

**MINUTES OF MEETING  
CITY COUNCIL OF THE CITY OF LADUE  
ST. LOUIS COUNTY, MISSOURI  
MONDAY, APRIL 21, 2014, 4:00 P.M.**

The regular meeting of the City Council of the City of Ladue, St. Louis County, Missouri was held on Monday, April 21, 2014, 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  
Walter G. Stern  
John R. Fox  
William Brennan  
Harold Burroughs

Six Council Members present.

Also present were Michael W. Wooldridge, Assistant to the Mayor / City Clerk; Mr. Rick Jett, Finance Director; Police Chief Rich Wooten; Fire Chief John Bailot; Assistant Fire Chief Jeff Johnson; Anne Lamitola, Director of Public Works; James Schmieder, Director Building and Zoning; Mike Gartenberg, Building Official; Patrick Hensley, Chairman – Public Works Committee; John Maupin, City Attorney.

**Approval and Adoption of the Agenda:** Council Member Stern moved the adoption of the agenda amended to include approval of Resolution 2014-01; seconded by Council Member Fox and the vote thereupon was as follows:

Council Member Hiemenz	“Aye”
Council Member Howell	“Aye”
Council Member Stern	“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 and Closed meetings of March 25, 2014. Council Member Hiemenz moved approval of the Minutes; seconded by Council Member Fox, which motion passed unanimously.

**Public Forum:**

Mrs. Nancy Guilfoil, 21 Paxton Lane, complained about the construction occurring at 5 Hacienda, which backs to her property. She stated that Mr. Schmieder was contacted about the issue. Mr. Schmieder and Mr. Gartenberg were directed to meet with Mrs. Guilfoil.

**Committee Report:** None

**Public Hearings:** None

**Old Business:** None

**Zoning and Planning Matters:** None

**Proposed Legislation:**

**Bill 2085** – an ordinance approving a re-subdivision of parts of Lot 1 and Lot 2 of Oak Bend Subdivision.

Mr. Wooldridge explained that the re-subdivision request involved the vacant property at the corner of Litzsinger Road and Oak Bend Drive. He advised that the new lots meet the requirements of Zoning Ordinance 1175, and MSD approved the re-subdivision.

Council Member Stern moved the introduction of Bill 2085, seconded by Council Member Burroughs, which motion passed unanimously.

Council Member Burroughs moved the first reading of Bill 2085, seconded by Council Member Hiemenz, which motion passed unanimously.

Council Member Burroughs moved the second reading of Bill 2085, seconded by Council Member Stern, which motion passed unanimously.

Council Member Burroughs moved adoption of Bill 2085, seconded by Council Member Hiemenz, and the vote thereupon was as follows:

Council Member Hiemenz	"Aye"
Council Member Howell	"Aye"
Council Member Stern	"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 2085 adopted as **Ordinance 2085**.

**Resolution 2014-01** – a resolution approving a "Project" of the Industrial Development Authority of the County of St. Louis, Missouri, to be located partially in the City of Ladue, Missouri.

Mr. Vincent Garazzo, attorney for DESCO, explained that Missouri Statute required municipal approval for the refinancing of the Community Improvement District Bonds for Colonial Marketplace. He stated the bonds will be in an amount less than \$3,500,000.00, and issued through the St. Louis County Industrial Development Authority.

Council Member Hiemenz moved the adoption of Resolution 2014-01, seconded by Council Member Stern, and the vote thereupon was as follows:

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

The motion was passed by a unanimous vote.

**Financial Matters:**

Mr. Jett reported that the 2013 audit was complete and reflects a surplus in all funds. The audit report will be presented at the May meeting.

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

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

The Mayor and Council reviewed the Financial Report for March 2014 and year-end 2012. The Mayor ordered the reports filed for information.

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

The Mayor and Council reviewed the Land and Lot Delinquent Report for the period 2004 – 2008. The Mayor ordered the report filed for information.

#### **Department Reports:**

##### **Fire Department:**

Chief Bailot reported that the basement floor for Firehouse #2 has been poured and the masonry sides of the building are being erected. Masonry work should be completed by mid-May depending on weather.

