

**CITY COUNCIL OF THE CITY OF LADUE
ST. LOUIS COUNTY, MISSOURI
MONDAY, JULY 18, 2022**

The meeting of the City Council of the City of Ladue, St. Louis County, Missouri, was held on Monday July 18th, 2022, at 4:00 p.m., at City Hall, 9345 Clayton Road, and via Zoom. The following members were present:

The Hon. Nancy Spewak, Mayor, presiding.

Members of the Council present:

Stacey Kamps
John Fox (via Zoom)
Patrick Hensley
William Brennan
Harold Burroughs
John Howell

Six Council Members present.

Also, present Acting Police Chief Brian Dieckmann.; Fire Chief Steven Lynn; Mr. Roger Stewart, Building Commissioner; Ms. Andrea Sukanek, City Planner; Ms. Lamitola, Director of Public Works; Ms. Erin Seele, City Attorney; and Ms. Stacey Mann, City Clerk.

Approval of the Agenda: Council Member Burroughs moved to approve the agenda as presented, upon second by Council Member Howell the motion passed unanimously.

Approval of the Minutes: Mayor Spewak asked if there were any amendments, corrections, or clarifications to the minutes of the Regular or Closed Meetings of June 20, 2022, or the Special Meeting of July 13, 2022. Council Member Brennan moved approval of the minutes as submitted; upon second by Council Member Hensley, the motion passed unanimously.

Public Forum:
None.

Report regarding the City's 2021 Audit by Botz, Deal and Company.

Ms. Michelle Graham with Botz, Deal & Company presented to Council the audited financial statements and management letter. Ms. Graham stated that the City received a clean, unmodified opinion and that the financial statements were accurate, and met the generally accepted auditing practices. Ms. Graham pointed out that the footnotes of the report provided more detailed notes, including amortization schedules. Ms. Graham thanked city staff, pointing out that the audit was completed without the leadership of a Director of Finance, and that staff, particularly finance employees, Melissa Barklage and Shelly Benson, should be recognized for their hard work.

Mayor Spewak recognized the efforts of the administration and finance employees, along with department directors for the work that was put into another successful audit.

Public Hearing:

PH1: The City Council will hold a public hearing regarding a request for a Special Use Permit to use outdoor seating area and to serve liquor by the drink at a restaurant located at property at 9781 Clayton Road (Companion) in the G1 residential zoning district.

The public hearing was opened upon motion by Council Member Hensley and second by Council Member Brennan.

No one else came forward to speak.

Mr. John Wreck, long-time patron of Companion Bakery, acknowledged Companion Bakery as a well-run organization. Mr. Wreck added that the owners display great professionalism and outstanding integrity.

Council Member Burroughs suggested that the special use permit clearly define the patio location. Council was in agreeable to the addition.

Ms. Seele announced the public hearing notice, the application, Zoning and Planning file, the Code of Ordinances and Ordinance 1175 were available for viewing and part of the official record.

The public hearing was closed upon motion by Council Member Brennan and second by Council Member Burroughs.

Council Member Burroughs moved approval of the Special Use Permit issued Companion Bakery as amended, upon second by Council Member Brennan the motion passed unanimously.

PH2: The City Council will hold a public hearing regarding a request for a Special Use Permit to use outdoor seating area and to serve liquor by the drink at a restaurant located at property at 9873 Clayton Road (Ladue Taco) in the G1 residential zoning district.

The public hearing was opened upon motion by Council Member Brennan and second by Council Member Howell.

Council Member Hensley suggested adding the same language regarding patio location to the special use permit. Council was agreeable to the addition.

No one else came forward to speak.

Ms. Seele announced the public hearing notice, the application, Zoning and Planning file, the Code of Ordinances and Ordinance 1175 were available for viewing and part of the official record.

The public hearing was closed upon motion by Council Member Burroughs and second by Council Member Hensley.

Council Member Brennan moved approval of the Special Use Permit issued Ladue Taco as amended, upon second by Council Member Howell the motion passed unanimously.

**New Business:
Proposed Legislation:**

Bill 2308: An ordinance authorizing the fire chief to execute a multi-jurisdictional reserve equipment loan agreement

Mayor Spewak read Bill No. 2308 followed by a second reading by Council Member Brennan.

Chief Lynn stated that Bill 2308 formalized the practices currently in place. Chief Lynn discussed with Council liability concerns, and the responsible parties should the equipment be damaged.

Council Member Howell moved approval of Bill No. 2308. Upon second by Council Member Burroughs the roll call vote thereupon was as follows:

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

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

Bill 2309: An ordinance authorizing the Mayor to execute a first amendment to the escrow agreement guaranteeing subdivision improvements for East Ladue Lane, an amendment to the construction escrow agreement No. 8078 and assignment and assumption

Mayor Spewak read Bill No. 2309 followed by a second reading by Council Member Burroughs.

Ms. Seele stated that in 2017 the City entered into a deposit and escrow agreement with Mr. John McPheeters, regarding the East Ladue Lane subdivision. Ms. Seele stated that Mr. McPheeters passed away in 2020, and the developer has requested that the escrow be transferred, and the deposit agreement amended. Ms. Seele added that the developer would take over the obligations of the agreements, and guarantee completion under the terms of the agreement.

Council Member Brennan moved approval of Bill No. 2309. Upon second by Council Member Howell the roll call vote thereupon was as follows:

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

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

Resolution 2022-19: A resolution authorizing the mayor to execute on behalf of the City of Ladue, Missouri a contract with STL Sealing and Striping for the municipal campus parking lot sealing

Council Member Howell moved to adopt Resolution No. 2022-19, with second by Council Member Burroughs the motion passed unanimously.

