

**TENTATIVE AGENDA
MEETING OF THE CITY COUNCIL
CITY OF LADUE, MISSOURI
COUNCIL CHAMBERS
9345 CLAYTON ROAD
LADUE, MISSOURI 63124
MONDAY, JULY 18, 2016
4:00 P.M.**

The Hon. Nancy Spewak, Mayor, to preside and call the meeting to order.

Adoption and Approval of the Agenda

Approval of the Minutes: Minutes of the Regular Meeting of June 20, 2016.

Public Forum: The Mayor will recognize any visitors who wish to address the Mayor and Council on City matters. **(Speakers will be limited to 3 minutes)**

Public Hearing:

PH 1: The City Council will hold a public hearing on a recommendation for a Special Use Permit for MOD Pizza to operate a restaurant at 8855K Ladue Road with: (Z&P recommends approval; ZPC16-06)

- The sale of alcohol by the glass (beer and wine)
- Outdoor seating
- The use of joint parking

Zoning and Planning Matters:

ZP-1 Referral to Zoning and Planning Commission for a Special Use Permit submitted by Truffles Restaurant at 9202 Clayton Road for an outdoor patio addition.

Old Business: None

New Business

Proposed Legislation:

Bill No. 2135 – An ordinance of the City of Ladue, St. Louis County, Missouri, clarifying the Building Department Permit Extension Procedure.

Bill No. 2136 – An ordinance of the City of Ladue, St. Louis County, Missouri, amending Chapter 14 “Alcoholic Beverages”.

Resolution No. 2016–05 – A resolution granting a variation to Section 94-34(4) of Chapter 94 of the Code of Ordinances for the resubdivision of Lot 10 of Briarcliff to include an easement within the lot area calculation, pursuant to and in accordance with Section 94-3(a). (Z&P recommends denial)

Resolution No. 2016–06 – A resolution granting a variation to Section 94-34(4)e of Chapter 94 of the Code Of Ordinances for the resubdivision of Lot 10 of Briarcliff to include two lots with more than five sides, pursuant to and in accordance with Section 94-3(a). (Z&P recommends approval)

Resolution No. 2016–07 – A resolution authorizing the Mayor to execute on behalf of the City of Ladue, Missouri a contract with ICS Construction Services, LTD. for the demolition of the City’s existing Firehouse No. 1 and construction of a new Firehouse No. 1.

Resolution No. 2016-08 – A resolution authorizing the Mayor to execute on behalf of the City of Ladue, Missouri a contract with Geissler Roofing Company, Inc. for the removal of the existing roof and installation of a new roof on the City Hall Building and other City owned facilities.

Financial Matters:

- F-1 Report of the Finance Director regarding significant items in the financial reports.
- F-2 The Mayor and Council to review and approve the Vouchers for Payment for the month of June 2016.
- F-3 The Mayor and Council to review the combined Treasurer's and Collector's Report for June 2016.
- F-4 The Mayor and Council to review the Financial Report for June 2016.
- F-5 The Mayor and Council to review the Cash Flow Summary for June 2016.
- F-6 The Mayor and Council to review the Land Lots and Delinquent Tax List.

Department Reports:

- D-1 **Fire Department:** Mayor and Council to review the Fire Department Activity Report for the month of June 2016.
- D-2 **Police Department:** Mayor and Council to review the Police Activity Report for the period of January 1 – June 30, 2016.
- D-3 **Public Works:** Mayor and Council to review the report of the Director of the Public Works Department.
 - a. Request for approval of a schedule of deadlines for zoning related applications.
 - b. Building Office report for the period through June 2016.
- D-4 **Municipal Court:** Mayor and Council to review the report of the Municipal Court for June 2016.
- D-5 **Administration/City Clerk:**
 - a. Report from the City Attorney.
- D-6 **Appointments:** None

Adjournment: Next meeting dates: Monday, August 15, 2016 and Monday, September 19, 2016

Note: 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. and/or personnel matters under section 610.021 (13) RSMO. and/or employee matters under section 610.021 (3) RSMO. and/or real estate matters under section 610.021 (2).

