

**MINUTES OF MEETING
CITY COUNCIL OF THE CITY OF LADUE
ST. LOUIS COUNTY, MISSOURI
MONDAY, MARCH 28, 2016**

The regular meeting of the City Council of the City of Ladue, St. Louis County, Missouri, was held on Monday, March 28, 2016, at 4:00 p.m., at the City Hall, 9345 Clayton Road. The following members were present:

The Hon. Nancy Spewak, Mayor, presiding.

Members of the Council present:

A. Charles Hiemenz
Patrick Hensley
John Fox
William Brennan
Harold Burroughs

Absent:

John Howell

Five Council Members present.

Also present were Ms. Laura Rider, City Clerk/Assistant to the Mayor; Mr. Samuel Zes, Finance Director; Police Chief Rich Wooten; Fire Chief Steve Lynn, Ms. Anne Lamitola, Public Works Director; Mr. William Penney, Building Official; Ms. Andrea Sukanek, City Planner and Ms. Erin Seele, City Attorney.

Approval of the Agenda: Council Member Fox moved approval of the agenda, seconded by Council Member Brennan, which motion passed unanimously.

Approval of Minutes: Mayor Spewak asked for any amendments, corrections or clarifications to the Minutes of the Regular and Closed Meetings of February 16, 2016. Council Member Hiemenz moved approval of the Minutes of the Regular and Closed Meetings as submitted for February 16, 2016, seconded by Council Member Hensley, which motion passed unanimously.

Public Forum: Dr. Donna Jahnke, Superintendent of the Ladue School District, presented information about Proposition R, an \$85,100,000 bond issue, which will be on the April 5th ballot.

Public Hearing: None

Zoning & Planning Matters: None

Committee Report (Finance, Revenue & Taxation):

1) Recommendation to the City Council for financing the construction cost of Fire House #1.

Council Member Burroughs recused himself from this matter and stepped down from the dais.

Mayor Spewak read the recommendation from the Finance, Revenue & Taxation Committee as follows: The Finance Committee is recommending financing the full construction cost of Fire House #1, up to \$4,500,000, with Commerce Bank at a 2.18% fixed interest rate for a term of 10 years. Mayor Spewak announced that Finance Chairman Jim Schiele and Finance Committee Members Mr. Jim Thompson and Mr. Joe Gazzoli, were present and available to answer any questions regarding the recommendation.

Council Member Hensley asked why the term of 10 years was chosen over 15 years. Mr. Gazzoli responded that the Committee felt that the 10 year term was the optimum maximum amount of time to finance the project.

Council Member Hiemenz commended the Finance Committee for an excellent job and recommended scheduling a workshop later this summer to identify other potential capital needs before the 2017 budget process.

Council Member Fox reported that he had attended all of the Finance Committee meetings and the financing proposal was very carefully reviewed. Discussion ensued regarding the total program budget for Fire House #1. The components are: (1) Construction Estimate -\$4,171,168, (2) Interest if financed for the full 10 year term - \$536,000 and (3) Estimated Closing Costs/Legal Fees - \$39,500, for a total of \$4,746,668.

Council Member Fox moved acceptance of the Finance Committee's recommendation for financing the Fire House #1 project cost, seconded by Council Member Brennan, which motion passed unanimously with the exception of Council Member Burroughs who had recused himself and did not vote.

Old Business: None

New Business:

Proposed Legislation:

Bill No. 2126 – An ordinance authorizing the Mayor to accept and execute on behalf of the City of Ladue, Missouri a financing proposal for the construction of a new Fire House #1; authorizing the Mayor to execute an engagement letter for special tax counsel services in connection with the proposed financing; and providing further authority.

Mayor Spewak read Bill No. 2126 for a first reading. Council Member Fox read Bill No. 2126 for a second reading.

Council Member Brennan moved approval of Bill No. 2126, seconded by Council Member Hiemenz, and the vote thereupon was as follows:

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

Council Member Burroughs recused himself from the vote.

There being four aye votes and zero nay votes the motion passed unanimously.

Mayor Spewak declared Bill 2126 adopted as **Ordinance 2126**.

