

**MINUTES OF MEETING
CITY COUNCIL OF THE CITY OF LADUE
ST. LOUIS COUNTY, MISSOURI
MONDAY, NOVEMBER 17, 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, November 17, 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
Patrick Hensley
John R. 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; Fire Chief John Bailot; Jeff Johnson, Assistant Fire Chief; Ms. Anne Lamitola, Director of Public Works; Mr. James Schmieder, Ladue Building Department; Mr. Mike Gartenberg, Building Official; John Maupin, City Attorney; Mr. Jim Schiele, Director Building & Zoning, Chairman – Finance, Revenue, and Taxation Committee.

Approval and Adoption of the Agenda: Council Member Fox moved the adoption of the agenda, 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 Hensley	“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 Regular and Closed Meetings of October 20, 2014. Council Member Burroughs noted a change to the closed minutes to correctly identify the name of the Deer Creek Watershed Alliance. Council Member Hiemenz moved approval of the Minutes as amended, seconded by Council Member Brennan, and the vote thereupon was as follows:

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

The motion was passed unanimously.

Public Forum: Mrs. MaryAnn Rober, 14 Blaytonn Lane, complained about night lighting and its activation when a car drives along the street. She requested the City consider additional regulations regarding lighting, particularly security lighting.

Public Hearing: (transcription is attached as part of the minutes)

Public Hearing #1

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 the Racquet Club Ladue, 1600 Log Cabin, to construct an addition to the dining area. (ZPC 14-03).

The Hearing will be held at 4:00 p.m., or as soon thereafter as the matter may be properly heard, on Monday, November 17, 2014, at the 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

Public Hearing #2

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 a Special Use Permit to Waldrand Trust IV, to construct a house greater than 15,000 square feet. (ZPC 14-01).

The Hearing will be held at 4:00 p.m., or as soon thereafter as the matter may be properly heard, on Monday, November 17, 2014, at the 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

Public Hearing #3

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 that the City Council amend Zoning Ordinance 1175, Sec. VII, A, regarding the time period between special use permit applications.

The Hearing will be held at 4:00 p.m., or as soon thereafter as the matter may be properly heard, on Monday, November 17, 2014, 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

Zoning and Planning Matters: (none)

Proposed Legislation:

Bill 2098 – an ordinance calling for a regular election to be held in the City of Ladue on Tuesday, April 7, 2015, for Mayor and three Alderman (Councilman) for two year terms, and one Alderman (Councilman) for a one year term.

Council Member Fox moved the introduction of Bill 2098, seconded by Council Member Brennan, which motion passed unanimously.

Council Member Hiemenz moved the first reading of Bill 2098 seconded by Council Member Brennan, which motion passed unanimously.

Council Member Howell moved the second reading of Bill 2098; seconded by Council Member Burroughs, which motion passed unanimously.

Council Member Brennan moved adoption of Bill 2098, seconded by Council Member Burroughs, and the vote thereupon was as follows:

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

The motion was passed by a unanimous vote.

Mayor Spewak declared Bill 2098 adopted as **Ordinance 2098**.

Bill 2099 – an ordinance amending Zoning Ordinance 1175, Sec. VII, A, pertaining to special use permit applications.

Mr. Maupin explained that the proposed amendment changes the waiting period between special use permit applications to six months from eighteen months.

Council Member Hiemenz moved the introduction of Bill 2099, seconded by Council Member Howell, which motion passed unanimously.

Council Member Burroughs moved the first reading of Bill 2099 seconded by Council Member Hensley, which motion passed unanimously.

Council Member Burroughs moved the second reading of Bill 2099; seconded by Council Member Brennan, which motion passed unanimously.

Council Member Burroughs moved adoption of Bill 2099, seconded by Council Member Brennan, and the vote thereupon was as follows:

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

The motion was passed by a unanimous vote.

Mayor Spewak declared Bill 2099 adopted as **Ordinance 2099**.

Bill 2100 – an ordinance amending the code of ordinances Section 110 by adding a new Division 3, relating to stormwater and post-construction water quality.