Posted Date:

Time:

By:

BILL NO. 2135

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LADUE, ST. LOUIS COUNTY, MISSOURI, CLARIFYING THE BUILDING DEPARTMENT PERMIT EXTENSION PROCEDURE.

WHEREAS, during the June council meeting, the City Council voted to amend various portions of the building code and discussion ensued concerning the need to clarify who could obtain building permit extensions and good cause; and

WHEREAS, the City Council now desires to clarify the same;

WHEREAS, this bill has been made available for public inspection prior to its consideration by the City Council; and

WHEREAS, this bill has been read by title two times in open meeting prior to its passage.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LADUE, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section 1. Section 2 of Ordinance 1987, as amended by Section 5 of Ordinance 2134, is hereby further amended by repealing subsection (h) and enacting a new subsection (h) to read as follows:

(h) Insert a new Section R105.9 as follows:

R105.9 Permits Required. No person, firm or corporation shall erect, alter, enlarge, or repair (except minor repairs) any building or structure intended to be used for the shelter, support, or enclosure of persons, animals, or chattels; nor wreck, move or remove any such buildings; nor erect any retaining walls or fence walls, constructed of masonry, tile, or concrete; nor enclose any open shed or pavilion, within the City of Ladue, without first obtaining a permit authorizing same from the Building Commissioner. All construction referred to in such building permit must be completed within a period of time to be specified by the Building Commissioner at time of issuance of permit, but not longer than 24 months for a new residence and 18 months for all other construction, from the date of issuance of the permit, and if not completed within the permitted time, such permit holder shall be in violation of the Building Code subjecting such person to the general penalty provision for ordinance violations. Completion shall include finished grading, seeding or sodding, and a finished driveway or vehicle area where included in plans. It is provided, however, that the Building Commissioner may extend the date for such completion without penalty or renewal fees, for a period up to 3 months, if he finds that the delay in completion has resulted from causes beyond the control of the permit holder, such as inclement weather or custom material delay; provided however that monetary reasons shall not be considered as cause. Any request for an extension thereafter must be accompanied with a \$140.00 permit renewal fee to cover the costs of the City in reviewing, considering, and documenting a permit extension. All permit extensions shall be reported to the City Council.

Section 2. Section 2 of Ordinance 1986, as amended by Section 7 of Ordinance 2134, is hereby amended by repealing subsection (g) and enacting a new subsection (g) to read as follows:

(g) Insert a new Section 105.8 as follows:

105.8 Permits Required. No person, firm or corporation shall erect, alter, enlarge, or repair (except minor repairs) any building or structure intended to be used for the shelter, support, or enclosure of persons, animals, or chattels; nor wreck, move or remove any such buildings; nor

erect any retaining walls or fence walls, constructed of masonry, tile, or concrete; nor enclose any open shed or pavilion, within the City of Ladue, without first obtaining a permit authorizing same from the Building Commissioner. All construction referred to in such building permit must be completed within a period of time to be specified by the Building Commissioner at time of issuance of permit, but not longer than 24 months for a new residence and 18 months for all other construction, from the date of issuance of the permit, and if not completed within the permitted time, such permit holder shall be in violation of the Building Code subjecting such person to the general penalty provision for ordinance violations. Completion shall include finished grading, seeding or sodding, and a finished driveway or vehicle area where included in plans. It is provided, however, that the Building Commissioner may extend the date for such completion without penalty or renewal fees, for a period up to 3 months, if he finds that the delay in completion has resulted from causes beyond the control of the permit holder, such as inclement weather or custom material delay; provided however that monetary reasons shall not be considered as cause. Any request for an extension thereafter must be accompanied with a \$140.00 permit renewal fee to cover the costs of the City in reviewing, considering, and documenting a permit extension. All permit extensions shall be reported to the City Council.