Bill No. 2127 – An ordinance approving the resubdivision of Lot 1 and 2 as depicted on Plat labeled "Conway Manor Plat Two, two tracts of land being Lot C of 'Conway Manor' and part of section 13 township 45 north – range 5 east, all within the City of Ladue, St. Louis County, Missouri.

Mayor Spewak read Bill No. 2127 for a first reading. Council Member Hensley read Bill No. 2127 for a second reading.

Council Member Burroughs moved approval of Bill No. 2127, seconded by Council Member Hiemenz, and the vote thereupon was as follows:

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

There being five aye votes and zero nay votes the motion passed unanimously.

Mayor Spewak declared Bill 2127 adopted as **Ordinance 2127**.

Resolution No. 2016-01 – A resolution adopting a New Open Meetings and Records Policy and repealing Resolutions 00-09 and 2004-07.

Ms. Seele stated that the current policy was reviewed and the proposed resolution includes updates to be in compliance with the current law and to streamline processes.

Council Member Hiemenz moved adoption of Resolution No. 2016-01, seconded by Council Member Burroughs, which motion passed unanimously.

Financial Matters:

Mayor Spewak introduced Sam Zes, the City's new Finance Director.

The Council reviewed the **vouchers for payment** for the month of February 2016. Council Member Hensley moved their approval, seconded by Council Member Brennan, which motion passed unanimously.

The Mayor and Council reviewed the Treasurer's and Collector's reports for February 2016. The Mayor ordered the reports filed for information.

The Mayor and Council reviewed the Financial Reports for February 2016. The Mayor ordered the reports filed for information.

The Mayor and Council reviewed the Cash Flow Summary for February 2016. The Mayor ordered the report filed for information.

The Mayor and Council reviewed the Delinquent Real Estate Tax Report for February 2016. The Mayor ordered the report filed for information.

Department Reports:

Fire Department: The Mayor and Council reviewed the Fire Department Activity Report for February 2016. The Mayor ordered the report filed.

Fire Chief Lynn requested approval for the capital expenditure purchase of six (6) sets of Morning Pride turn-out gear at a cost of \$14,934.00 from the Leo M. Ellebracht Company. Fire Chief Lynn explained that this is a budgeted item and is a sole source provider for this type of gear. The purchase will retire existing gear and includes the coat and pants.

Council Member Brennan moved approval of the purchase of six (6) sets of Morning Pride turn-out gear at a cost of \$14,934.00 from the Leo M. Ellebracht Company, seconded by Council Member Fox, which motion passed unanimously.

Fire Chief Lynn updated the Council on the status of the Fire House #1 project. The temporary trailer to be used as living quarters is expected to be delivered by the middle to the end of June; with demolition of the Fire House to begin the first part of August.

Police Department: The Mayor and Council reviewed the Police Activity Report for the period February 2016 and the 2015 annual report. Police Chief Wooten provided a brief summary of the 2015 annual report.

The Mayor ordered the reports filed.

Police Chief Wooten requested approval of the contract for the School Resource Officer at Ladue Horton Watkins High School for the calendar year 2016. The contract includes the same percentage of reimbursement as the previous year. The officer provides education, conducts presentations and intervenes, if necessary, to avoid any potential problems.

Council Member Burroughs moved approval of the contract for the School Resource Officer at Ladue Horton Watkins High School for the calendar year 2016, seconded by Council Member Brennan, which motion passed unanimously.

There was discussion regarding the potential need for temporary signage at City Hall notifying drivers that the fire engines will be housed there temporarily during the construction of the new fire house and will be exiting the City Hall driveway in emergency situations.

Public Works: The Mayor and Council reviewed the Public Works report for February 2016. The Mayor ordered the report filed.

Ms. Lamitola reported that the Price Road improvement project is progressing with completion anticipated by June 15, 2016, monthly brush collection has resumed and leaf collection is scheduled for April.

Ms. Lamitola requested approval of Change Order No. 4 for the Price Road improvement project in the amount of \$2,576.68. Change Order No. 4 includes quantity adjustments and fence modifications. With this change order the project is still running under the original contract amount by \$4,220.15.