Ms. Lamitola explained that the proposed ordinance provides the required regulations to comply with the requirements of the Clean Water Act. She stated that as a co-permittee with MSD the City is required to regulate post-construction stormwater runoff for building projects that disturb one acre or more of the property. Ms. Lamitola advised that the regulations, as proposed, will also apply to building projects with less than one acre of land disturbance when a new house or main building is constructed on a site. Those projects will require MSD approval before the issuance of a building permit for land disturbance over or under one acre.

Discussion ensued about the requirements for land disturbance under one acre and which projects would require an MSD review. Ms. Lamitola stated the initial MSD review can take 1 ½ - 3 weeks to complete.

Mr. Schiele, 2 McKnight Lane, asked if any city funds will be required to implement the ordinance. Ms. Lamitola advised that all costs associated with the MSD review will be paid by the applicant. No costs will be incurred by the City.

Council Member Burroughs moved the introduction of Bill 2100, seconded by Council Member Howell, which motion passed unanimously.

Council Member Burroughs moved the first reading of Bill 2100 seconded by Council Member Howell, which motion passed unanimously.

Council Member Hiemenz moved the second reading of Bill 2100; seconded by Council Member Brennan, which motion passed unanimously.

Council Member Burroughs moved adoption of Bill 2100, seconded by Council Member Brennan, and the vote thereupon was as follows:

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

The motion was passed by a unanimous vote.

Mayor Spewak declared Bill 2100 adopted as **Ordinance 2100**.

Bill 2101 – an ordinance amending the Ladue Code of Ordinances by deleting Section 26-31. – Warrant costs.

Mr. Maupin advised that the proposed ordinance eliminates the warrant costs associated with municipal court cases when the defendant does not appear in municipal court. Mr. Maupin noted the City receives less than 5% of its total general fund revenue from court costs, fees and fines. According to Mr. Maupin, the proposed ordinance is supported by the Municipal Judge Keith Cheung and Ladue Prosecutor Jim Towey.

Council Member Hensley moved the introduction of Bill 2101, seconded by Council Member Fox, which motion passed unanimously.

Council Member Hiemenz moved the first reading of Bill 2101 seconded by Council Member Howell, which motion passed unanimously.

Council Member Burroughs moved the second reading of Bill 2101; seconded by Council Member Howell, which motion passed unanimously.

Council Member Hiemenz moved adoption of Bill 2101, seconded by Council Member Fox, and the vote thereupon was as follows:

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

The motion was passed by a unanimous vote.

Mayor Spewak declared Bill 2101 adopted as **Ordinance 2101**.

Bill 2102 – an ordinance approving the Upper Ladue lot consolidation (Lots 2 and 9).

Council Member Hiemenz moved the introduction of Bill 2102, seconded by Council Member Hensley, which motion passed unanimously.

Council Member Brennan moved the first reading of Bill 2102 seconded by Council Member Howell, which motion passed unanimously.

Council Member Fox moved the second reading of Bill 2102; seconded by Council Member Hiemenz, which motion passed unanimously.

Council Member Burroughs moved adoption of Bill 2102, seconded by Council Member Hensley, and the vote thereupon was as follows:

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

The motion was passed by a unanimous vote.

Mayor Spewak declared Bill 2102 adopted as **Ordinance 2102**.

Financial Matters:

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

Mayor Spewak presented a request to amend the 2014 Capital Improvements Budget. She proposed increasing the budget \$125,000.00. Mayor Spewak stated this amount was the cost of the new front loader approved by the Council in July 2014 as an emergency purchase.

Council Member Fox moved the approval of the budget amendment increasing the Capital Improvements Fund budget to \$3,124,220.00 from \$2,999,220.00. The motion was seconded by Council Member Howell, and the vote thereupon was as follows:

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

The motion was passed by a unanimous vote.

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

The Mayor and Council reviewed the Financial report for October 2014. The Mayor ordered the report filed for information.

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

The Mayor and Council reviewed the Land and Lot Delinquent Report for October 2014.

The Mayor order the report filed for information.