Section 3. It is the intent of this Council that the portions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found by a court of competent jurisdiction to be invalid, the remaining portions of this Ordinance are valid, unless the court finds that the valid portions standing alone are incomplete and are incapable of being executed in accordance with the legislative intent.

Section 4. This Ordinance shall take effect and be in force from and after its passage and approval by the Mayor.

PASSED THIS ____ DAY OF _____ 2016.

President, City Council

ADOPTED AND APPROVED THIS ____ DAY OF _____ 2016.

Nancy Spewak, Mayor

ATTEST:

Laura Rider, City Clerk

BILL NO. 2136

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LADUE, ST. LOUIS COUNTY, MISSOURI, AMENDING CHAPTER 14 "ALCOHOLIC BEVERAGES."

WHEREAS, the City Council has set a limit on the number of liquor licenses that may be issued within the City and after duly considered the matter, has concluded to amend the Code of Ordinances by amending Section 14-45 to increase the number of Class B licenses that may be issued within the City from nine (9) to ten (10); and

WHEREAS, state regulations, 11 CSR 70-2.130 (13)-(14), prohibit a retail licensee for sale of alcoholic beverages from permitting acts substantially as described herein on any licensed premises; and

WHEREAS, the Ladue City Council believes it is in the best interest of citizens to underscore the importance of all licensees maintaining strict adherence to such standards at all times and enable the Ladue Police Department, the administrative arms of the City, and the City Council to use the regulatory authority vested in them by state law and ordinances of the City to assure that all licensed premises are operated in a safe and forthright manner; and

WHEREAS, the City Council wants to resolve potential ambiguities and/or inconsistencies in the City's licensing and enforcement processes and therefore desires and finds it in the best interest of the City to amend Chapter 14 in accordance with state regulations; and

WHEREAS, this bill has been made available for public inspection prior to its consideration by the City Council and has been read by title two times in open meeting prior to its passage.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LADUE, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section 1. Section 14-45 of Chapter 14 is hereby amended by increasing the number of Class B liquor licenses available from nine (9) to ten (10). All other provisions within Section 14-45 shall remain in full force and effect.

Section 2. Article II of Chapter 14 is hereby amended by enacting a new Section 14-36.1 to read as follows:

Section 14-36.1 - Certain Acts Prohibited in Premises Licensed to Sell at Retail Intoxicating Liquor.

- (a) It shall be unlawful for any retail licensee, licensed to sell intoxicating liquor or his/her employee to permit in, upon or about the licensed premises:
1. The performance of acts or simulated acts of sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation or any sexual acts which are prohibited by law;
 2. The displaying of any portion of the areola of the female breast or failure to cover the entire areola and front of the breast with opaque clothing;
 3. The actual or simulated touching, caressing or fondling of the breast, buttocks, anus or genitals;
 4. The actual or simulated displaying of the pubic hair, anus, vulva or genitals or failure to cover pubic hair, anus, vulva or genitals with opaque clothing;

5. Any person to remain in or upon the licensed premises who exposes to public view any portion of his/her genitals or anus or fails at any time to have and keep opaque clothing over all parts of his/her genitals and anus; and
 6. The displaying of films, video or DVD programs or pictures depicting acts, the live performances of which are prohibited by this regulation or by any other law.
- (b) Additional unlawful acts for any retail licensee, licensed to sell intoxicating liquor or his/her employee:
1. At no time, under any circumstances, shall any licensee or his/her employees immediately fail to prevent or suppress any violent quarrel, disorder, brawl, fight or other improper or unlawful conduct of any person upon the licensee's premises, nor shall any licensee or his/her employees allow any indecent, profane or obscene language, song, entertainment, literature or advertising material upon the licensed premises.
 2. In the event that a licensee or his/her employee knows or should have known, that an illegal or violent act has been committed on or about the licensee's premises, they immediately shall report the occurrence to the law enforcement authorities and shall cooperate with law enforcement authorities and agents of the Division of Liquor Control during the course of any investigation into an occurrence.
- (c) In addition to the licensee and/or his/her employee being subject to all penalties contained in Section 14-20 of this Code, violation of any act or any provision contained herein shall be grounds for the license of the licensee to be suspended or revoked or, in the case of a renewal application, denial of a renewal.