Chief Bailot requested approval of the purchase of Personal Protection Equipment from Callahan Fire, Inc. at a cost of \$13,173.59. He advised that Callahan is the sole distributor of the equipment for this area. Similar equipment and quantity was approved for purchase in 2013.

Council Member Hiemenz asked if grant money is available for this type of equipment. Chief Bailot stated that with grant funding being reduced the Department made application for other equipment.

Council Member Fox moved to approve the purchase of the Personal Protection Equipment from Callahan Fire, Inc. at a cost of \$13,173.59 under the provisions of Section 2-413 (b). The motion was seconded by Council Member Stern and the vote thereupon was as follows:

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

**Police Department:** The Mayor and Council reviewed the Police Activity Report for the period through March 31, 2014.

Chief Wooten requested approval for the purchase of one 2014 Dodge Charger from Glendale Chrysler at a cost of \$14,385.00 (net of trade).

Council Member Fox moved to approve the purchase of one 2014 Dodge Charger from Glendale Chrysler at a cost of \$14,385.00. 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 Stern	"Aye"
Council Member Fox	"Aye"
Council Member Brennan	"Aye"
Council Member Burroughs	"Aye"

The motion was passed unanimously.

Chief Wooten requested approval for the purchase of one 2014 Chevrolet Tahoe from Don Brown Chevrolet at a cost of \$21,431.00 (net of trade).

Council Member Burroughs asked why a smaller vehicle was not considered. Sgt. Greg Stork advised this vehicle will be assigned to the Road Sergeants and their vehicle has more equipment to be stored.

Council Member Stern moved to approve the purchase of one 2014 Chevrolet Tahoe from Don Brown Chevrolet at a cost of \$21,431.00 (net of trade). 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 Stern	"Aye"
Council Member Fox	"Aye"
Council Member Brennan	"Aye"
Council Member Burroughs	"Aye"

The motion was passed unanimously.

Chief Wooten requested approval of a contract with the Ladue School District regarding the School Resource Officer during 2014.

Chief Wooten stated the contract provides a payment by the school district of approximately 75% of the annual cost of a police officer.

Council Member Brennan moved to approve the contract with the Ladue School District for providing a School Resource Officer. 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 Stern	"Aye"
Council Member Fox	"Aye"
Council Member Brennan	"Aye"
Council Member Burroughs	"Aye"

The motion was passed unanimously.

**Public Works:** The Mayor and Council reviewed the Public Works Activity Report for the month of March 2014.

Approval of a contract with Veejay Cement Construction for compost facility upgrades at a cost of \$484,922.80. (tabled at the request of the Public Works Director until the May 2014 meeting)

Ms. Lamitola requested approval of a contract with Reitz & Jens for construction engineering services during the compost facility upgrade project at a cost not to exceed \$25,000.00.

Council Member Fox moved to approve the contract with Reitz & Jens for construction engineering services at a cost not to exceed \$25,000.00. 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 Stern	"Aye"
Council Member Fox	"Aye"
Council Member Brennan	"Aye"
Council Member Burroughs	"Aye"

The motion was passed by a unanimous vote.

Approval of the purchase of a two-ton Freightliner dump truck from Truck Center, Inc. at a cost of \$87,620.00 (net of trade).

Ms. Lamitola requested that the request be changed to reflect the trade of two vehicles resulting in a cost of \$72,620.00 (net of trade). She stated that by trading two vehicles the City could reduce its fleet of eight two ton dump trucks to seven trucks. Ms. Lamitola indicated that one, a 15 year old truck and one, a ten year old truck will be traded. She stated the ten year old truck needs \$3,000.00 of engine repairs, and the trade-in is worth \$15,000.00.

Council Member Fox moved to approve the purchase of one Freightliner dump truck with two trade-in vehicles at a cost of \$72,620.00 (net of trade). 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 Stern	"Aye"
Council Member Fox	"Aye"
Council Member Brennan	"Aye"

Council Member Burroughs "Aye"

The motion was passed by a unanimous vote.

Ms. Lamitola requested approval for the purchase of a mobile vehicle lift from Automotive Technology at a cost of \$25,660.00.