Council Member Fox moved approval of Change order No. 4 for the Price Road improvement project in the amount of \$2,576.68, seconded by Council Member Burroughs, which motion passed unanimously.

Following discussion of the 2012 Sidewalk Implementation Plan, sidewalk preservation and sidewalk maintenance issues, the consensus of the City Council was to refer the matter to the Public Works Committee. The Committee should (1) review the 2012 Implementation Plan; assess if the plan was followed and determine what projects have not been completed and (2) review the existing sidewalks and determine the potential maintenance and ADA compliance costs.

Ms. Lamitola requested approval of a new one-ton dump truck from MoDOT's state bid through Dave Sinclair Ford at a cost of \$47,109.00. Ms. Lamitola explained that there will be no trade-in on the purchase as this will be an addition to the City's fleet.

Council Member Fox moved approval of the purchase of a new one-ton dump truck from MoDOT's state bid through Dave Sinclair Ford at a cost of \$47,109.00, seconded by Council Member Hiemenz, which motion passed unanimously.

Building Office Report: The Mayor and Council reviewed the Building Office report for February 2016. The Mayor ordered the report filed.

Building Permit Extensions:

1. 23 Conway Lane, Permit #150904, extended to April 30, 2016
2. 1751 North Woodlawn Avenue, Permit #150659, extended to June 30, 2016
3. 1110 Thornwood Drive, Permit #150642, extended to May 2, 2016
4. 6 Fair Oaks Drive, Permit #150582, extended to August 15, 2016
5. 33 Woodcrest Drive, Permit #140435, extended to April 1, 2016
6. 12 Glenview Road, Permit #150779, extended to June 4, 2016
7. 44 Overhills Drive, Permit #150733, extended to September 29, 2016

Council Member Hensley moved approval of the building permit extensions, seconded by Council Member Fox, which motion passed unanimously.

Municipal Court: The Mayor and Council reviewed the Municipal Court Report for February 2016. The Mayor ordered the report filed.

Administration/City Clerk:

Ms. Rider requested approval of an agreement between the City of Ladue and STL Programs for publication of a 2017 Ladue Community Directory. Advertisement space will be offered to Ladue businesses only. There will be no cost to the City for the publication of the directory.

Council Member Hiemenz moved approval of the agreement between the City of Ladue and STL Publications for publication of a 2017 Ladue Community Directory, seconded by Council Member Hensley, which motion passed unanimously.

Administration/City Attorney: Ms. Seele had nothing to report.

Appointments: None

Liquor Licenses:

L-1: An application from Old Warson Country Club, 9841 Old Warson Road for renewal of their liquor license to sell intoxicating liquors by the drink, with Sunday sales (Category C & G). The report from the police department finds no reason why the license should not be issued.

Council Member Fox moved approval of the liquor license renewal for Old Warson Country Club, seconded by Council Member Brennan, which motion passed unanimously.

Mayor Spewak noted that the next meetings are scheduled for Monday April 25th and Monday, May 16th.

Mayor Spewak advised there were items for discussion in executive session involving litigation, legal matters and/or confidential communications between the Council and its attorneys under RSMo. Section 610.021 (1).

Council Member Hiemenz moved to go into closed session for discussion of litigation, legal actions and/or any confidential or privileged communications from the City Attorney RSMo. 610.021 (1); seconded by Council Member Fox, and the vote thereupon was as follows:

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

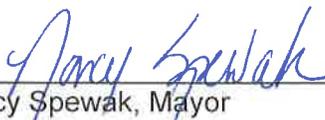
There being five aye votes and zero nay votes the motion passed unanimously.

The Mayor and Council went into closed session at 5:14 PM with Ms. Seele.

The Mayor and Council returned to open session at 5:29 PM with Ms. Seele.

Adjournment: Council Member Hiemenz moved adjournment, seconded by Council member Fox, which motion passed unanimously. The meeting adjourned at 5:29 PM.

APPROVED THIS 25TH DAY OF APRIL 2016.



Nancy Spewak, Mayor

ATTEST:



Laura Rider, City Clerk