Section 3. Article II of Chapter 14 is hereby amended by enacting a new Section 14-36.2 to read as follows:

Section 14-36.2 - Compliance of Premises with Land Use Code

In addition to the requirements and licenses herein, as a condition precedent to a grant, renewal or continued viability of a liquor license for any premises, all applicants for and holders of liquor licenses must conform to the City's Land Use Code regulations on the placement and permitting of certain types of liquor establishments, as well as requirements for an occupancy permit and other required permits.

Section 4. Subsection 14-42(a) of Chapter 14 is hereby amended by adding the following to the existing Subsection 14-42(a):

- (7) Violated any provisions of the Code of State Regulations applicable to the conduct of licensees;
- (8) Sold, offered for sale, possessed or knowingly permitted the consumption on the licensed premises of any kind of intoxicating liquors, the sale, possession or consumption of which is not authorized under the license; or
- (9) The licensee, since the issuance of such license, has ceased to be the person actually engaged in the active control and management of the particular establishment for which the license was issued.

Section 5. Section 14-42(b) of Chapter 14 is hereby amended by adding the following new Subsections to read as follows:

- (1) Hearings before the City Council shall be in the nature of informal investigations. Testimony of witnesses and other evidence pertinent to the inquiry may be taken in such hearings, and all proceedings in such hearings shall be recorded. Any person residing or conducting a business within two hundred (200) feet of the proposed establishment shall have the right to produce witnesses and testimony.
- (2) Subpoenas may be issued by the City Council for any person whose testimony is desired at any hearing. Such subpoenas may be served and returns thereon made by any agent and in the same manner as provided by law for the service of subpoenas in civil suits in the Circuit Courts of this State. The City Council may also issue subpoenas duces tecum requiring the production of documents or other items pertaining to the subject of the inquiry.
- (3) Before any witness shall testify in any such hearing, he/she shall be sworn by the City Clerk to tell the truth and nothing but the truth. Witnesses shall be subject to direct and cross examination by an attorney representing the licensee as well as attorneys representing other interested parties.

Section 6. Section 14-42 of Chapter 14 is hereby amended by adding the following Subsections to read as follows:

- (e) A license shall be revoked automatically if:
 - (1) A licensee's State liquor license is revoked or if the licensee is convicted in any court of any violation of Chapter 311 or of any felony violation of Chapter 195 RSMo. in the course of business. A license shall be suspended automatically if the licensee's State liquor license is suspended, and the suspension shall be for a term not less than that imposed by the State.
 - (2) A licensee is or has been convicted in any court of a violation of State laws relating to intoxicating liquors, or a conviction of a violation of this Chapter.
- (f) No person whose license shall have been suspended by order of the City Council shall sell, give away or otherwise supply any intoxicating liquor during the time such suspension is in effect. Any licensee desiring to keep premises open for the sale of food or merchandise during the period of suspension shall display the Council's order of suspension in a conspicuous place on the premises so that all persons visiting the premises may readily see the same.
- (g) Any applicant or licensee aggrieved by a decision of the City Council may appeal such decision to the Board of Adjustment pursuant to the procedures Section 50-53(b) of the Municipal Code provided such appeal is filed within ten (10) days of the date of the Council's decision. The Council may delay the implementation of its order pending appeal.

Section 7. All other provisions within Chapter 14 shall remain in full force and effect.

Section 8. This Ordinance shall take effect and be in force from and after its passage and approval by the Mayor.

PASSED THIS ____ DAY OF _____ 2016.

President, City Council

ADOPTED AND APPROVED THIS ____ DAY OF _____ 2016.