Council Member Burroughs moved to approve the purchase of a mobile vehicle lift from Automotive Technology at a cost of \$25,660.00. The motion was seconded by Council Member Stern and the vote thereupon was as follows:

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

The motion was passed by a unanimous vote.

Approval of a contract with Horner & Shifrin for construction engineering services during the McKnight Road Bridge, Road and Sidewalk Project at a cost of \$159,003.19.

Ms. Lamitola reported that seven bids were received. She stated Horner & Shifrin was recommended based on a qualification based review system and their familiarity with the project.

Council Member Hiemenz moved to approve a contract with Horner & Shifrin for construction engineering services during the McKnight Road Bridge and Sidewalk Project at a cost not to exceed \$159,003.19. The motion was seconded by Council Member Stern and the vote thereupon was as follows:

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

The motion was passed by a unanimous vote.

**Municipal Court:** The Mayor and Council reviewed the Municipal Court Report for March 2014. The Mayor ordered the report filed.

**Administration/City Clerk.**

The Mayor and Council reviewed the building department report for March 2014. Year-to-date 46 reportable permits were issued for a construction value of \$8.1 million. Value of construction was 48% compared to the same period in 2013.

**Appointments:** Appointment of Robert Watt, 15 St. Andrews Drive, to the Public Works Committee replacing Henry Schwartz for an unexpired term through December 31, 2014.

Council Member Hiemenz moved to approve the appointment of Robert Watt to the Public Works Committee. The motion was seconded by Council Member Stern, and the vote thereupon was as follows:

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

The motion was passed by a unanimous vote.

**Liquor Licenses:**

Mayor Spewak noted four liquor license renewals for approval:

An application from the Racquet Club, 1600 Log Cabin Lane, for renewal of their license to sell intoxicating liquors by the drink and in the original package, with Sunday sales. The report from the police department finds no reason why the license should not be issued.

An application from Gourmet To Go, 9828 Clayton Road, for renewal of their liquor license to sell intoxicating liquors in the original package. The

report from the Police Department finds no reason why the license should not be issued.

An application from L'Ecole Culinaire, Ltd., 9811 S. Forty Drive, for renewal of their liquor 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 St. Louis Country Club, 400 Barnes Road, for renewal of their liquor license to sell intoxicating liquors by the drink and in the original package, with Sunday sales. The report from the police department finds no reason why the license should be not issued.

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

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

The motion was passed unanimously.

Mayor Spewak noted that the next City Council meetings would be held on May 19 and June 16, 2014.

Mayor Spewak announced that the Ladue Dogwood Parade and Festival would be held on May 10, 2014.

Mayor Spewak advised there were items for discussion in executive session involving legal matters under RSMo. Section 610.021 (1) & (3).

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

Council Member Hiemenz	"Aye"
Council Member Howell	"Aye"
Council Member Fox	"Aye"
Council Member Stern	"Aye"

Council Member Burroughs	"Aye"
Council Member Brennan	"Aye"

The motion was passed unanimously.

(The Mayor and Council went into closed session at 5:00 PM with Mr. Wooldridge and Mr. Maupin)

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

Council Member Hiemenz	"Aye"
Council Member Howell	(left meeting at 5:25 PM)
Council Member Fox	"Aye"
Council Member Stern	"Aye"
Council Member Burroughs	"Aye"
Council Member Brennan	"Aye"

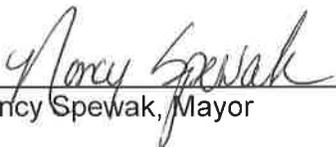
The motion was passed unanimously.

(Returned to open session at 5:35 PM)

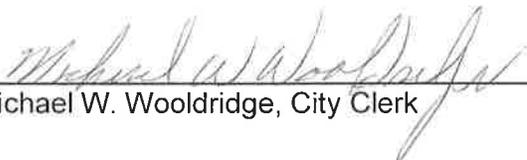
**Adjournment:**

Councilman Fox moved adjournment, seconded by Councilman Hiemenz, which motion passed unanimously. The meeting adjourned at 5:35 PM.

**APPROVED THIS 19<sup>th</sup> DAY OF MAY 2014.**

  
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Nancy Spewak, Mayor

**ATTEST:**

  
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Michael W. Wooldridge, City Clerk