Department Reports

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

Chief Bailot requested approval for the purchase of 2 ½ " and 3' fire hose from Banner Fire equipment at a cost of \$11,478.00 plus shipping cost. He explained that the age of the existing hose exceeds the 15 year useful life as recommended by the NFPA. Chief Bailot stated this is not a budgeted item, but funds are available in the Fire Department general fund budget.

Council Member Fox moved the approval of the purchase of the fire hose from Banner Fire at a cost of \$11,478.00, plus shipping. 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 Hensley	"Aye"
Council Member Fox	"Aye"
Council Member Burroughs	"Aye"
Council Member Brennan	"Aye"

The motion was passed by a unanimous vote.

Chief Bailot requested approval for the purchase of vehicle stabilization struts for vehicle extrication from Sentinel Emergency Solutions at a cost of \$3,036.25 plus shipping cost. He advised the struts will stabilize vehicles during vehicle extrications providing protection for victims and firefighters. Chief Bailot stated that this is not a budgeted item, but funds are available in the Fire Department general fund budget.

Council Member Fox moved the approval of the purchase of the stabilization struts from Sentinel Emergency Solutions at a cost of \$3,036.25, plus shipping. The motion was seconded by Council Member Burroughs, and the vote thereupon was as follows:

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

The motion was passed by a unanimous vote.

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

Chief Wooten reported on recent crime trends within the City and the recent arrest of burglary suspects.

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

Ms. Lamitola requested approval of the following three-year contracts for the servicing of city municipal buildings:

- A three-year contract with Drain Masters Plumbing for plumbing services at a rate of \$85.00 per hour;
- A three-year contract with Schaeffer Electric for electrical service at a rate of \$85.00 per hour;
- A three-year contract with SystemAire, Inc for HVAC service at a rate of \$85.00 per hour, and \$1,020.00 quarterly for preventative maintenance service.

Council Member Hensley moved to approve the three-year contracts with Drain Masters Plumbing, Schaeffer Electric, and SystemAire as presented; seconded by Council Member Fox; and the vote thereupon was as follows:

Council Member Hiemenz	"Aye"
Council Member Howell	"Aye"
Council Member Hensley	"Aye"
Council Member Fox	"Aye"

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

The motion was unanimously passed.

Ms. Lamitola presented a concept plan for stepping stones in Rodes Park. She stated the project cost is estimated at \$8,500 - \$10,500.00. Ms. Lamitola indicated that bids for the project would be solicited after January 1, 2015.

Council Member Fox moved the approval for bid solicitation for the stepping stone work at Rodes Park. The motion was seconded by Council Member Hensley, and the vote thereupon was as follows:

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

The motion was unanimously passed.

Municipal Court: The Mayor and Council reviewed the Municipal Court Report for the month of October 2014. The Mayor ordered the report filed.

Administration/City Clerk.

The Mayor and Council reviewed the building department report for October 2014. Mayor Spewak ordered the report filed.

Appointments: (none)

Liquor Licenses: (none)

Adjournment: Mayor Spewak stated the next regular meetings will be December 15, 2014, and January 20, 2015.

Mayor Spewak advised there were items for discussion in executive session involving operational guidelines, policies and specific response plans developed,

adopted, or maintained by any public agency responsible for law enforcement, public safety, first response, or public health for use in responding to or preventing any critical incident which is or appears to be terrorist in nature and which has the potential to endanger individual or public safety or health under RSMo. Section 610.021. (18).

Council Member Hiemenz moved to go into closed session for discussion of response to critical incidents as provided under RSMo. 610.021 (18); 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 Hensley	"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, Mr. Maupin, and Chief Wooten).

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

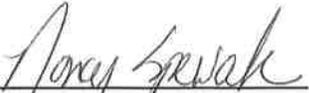
Council Member Hiemenz	"Aye"
Council Member Fox	"Aye"
Council Member Hensley	"Aye"
Council Member Burroughs	"Aye"
Council Member Brennan	"Aye"

The motion was passed unanimously.

(returned to open session at 5:35 PM)

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

APPROVED THIS 15th DAY OF DECEMBER 2014.



Nancy Spewak, Mayor

ATTEST:



Michael W. Wooldridge, City Clerk