one fade away.

4 Committees have a way of evolving, or being  
5 formed, and nobody ever sticks a fork in. I think the  
6 fact these committees exist, I'm all for institutional  
7 knowledge and that sort of thing, but if they become  
8 some sort of way of the city conducting business, it's  
9 really not appropriate.

10 As far as whether there is a public vote on  
11 this change, I think certain decisions are left to the  
12 City Council. And there is a reason they are left to  
13 the City Council. That's the way the Missouri  
14 statutes are established. That's the way the  
15 constitution is written and so forth. And if we have  
16 the authority, we ought to step up and exercise it as  
17 opposed to letting the citizens, if we think a change  
18 is necessary.

19 MR. FOX: Councilman, I wasn't suggesting a  
20 public vote. I was suggesting getting public input  
21 into how they felt about the revisions. And I agree  
22 with you.

23 MR. BURROUGHS: I understand.

24 MS. SPEWAK: I, too, would like to thank  
25 you. We are all very appreciative of the work you

1 have put in. I think that when you take a look at the  
2 org chart as presented, it's very professional and it  
3 looks that it would work well.

4 I just am really echoing what everyone else  
5 has said. I think that you have an excellent idea and  
6 we need to know. Take your time with the Council  
7 initially to review it, and then I think we need to  
8 hire a professional who can look at the way we run the  
9 city operations on a day-to-day basis and if this is  
10 the exact right structure, does it need a little  
11 tweaking, or how does this work in reality for us.

12 And I guess that I will just ad nauseam  
13 echo that I do value committees. I agree with Hal  
14 that whatever that trash collection committee, I don't  
15 know why I was never invited to join that, I'm very  
16 upset about that. But I do think, just as you are  
17 giving us this great piece of information as a  
18 volunteer committee, we don't want to lose the  
19 educated volunteers we have got who are willing to  
20 give their time to help the Council look at issues  
21 that we probably would not have had the time to do.

22 I think there is a fine balance there. I  
23 agree, you don't want a whole bunch of committees out  
24 there that are not necessary, but I think we need to  
25 study closely what we do need and how we use the

1 committees, and maybe a change in function for some  
2 committees as well.

3 So, I look forward to getting into the meat  
4 of it.

5 CHAIRMAN BOMMARITO: I think we got a  
6 little bogged down with the thought of committees.  
7 The committees was just a minor thing. The main thing  
8 was we connect the dots. Hopefully our goal was to  
9 get a good flow, so that as new personnel comes in the  
10 city to work, that they do know exactly the lines of  
11 communication of who, and what their job descriptions  
12 are and things of that nature.

13 I guess there is opinions from everybody.  
14 I think they are very important. I really do  
15 appreciate the committee. It was a very insightful  
16 meeting to sit down and listen to everybody's opinion.  
17 But sometimes things get broken and you really have to  
18 look at it. Is it tradition, or is it a way of life  
19 today. I think in the business we have to run an  
20 efficient city for the residents. If we keep kicking  
21 the can down the road, we are not being fair to them.  
22 I think maybe we ought to sit down again with the  
23 Council and we should discuss it, if we sit down at a  
24 later date in a closed session, I think we should.  
25 But I do not think we should let it die, but as an

1 employee of all citizens. That is a little bit or a  
2 lot past due.

3 Is there anything else we have to connect  
4 the dots to somewhere along the way?

5 MR. HIEMENZ: Mayor, if I can assume from  
6 what I'm hearing that the charge of the Governance  
7 Advisory Committee is now complete, I'm not sure as a  
8 sitting member of the Council I'm understanding  
9 crystalized the next step of the Council. So this  
10 recommendation is moved forward in terms of citizen  
11 input, us taking a slice of this and executing it, or  
12 specifically where we go from here, so that a year  
13 from now we are wondering -- not wondering what that  
14 next step is.

15 CHAIRMAN BOMMARITO: Hal, what do you think  
16 the next step of the Council should be?

17 MR. BURROUGHS: I wasn't expecting that  
18 question. I think the next step is to consider the  
19 recommendations of the committee in further detail,  
20 and consider whether or not -- it may be a matter of  
21 talking to some of these potential consultants.

