

**MINUTES OF MEETING
CITY COUNCIL OF THE CITY OF LADUE
ST. LOUIS COUNTY, MISSOURI
MONDAY, MAY 20, 2013 4:00 P.M.**

The regular meeting of the City Council of the City of Ladue, St. Louis County, Missouri was held on Monday, May 20, 2013, 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
Art Bond
Walter G. Stern
John Fox
William Brennan
Harold Burroughs

Six Council Members present.

Also present were Michael W. Wooldridge, City Clerk/Assistant to the Mayor; Rick Jett, Finance Director; Police Chief Rich Wooten; Fire Chief John Bailot, Assistant Fire Chief Jeff Johnson; Ms. Anne Lamitola, Public Works Director; Mr. Jim Schiele, Chairman – Finance, Revenue and Taxation Committee; City Attorney, Renee Meyer (attending for John Maupin); Mr. James Schmieder, Ladue Building Office.

Approval and Adoption of the Agenda: Council Member Fox moved the adoption of the agenda, 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 Brennan	“Aye”
Council Member Burroughs	“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 Meeting of April 15, 2013. Council Member Hiemenz moved approval of the Minutes; 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 Brennan	"Aye"
Council Member Burroughs	"Aye"

The motion was unanimously passed.

Oath of Office: Mr. Wooldridge administered the oath of office to Mayor Nancy Spewak and Council Members Bond, Fox, and Brennan.

Resolution 2013-04 – a resolution recognizing the contributions of Anthony M. Bommarito, as Mayor for two years (2011 – 2013), and as Council Member for eight years (2003 -2011).

Council Member Hiemenz moved the adoption of Resolution 2013-04; 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 Burroughs	"Aye"
Council Member Brennan	"Aye"

Resolution 2013-04 was unanimously adopted.

Public Forum: Former Mayor Irene Holmes, 200 N. Warson Rd., congratulated Mayor Spewak on her election as Mayor. She also recognized Michael Wooldridge for his service to the City and how fortunate the City is to have him as an employee. Pieter Muiler, 32 Daryl Lane, commented on Pulte Homes as a developer of the property at Conway Road and S. Lindbergh Blvd.; Mary Ann Rober, 14 Blaytonn Lane, spoke about recent talk of a merger of St. Louis City and St. Louis County,

and a sustainable development group (ICLEI); George Fonyo, 9758 Litzsinger Road, condition of Litzsinger Road.

Public Hearings: (none)

Old Business (none)

Zoning and Planning Matters: Request by Pulte Homes for approval of a subdivision plat at the corner of Conway Road and S. Lindbergh Blvd.

Council Member Fox moved to refer the request by Pulte Homes to the Zoning and Planning Commission for review and recommendation. The motion was seconded by Council Member Bond, 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 Burroughs	"Aye"
Council Member Brennan	"Aye"

The resolution was unanimously passed

Proposed Legislation: (none)

Financial Matters:

Mr. Schiele reported that the Finance Committee reviewed the audit for the year 2012 and approved the report by Botz and Deal. He advised that Ms. Michelle Graham from Botz and Deal would present the audit findings.

Ms. Michelle Graham from Botz and Deal provided a report on the audit of the City's finances for 2012. She stated the City was given a clean opinion with no recommendations. The auditors found no material weaknesses. Ms. Graham further commended the City staff, particularly Finance Director Rick Jett, for the hard work and organization put forth for the audit.

Council Member Hiemenz asked if the audit included a review of cash receipts in the municipal court. Ms. Graham advised that cash receipts were reviewed as part of a focus audit in 2012 during the 2011 audit process.

Mr. Bill Winningham, Actuary – Milliman, Inc., provided a review of the valuations of the Uniform and Non-Uniform Pension Plans as of January 1, 2013. He reported that the plan valuations still reflected the losses from 2008. Several assumptions were changed in the Uniform Plan valuation including a change in return on investment to 7% from 7.5%; a 4.5% salary increase assumption, and changing to a level dollar amortization. These changes, along with a lower investment return resulted in a decreased funded ratio to 64.2%. He indicated this ratio should improve in the future if the assumptions are met and once the effects of pension changes are computed into the valuation.

Council Member Hiemenz asked what the impact of the assumption changes had on the annual required contribution to the uniform pension plan. Mr. Winningham advised that the changes increased the contribution by \$275,000.00.

Mr. Winningham stated the Non-Uniform Plan was similarly affected by assumption changes, however, the annual contribution decreased slightly. He noted that the exclusion of sick leave / vacation payouts from the pension computation had the greatest positive impact. The funded ratio was reported at 81.6%

Mr. Jett requested Council approval to extend the current contracts for employee life and long term disability insurance to July 1, 2013. He stated this will provide a more uniform renewal date for all insurance policies and assist staff in administering the renewal process.

Council Member Stern moved to extend the employee life and long term disability insurance policies to July 1, 2013 and for subsequent years. The motion was seconded by Council Member Fox, 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 Burroughs	"Aye"
Council Member Brennan	"Aye"

The motion was unanimously passed

The Council reviewed the **vouchers for payment** for the month of April 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 April 2013. The Mayor ordered the reports filed for information.

The Mayor and Council reviewed the Financial report for April 2013. The Mayor ordered the report filed for information.

The Mayor and Council reviewed the Cash Flow Summary for April 2013. 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 Council reviewed the Fire Department Activity Report for April 2013. The Mayor ordered the report filed.