Nancy Spewak, Mayor

ATTEST:

Laura Rider, City Clerk

RESOLUTION NO. 2016-05

A RESOLUTION GRANTING A VARIATION TO SECTION 94-34(4) OF CHAPTER 94 OF THE CODE OF ORDINANCES FOR THE RESUBDIVISION OF LOT 10 OF BRIARCLIFF TO INCLUDE AN EASEMENT WITHIN THE LOT AREA CALCULATION, PURSUANT TO AND IN ACCORDANCE WITH SECTION 94-3(a).

WHEREAS, Section 94-3(a) of the Ladue Code of Ordinances allows variations and modifications to the provisions of Chapter 94 (Subdivisions), in the case of hardships or substantial difficulties; and

WHEREAS, Peter and Meredith Perkins have applied for approval of a Subdivision Plat to create two lots from what is currently known as Adjusted Lot 10 of Briarcliff, which is bordered on one side by Briarcliff Drive, a 40 foot wide roadway used by the subdivision for lot access; and

WHEREAS, Mr. and Mrs. Perkins have requested a variation from Section 94-34(4), which states that the lot area shall not include any easements for a public road, private street, or new driveway; and

WHEREAS, at its meeting on May 25, 2016, the Zoning and Planning Commission discussed the request for the variation to include the roadway easement into the lot area calculation and the fact that the easement is currently used by the subdivision for lot access; and

WHEREAS, the Zoning and Planning Commission found that granting the variance would not preserve the intent and spirit of the regulation and voted unanimously (6 to 0) to recommend denial of the variation to Section 94-34(4); and

WHEREAS, the City Council finds, under the facts presented, that the request to vary the requirement of Section 94-34(4) to allow inclusion of the roadway easement into the lot area calculation meets the requirements of Section 94-3(a) and such variation should therefore be granted.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF LADUE, MISSOURI, AS FOLLOWS:

Section 1. That the requested variation to Section 94-34(4) to include the area within Briarcliff Drive in the lot calculations for the Resubdivision of Briarcliff Lot 10 is hereby granted, with the understanding that

1. This subdivision must comply with all other requirements of Chapter 94 unless other requirements of Chapter 94 are waived by Resolution of the Ladue City Council.
2. Final approval of the subdivision plat will not be ordained by the Ladue City Council unless a variance is granted by the Zoning Board of Adjustment due to the fact that one of these lots does not meet the minimum lot size as required by Ordinance 1175.
3. Final approval of the subdivision plat will also not be ordained by the Ladue City Council until the final plat has been reviewed by all necessary city representatives of the City of Ladue.

Section 2. This Resolution shall take effect and be in full force from and after its passage by the City Council and approval by the Mayor.

Adopted by the City Council and approved by the Mayor on this ____ day of July 2016.

Nancy Spewak, Mayor

ATTEST:

Laura Rider, City Clerk

RESOLUTION NO. 2016-06

A RESOLUTION GRANTING A VARIATION TO SECTION 94-34(4)e OF CHAPTER 94 OF THE CODE OF ORDINANCES FOR THE RESUBDIVISION OF LOT 10 OF BRIARCLIFF TO INCLUDE TWO LOTS WITH MORE THAN FIVE SIDES, PURSUANT TO AND IN ACCORDANCE WITH SECTION 94-3(a).

WHEREAS, Section 94-3(a) of the Ladue Code of Ordinances allows variations and modifications to the provisions of Chapter 94 (Subdivisions), in the case of hardships or substantial difficulties; and

WHEREAS, Peter and Meredith Perkins have applied for approval of a Subdivision Plat for what is currently known as Adjusted Lot 10 of Briarcliff, which would divide one lot into two lots; and

WHEREAS, Peter and Meredith Perkins have requested a variation from Section 94-34(4)e, which states that lots with more than five sides are undesirable and shall be avoided; and

WHEREAS, 94-34(4)e states that lots with five sides are undesirable and shall be avoided unless, in the judgment of the planning consultant, in the case of small subdivisions, that more than five sides are necessary or desirable due to the unique character of the property based on established criteria within Section 94-34(4)2; and