22 It sounded like some of the things that  
23 they -- that the committee deferred over to us were  
24 things like specific job descriptions and job  
25 qualifications and that sort of thing. Whether or not

1 we, it may be a matter of Councilman Fox is on and so  
2 forth. Getting comfortable with some of the  
3 recommendations and some of the other possibilities.  
4 And whether or not the committee is willing to  
5 consider plodding along with us, I don't know.

6 CHAIRMAN BOMMARITO: John, do you have any  
7 thoughts on that?

8 MR. MAUPIN: I think -- I honestly think  
9 the next step is to ask for citizen input. Maybe post  
10 on the city's website the Missouri Municipal League  
11 paper on different forms of government. Maybe request  
12 citizen input at the next Council meeting, or through  
13 the website, responses, what they think. I'm sure --  
14 the Patch is here covering this. I'm sure the Patch  
15 will report this. People read the Patch. They do,  
16 and they respond.

17 I think the next step is to try to get some  
18 citizen input. And perhaps I can go through and  
19 summarize the differences. I know there is some  
20 discussion about Town & Country and Frontenac are  
21 word-for-word. I mean, down to the commas and  
22 punctuation. Their ordinance descriptions are city  
23 administrative, obviously written by the same person  
24 off the same word processor probably.

25 Chesterfield is a little different. There

1 are about three or four minor variations on this job  
2 description of city administrator among the various  
3 cities in St. Louis County which are similar in some  
4 respects to Ladue. I can give you a quick summary of  
5 all of those in the next couple of weeks.

6 I think the key here, and I think Hal  
7 pointed this out very clearly, and I think John as  
8 well, that one of the advantages of the city  
9 administrator is by our own ordinance we can draft  
10 exactly what those duties are.

11 For example, we don't have to adopt exactly  
12 what Frontenac does or exactly what Chesterfield does  
13 or exactly what Town & Country -- which does the same  
14 as Frontenac. We don't have to do the same as anybody  
15 else. We can figure out how our government works and  
16 write our description of city administrator or finance  
17 director or public works, how we currently do things,  
18 and then we can work within a framework which everyone  
19 has agreed upon and discussed, and then move forward.

20 I think the next step, I can give you some  
21 input and some oversight.

22 CHAIRMAN BOMMARITO: You are correct on  
23 that, but we still have to connect the dots.

24 MR. MAUPIN: Absolutely.

25 CHAIRMAN BOMMARITO: Sooner or later we

1 have to connect the dots.

2 MR. MAUPIN: And I think from the  
3 discussion I have heard, that everyone is in favor of  
4 that. I think everyone understands the benefits of  
5 having a clear-cut reporting system.

6 I think it is obvious we have needed some  
7 help on that over time.

8 MS. SPEWAK: I'm just going to throw out  
9 maybe we need to -- before we ask for citizen input,  
10 maybe we really need to understand what we are asking  
11 for, so that I think we should work perhaps with a  
12 consultant or amongst ourselves. However we want to  
13 do it. But I think we have got to determine what do  
14 we want as a city. What is that city administrator  
15 job description going to look like for the City of  
16 Ladue before we ask for citizen input on the city  
17 administrator. I'm not sure that our citizenry is  
18 going to be educated enough as a whole to really give  
19 us valuable input unless we can tell them, here is  
20 what we are looking at, here is the job description,  
21 this is how it should function, and then give us your  
22 input on that.

23 MR. MAUPIN: I think I can give you a  
24 description in two short paragraphs on exactly what a  
25 city administrator does, and perhaps include that in

1 the website after Council has looked at it and say  
2 that a proposal has been made by -- brought forth by  
3 the city government stating that the city considers  
4 changing its form of government into what is called a  
5 city administrator form of government. Here is what a  
6 city administrator form of government does.

7 The exact details of the job would be  
8 something worked out in the future, but here is what  
9 the changes would be if we adopt this sort of  
10 government, what do you think.

11 MS. SPEWAK: I think we might have to tell  
12 them what form of government we have now.

13 MR. MAUPIN: That will take more than two  
14 paragraphs.

15 MS. SPEWAK: I know. But I think we have  
16 to somehow succinctly come up with a way to explain  
17 our reasons, you know.

