

**MINUTES OF MEETING
CITY COUNCIL OF THE CITY OF LADUE
ST. LOUIS COUNTY, MISSOURI
MONDAY, JULY 15, 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, July 15, 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
Harold Burroughs
William Brennan

Six Council Members present.

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

Approval of the Agenda:

Council Member Stern moved approval of the agenda; 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 motion was passed unanimously.

Approval of Minutes: Mayor Spewak asked for any amendments, corrections or clarifications to the Minutes of the Regular Meeting of June 17, 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 Burroughs	"Aye"
Council Member Brennan	"Aye"

The motion was passed unanimously.

Public Forum:

No one came forward to address the Mayor and City Council.

Old Business (none)

Zoning and Planning Matters:

Request by Schnuck's Market, 10275 Clayton Road, for a special use permit to serve liquor by the drink.

Council Member Stern moved that the request be referred 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 Bond	"Aye"
Council Member Stern	"Aye"
Council Member Fox	"Aye"
Council Member Burroughs	"Aye"
Council Member Brennan	"Aye"

The motion was passed unanimously.

Request by Schnuck's Market, 8867 Ladue Road, for a special use permit to servie liquor by the drink.

Council Member Hiemenz moved that the request be referred 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 motion was passed unanimously.

Request by JPK Warson, LLC, 2106 S. Warson Road, for a special use permit to construct a new residence greater than 15,000 square feet.

Council Member Stern moved that the request be referred 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 Bond	"Aye"
Council Member Stern	"Aye"
Council Member Fox	"Aye"
Council Member Burroughs	"Aye"
Council Member Brennan	"Aye"

The motion was passed unanimously.

Proposed Legislation:

Bill 2064 an ordinance readopting in its entirety ordinance 1575, entitled an ordinance of the City of Ladue, Missouri, to establish a procedure to disclose potential conflicts of interest and substantial interests for certain municipal officials.

Council Member Hiemenz moved the introduction of Bill 2064; seconded by Council Member Fox, which motion passed unanimously.

Council Member Stern moved the first reading of Bill 2064; seconded by Council Member Burroughs, which motion passed unanimously.

Council Member Stern moved the second reading of Bill 2064; seconded by Council Member Hiemenz, which motion passed unanimously.

Council Member Stern moved adoption of Bill 2064; 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.

Mayor Spewak declared Bill 2064 adopted as **Ordinance 2064**.

Bill 2065 an ordinance approving the consolidation of Lot 40 of the Re-Subdivision of Lots 34 to 51 Inclusive of La Hacienda and part of Lot 3 of a subdivision of the east ½ of the east ½ of the northwest ¼ of Section 8.

Mr. Wooldridge explained that the proposed bill consolidates two land parcels that represent 30 Rio Vista.

Council Member Fox moved the introduction of Bill 2065; seconded by Council Member Burroughs, which motion passed unanimously.

Council Member Burroughs moved the first reading of Bill 2065; seconded by Council Member Hiemenz, which motion passed unanimously.

Council Member Bond moved the second reading of Bill 2065; seconded by Council Member Stern, which motion passed unanimously.

Council Member Hiemenz moved adoption of Bill 2065; 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.

Mayor Spewak declared Bill 2065 adopted as **Ordinance 2065**.

Financial Matters:

Mr. Jett reported that Anthem Blue Cross and Blue Shield agreed to a contract extension with the City for employee medical and dental plans through June 30, 2014 with no premium increase. He stated the extension will have all city insurance policies being renewed annually on July 1. The offer by Anthem includes the payment of all Affordable Care Act fees (approximately \$24,000.00) by the insurer. Mr. Jett advised that this extension will mean 18 months of policy coverage with no premium increases (1/2013 – 6/2014).

The Mayor and Council commended Mr. Jett and Ms. Kathy Quinn, broker – Daniel & Henry, for their work on a successful extension.

Council Member Stern moved the acceptance of the policy extension through June 30, 2013, with Anthem Blue Cross and Blue Shield with no premium increase. 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.

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

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

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

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

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

Department Reports

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

Fire Chief Bailot requested approval of SSM Executive Health as the sole source provider for comprehensive physical exams for department personnel. He advised that department members have received bi-annual exams through SSM in the past and all records of the exams are with SSM.

Council Member Bond moved approval of an agreement with SSM Executive Health as the sole source provider for comprehensive physical exams for fire department personnel. 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 passed unanimously.