Resolution 2022-20: A resolution authorizing the Mayor to execute on behalf of the City of Ladue, Missouri an inter-agency agreement with Metropolitan St. Louis Sewer District for the OMCI Stormwater Reimbursement Program Agreement

Council Member Hensley moved to adopt Resolution No. 2022-20, with second by Council Member Brennan the motion passed unanimously.

Financial Matters:

Mr. Scott Kroenung provided a mid-year budget update, highlighting year to date revenue streams, and expenses. Mr. Kroenung stated that based off current numbers, the general fund is expected to have a surplus.

The Mayor and Council reviewed the Vouchers for Payment for the month of June 2022. Council Member Hensley moved their approval, upon second by Council Member Brennan the motion passed unanimously.

The Mayor and Council reviewed the Collector's Report for June 2022. The mayor ordered the report filed for information.

The Mayor and Council reviewed the Treasurer's Report for June 2022. The mayor ordered the report filed for information.

The Mayor and Council reviewed the Cash Flow Summary for June 2022. The mayor ordered the report filed for information.

The Mayor and Council reviewed the Delinquent Real Estate Tax Report for June 2022. The mayor ordered the report filed for information.

The Mayor and Council reviewed the Investments Report for June 2022. The mayor ordered the report filed for information.

Department Reports:

Fire Department: The Mayor and Council reviewed the Fire Department Activity Report for June 2022. The mayor ordered the report filed.

Recognition of Appreciation – First Responder Canteen

Chief Lynn recognized non-profit, First Responder Canteen, for their support and assistance on June 21st, 2022, at a structure fire at Maryhill subdivision. First Responder Canteen arrived within 30 minutes of the call with significant supplies to hydrate personnel.

Police Department: Mayor and Council reviewed the Police Activity Report for the period January 1 – June 30, 2022. The mayor ordered the report filed.

Public Works & Building: Mayor and Council reviewed the report of the Director of the Public Works Department for June 2022. The mayor ordered the report filed.

Ms. Lamitola recognized Ms. Andrea Sukanek for recently obtaining her AICP certification. Ms. Lamitola added that the national pass rate for the exam is only 66%, adding that Andrea did a great job.

Extension of contract with Hansen’s Tree, Lawn, and Landscaping Services, Inc. for the Leaf Transfer and brush grinding services for the City’s yard waste program.

Council Member Burroughs moved to extend the contract with Hansen’s Tree, Lawn, and Landscaping Services, with second by Council Member Brennan the motion passed unanimously.

Building Department & Public Works Department Facilities Renovation Budget Update

Ms. Lamitola stated that staff will be provided a change order at the August 2022 meeting to cover some unforeseen issues. Ms. Lamitola shared that one of those issues was tuckpointing to address some leaking.

Ms. Lamitola informed the Council that staff should be moving back into the building department within the next few weeks.

Willow Hill Stormwater Infrastructure Project subdivision pavement requests

Ms. Lamitola stated that since the last Council meeting staff has received written requests from Loren Woods, Lorenzo Lane, and Willow Hill trustees requesting reimbursement or payment for pavement restoration. Ms. Lamitola provided pictures of the deterioration of the pavement prior to the start of construction. Ms. Seele stated that if the Council wanted to proceed with issuing a payment or reimbursement a settlement agreement would need to be drafted with each party.

The Council decided to further the discussion in executive session.

Municipal Court: Mayor and Council reviewed the report of the Municipal Court for June 2022. The mayor ordered the report filed.

City Attorney: Nothing to report currently.

Administration: Mayor and Council reviewed the Administration report for June 2022. The mayor ordered the report filed.

Motion for the mayor to execute an agreement between the City of Ladue and STL Programs for the publication of the 2023 Ladue Community Directory

Council Member Brennan moved to approve the mayor to execute an agreement between the City of Ladue and STL Programs for the publication of the 2023 Ladue Community Directory, upon second by Council Member Burroughs, the motion carried unanimously.

Request for approval of an application from Companion Bakery located at 9781 Clayton Road for liquor license to sell intoxicating liquors by the drink on the premises and in the original package, with Sunday sales.

Council Member Fox moved to approve a liquor license for Companion, upon second by Council Member Burroughs, the motion carried unanimously.

Request for approval of an application from Ladue Taco located at 9873 Clayton Road for liquor license to sell intoxicating liquors by the drink on the premises and in the original package, with Sunday sales.

Council Member Fox moved to approve a liquor license for Ladue Taco, upon second by Council Member Howell, the motion carried unanimously.

Closed Session: Mayor Spewak advised there were items for discussion in executive session involving legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys pursuant to RSMO 610.021(1);

Council Member Howell moved to enter in to closed session to discuss matters involving legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys pursuant to RSMO 610.021(1); upon second by Council Member Burroughs the roll call vote there upon was as follows:

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

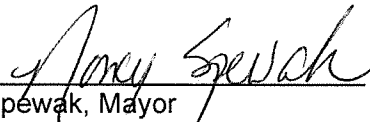
There being six aye votes and zero nay votes the motion passed unanimously.

Council went into closed session at 5:17 p.m. with Ms. Stacey Mann, Erin Seele, and Ms. Anne Lamitola.

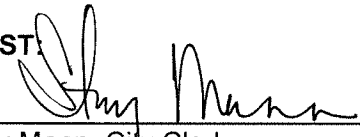
Council returned to open session at 5:48 p.m. with Ms. Stacey Mann, Ms. Erin Seele, and Ms. Anne Lamitola.

Adjournment: Council Member Hensley moved adjournment, with second by Council Member Howell the motion passed unanimously. The meeting adjourned At 5:48 P.M.

APPROVED THIS 15th DAY OF AUGUST 2022.



Nancy Spewak, Mayor

ATTEST: 

Stacey Mann, City Clerk