18 MR. MAUPIN: Sure. Absolutely.

19 MS. SPEWAK: As most people are going to  
20 read it and think, okay. So to get really valuable  
21 input I think we need to explain that.

22 I don't know if that's something we look at  
23 as a Council after you put that together and bring it  
24 back at the next meeting, perhaps, or if you want --  
25 or if you want to -- that's not an opinion. I'm just

1 trying to move the discussion along.

2 CHAIRMAN BOMMARITO: If you could start  
3 putting something together I think it would be  
4 helpful.

5 MR. MAUPIN: I will be happy to.

6 CHAIRMAN BOMMARITO: I won't be around to  
7 see it implemented probably. But I do think, it's not  
8 for me at all, it's for the people who work here, and  
9 it's for the residents of the city. It's not for  
10 anything other than that. I think it's something for  
11 the long term that we are going to have to do.

12 Nancy, you are the next one in line. It's  
13 something that's going to have to be done sooner or  
14 later. But I do appreciate everybody's input.

15 MS. SPEWAK: Can I say one more thing  
16 quickly? There are other recommendations as a part of  
17 this report. Are we going to be asking for input on  
18 those? How are we going to deal with that?

19 MR. FOX: Maybe we should have a Council  
20 work session after we get John's material, and we can  
21 just sit around the table and talk it over.

22 MS. SPEWAK: I like that idea.

23 CHAIRMAN BOMMARITO: That would be good.

24 MR. BURROUGHS: I don't know if you want to  
25 go to the website listing it unless you are

1 comfortable this is the direction you want to go.

2 MS. SPEWAK: That's really what I was  
3 pointing to.

4 MR. LEMKEMEIER: Mayor, I would like to  
5 mention, in our proposal it is not increasing the  
6 number of committees and commissions to 28 from 27,  
7 and so we are perfectly content to say here is our  
8 report, and I hope you consider it seriously.

9 CHAIRMAN BOMMARITO: I will add something  
10 about the committee. Since I became the mayor I have  
11 gone to the City Councils of Chesterfield, I went to  
12 City Council down in the country. I went to six of  
13 them. Different council meetings around, and talked  
14 to different mayors of other cities.

15 And I will say one thing. I think we need  
16 some government system. The structure needs some  
17 changing. But one thing I will say very firmly and  
18 strongly is that none of them have the committee  
19 system that we have, and I think our committee system  
20 is really, really very good. I would like to comment  
21 that the people that are on them and the input that  
22 they give the city is very, very useful compared to  
23 any other city that has them.

24 MR. FONYO: Tony, I would like to make one  
25 comment about what John Fox said.

1           And that is, you know, the system has been  
2 basically evolving for those 77 years. It hasn't been  
3 the same system all along. It has changed  
4 tremendously as mayors have changed.

5           When I was on the committee -- on the  
6 Council back in the '70s it was quite different  
7 because we had a very different mayor whose main job  
8 was running the city. And I think since then we have  
9 had different mayors that have had different time  
10 frames that they have been able to apply to the job.

11           And so the city government has really  
12 evolved, and so it's not the same as it was. I think  
13 what we are trying to do is suggest this is the way  
14 you could have it regardless of the Council members  
15 and the mayor.

16           MR. FOX: I realize everyone thinks I'm  
17 super conservative, but I am willing to consider  
18 changes. You know, if you read the Municipal League  
19 description of the weak mayor system and the strong  
20 mayor system, we aren't really either one of those.  
21 It's some kind of a hybrid. So I look forward to  
22 seeing what we come up with.

23           CHAIRMAN BOMMARITO: Thanks again. Thank  
24 you for coming.

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CERTIFICATE OF REPORTER

I, Bobbie L. Lubber, Registered Professional Reporter, Certified Court Reporter, and Notary Public within and for the State of Missouri, do hereby certify that the meeting aforementioned was held on the time and in the place previously described.

IN WITNESS WHEREOF, I have hereunto set my hand and seal.



Bobbie L. Lubber, RPR, CCR #621