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

Chief Wooten requested approval of the purchase of two Dodge Charge Police vehicles from West Brothers Dodge at a net cost of \$32,946.00.

Council Member Fox moved the purchase of two Dodge Charger patrol vehicles from West Brothers Dodge at a net cost of \$32,946. 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 Burroughs	"Aye"
Council Member Brennan	"Aye"

The motion was passed unanimously.

Chief Wooten advised that one of two suspects has been identified in the recent MICDS thefts from motor vehicles. He also reported that a suspect was arrested regarding recent burglaries on the west side of the city.

Council Member Hiemenz asked if the pin maps prepared by the department relating to certain criminal activity is indicative of a trend. Chief Wooten stated that as part of a 10 year trend, crime is down. Reviewing the statistics for 2 – 3 year trends, the current numbers are typical.

Chief Wooten introduced P.O. Tony Bommarito as the newest member of the Department.

Public Works:

Approval of a contract with Frederic Roofing for the replacement of the carport roof at City Hall at a cost of \$18,424.00.

Council Member Stern moved to approve the contract with Frederic Roofing for the carport roof replacement at a cost of \$18,424.00. 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 passed unanimously.

Approval of change orders #2 & #3 for the Ladue/Warson Sidewalk project reducing the contract by \$21,114.33, and authorizing change order #4 in the increased amount of \$1,732.50.

Ms. Lamitola requested approval of Change Order #2 in the amount of (\$15,627.38), Change Order #3 in the amount of (\$5,486.95), and authorization for Change Order #4 in an amount not to exceed \$1,732.50. She stated the reductions were for quantities not used and that change order #4 is for the relocation of a pedestrian signal device. The change orders will reduce the total contract price to \$357,695.62.

Council Member Hiemenz moved to approve Change Orders 2 – 4 as presented by Ms. Lamitola. 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 Burroughs	“Aye”
Council Member Brennan	“Aye”

The motion was passed unanimously.

Approval of expenditures from the Edie Spink bequest for mulch site beautification in the amount of \$3,575.17.

Ms. Lamitola requested approval of additional expenses for the mulch site beautification previously approved in April 2013 in the amount of \$3,925.17. The expenses included removal of trees & stumps, topsoil, gabion rock, landscape fabric, seed & straw bales, and ground cover plants to be planted in the fall.

Council Member Fox moved to approve the additional expenses from the Edie Spink bequest in the amount of \$3,925.17. 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 passed unanimously.

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

Administration/City Clerk.

The Mayor and Council reviewed the building department report for June 2013. Year-to-date 114 reportable permits were issued for a construction value of \$33.3M. The number of permits issued is 6.6% less than the previous year at the same time. Construction value decreased 33.8% compared to 2012. Mayor Spewak ordered the report filed.

Appointments:

Mayor Spewak requested City Council approval of the appointment of Laura Gerdes Long, 16 Clerbrook, as an alternate to the Zoning Board of Adjustment for a term that expires December 31, 2013.

Council Member Hiemenz moved approval of the appointment of Elizabeth Panke to the Zoning Board of Adjustment. 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 Burroughs	"Aye"

Council Member Brennan "Aye"

The motion was unanimously passed.

Liquor Licenses: None

Adjournment: Mayor Spewak advised that the next meetings would be scheduled for August 19, September 16, and October 21.

Mayor Spewak advised there were items for discussion in executive session involving legal and personnel matters as provided under RSMo. 610.021 (1) and (3).

Council Member Fox moved to go into closed session as provided under RSMo. 610.021 (1) and (3), legal and personnel matters; 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"

The motion was passed unanimously.

(The Mayor and Council went into closed session at 4:40 PM with Mr. Wooldridge, Mr. Maupin)

Council Member Fox 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 unanimously passed.

(returned to open session at 5:20 PM)

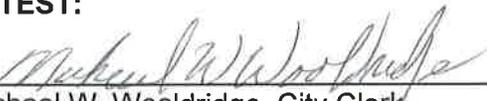
Council Member Hiemenz moved adjournment, seconded by Council Member Stern, which motion passed unanimously. The meeting adjourned at 5:20 PM.

APPROVED THIS 19th DAY OF AUGUST 2013.



Nancy Spewak, Mayor

ATTEST:



Michael W. Wooldridge, City Clerk