Chief Bailot advised that the City was approved for a FEMA grant in the amount of \$90,000.00 (\$85,500 federal / \$4,500 local share) for three (3) heart monitors / defibrillators. He stated the City needs to indicate their acceptance of the grant by May 29, 2013. Chief Bailot noted that one unit was already in the budget for 2013 at a cost of \$40,000.00, and he needed to consult with FEMA to insure that we did not violate regulations pertaining to the purchase of items in the approved budget with federal funds.

Council Member Stern moved acceptance of the grant from FEMA for three (3) heart monitors / defibrillators at a cost of \$90,000.00. The motion was seconded by Council Member Fox, 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 Burroughs	"Aye"
Council Member Brennan	"Aye"

The motion was unanimously passed

Chief Bailot reported that Pierce Manufacturing submitted an offer to offset the cost of repairs to the 2005 fire pumper. The offer included \$10,000.00 cash toward pumper repairs and a \$7,500.00 credit toward the purchase of another apparatus within the next five years.

After discussion Council Member Stern moved that the City Attorney be directed to counter the Pierce Mfg. offer by offering to accept a \$17,500.00 cash settlement. The motion was seconded by Council Member Hiemenz, 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 Burroughs	"Aye"
Council Member Brennan	"Aye"

The motion was unanimously passed

Police Department: The Council reviewed the Police Activity Report for the period January 1, 2013 through April 30, 2013. The Mayor ordered the report filed.

The Mayor and City Council recognized Lt. Darin McClure for 25 years of service with the Ladue Police Department.

Chief Wooten requested approval of a contract with Golterman & Sabo for firing range soundproofing at a cost of \$13,454.00

Council Member Stern moved the approval of the contract with Golterman & Sabo at a cost of \$13,454.00. 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 Burroughs	"Aye"
Council Member Brennan	"Aye"

The motion was unanimously passed

Chief Wooten asked for approval of a bid from Action Target for a sound / debris curtain at a cost of \$7,437.00. The rubberized curtain will provide protection from bullet ricochets in the firing range.

Council Member Stern moved the approval of the contract with Action Target at a cost of \$7,437.00. 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 Burroughs	"Aye"
Council Member Brennan	"Aye"

The motion was unanimously passed

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

Ms. Lamitola reviewed a request from Maryhill subdivision to amend the landscape agreement approved in April 2013 to allow low voltage landscape lighting in the City right-of-way.

Council Member Hiemenz moved to approve the amendment to the April 2013 agreement, noting that the City considers the project complete and no additional city time will be committed to the right-of-way in this area; 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 Spewak	"Aye"
Council Member Burroughs	"Aye"
Council Member Brennan	"Aye"

The motion was unanimously passed.

Municipal Court: The Mayor and Council reviewed the Municipal Court Report for April 2013. The Mayor ordered the report filed.

Administration/City Clerk:

The Mayor and Council reviewed the building department report for April 2013. Year-to-date 65 reportable permits were issued for a construction value of \$17.1 million. The number of 2013 permits was 4.4% less than the same period in 2012. The construction value was 137.5% more than the same period in 2012.

Mr. Wooldridge noted that the Ladue Code of Ordinances 1912, Section 2 – 40 requires the election of a Council member to the position of Acting-President of the Council on an annual basis. He indicated that such an election was due.

Council Member Fox moved the nomination of Council Member Stern as the Acting-President of the Council. The motion was seconded by Council Member Hiemenz and the vote thereupon was as follows:

Council Member Hiemenz	"Aye"
Council Member Bond	"Aye"
Council Member Fox	"Aye"
Council Member Brennan	"Aye"
Council Member Burroughs	"Aye"
Council Member Brennan	"Aye"

The motion was unanimously passed.

Appointments: (none)

Liquor Licenses: An application from 9901 Clayton Road, LLC, d.b.a. Sportsman's Park, 9901 Clayton Road, for renewal of their liquor license to sell intoxicating liquor by the drink and in the original package.

Council Member Stern moved the approval of the license renewal for Sportsman Park. The motion was seconded by Council Member Hiemenz 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 Brennan	"Aye"
Council Member Burroughs	"Aye"

The motion was unanimously passed

Mayor Spewak noted that the next City Council meetings would be on June 17 and July 15.

Mayor Spewak advised there were items for discussion in executive session involving legal matters under RSMo. Section 610.021 (1) and Section 610.021 (9).

Council Member Hiemenz moved to go into closed session for discussion of legal matters as provided under RSMo. 610.021 (1) and employee matters as provided under RSMo. 610.021 (9); seconded by Council Member Fox, 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 Burroughs	"Aye"
Council Member Brennan	"Aye"

The motion was passed unanimously.

(The Mayor and Council went into closed session at 5:20 PM with Mr. Wooldridge and Ms. Meyer)

Council Member Stern moved to return to open session, 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 Burroughs	"Aye"
Council Member Brennan	"Aye"

The motion was passed unanimously.

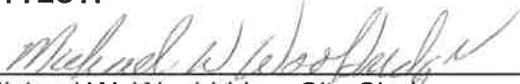
(Returned to open session at 5:40 PM)

Adjournment:

Council Member Stern moved adjournment, seconded by Council Member Burroughs, which motion passed unanimously. The meeting adjourned at 5:40 PM.

APPROVED THIS 17th DAY OF JUNE 2013.

ATTEST:



Michael W. Wooldridge, City Clerk



Nancy Spewak, Mayor