WHEREAS, the planning consultant has determined that the subdivision does not meet the criteria, as listed in 94-34(4)e, and therefore this variation request was submitted to the Zoning and Planning Commission pursuant to Section 94-3(a); and

WHEREAS, at its meeting on May 25, 2016, the Zoning and Planning Commission determined that allowing the resubdivision of this lot into two lots with more than five sides would allow the applicant to plan and develop his property without unjust difficulties and expense, but at the same time the public welfare and interests of the municipality are fully protected and the general intent and spirit of the regulations are preserved; and

WHEREAS, the Zoning and Planning Commission voted unanimously (6 to 0) to recommend approval of the variation to Section 94-34(4)e for the number of sides of the lots created by this Preliminary Plat; and

WHEREAS, the City Council finds, under the facts presented, that the request to vary the requirement of Section 94-34(4)e to allow the resubdivision of Lot 10 of Briarcliff to be created with more than 5 sides per lot meets the requirements of Section 94-3(a) as recommended by the Zoning and Planning Commission and such variation should therefore be granted.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF LADUE, MISSOURI, AS FOLLOWS:

Section 1. That the requested variation to Section 94-34(4)e to allow Peter and Meredith Perkins to create two subdivision lots with more than 5 sides is hereby granted, with the understanding that,

1. This subdivision must comply with all other requirements of Chapter 94 unless other requirements of Chapter 94 are waived by Resolution of the Ladue City Council.
2. Final approval of the subdivision plat will not be ordained by the Ladue City Council unless a variance is granted by the Zoning Board of Adjustment due to the fact that one of these lots does not meet the minimum lot size as required by Ordinance 1175.
3. Final approval of the subdivision plat will also not be ordained by the Ladue City Council until the final plat has been reviewed by all necessary city representatives of the City of Ladue.

Section 2. This Resolution shall take effect and be in full force from and after its passage by the City Council and approval by the Mayor.

Adopted by the City Council and approved by the Mayor on this ____ day of July 2016.

Nancy Spewak, Mayor

ATTEST:

Laura Rider, City Clerk

RESOLUTION NO. 2016-07

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ON BEHALF OF THE CITY OF LADUE, MISSOURI A CONTRACT WITH ICS CONSTRUCTION SERVICES, LTD. FOR THE DEMOLITION OF THE CITY'S EXISTING FIREHOUSE NO. 1 AND CONSTRUCTION OF A NEW FIREHOUSE NO. 1.

WHEREAS, on June 6, 2016, the City of Ladue sent out a request for bids for the demolition of the current Firehouse No. 1 and construction of a new Firehouse No. 1 in the City of Ladue in accordance with the plans and specifications, Project Manual, and bid documents ("Project"); and

WHEREAS, staff reviewed the bid submittals, conducted interviews, and after evaluation of the same in accordance with the City's competitive bidding requirements, found that ICS Construction Services, LTD. submitted the lowest and best bid that met the City's needs; and

WHEREAS, the City Council now desires and finds it in the best interest of the City to enter into a contract with ICS Construction Services, LTD. for the Project as the lowest and best bidder.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF LADUE, MISSOURI, AS FOLLOWS:

Section 1. The City Council hereby authorizes the Mayor to execute on behalf of the City a contract with ICS Construction Services, LTD. to demolish and construct a new Firehouse No. 1 in substantially the form of Exhibit A incorporated herein by reference (the "Contract"), including all documents specified in the Contract as being part of the Contract Documents.

Section 2. The requirements of Section 292.675 RSMo., and the OSHA requirements, penalties, and obligations in the Contract, are hereby incorporated herein by reference and made a part of this Resolution for all purposes.

Section 3. The requirements of Section 290.210 RSMo., and the prevailing wage requirements and obligations in the Contract, are hereby incorporated herein by reference and made a part of this Resolution for all purposes. Additionally, a copy of Annual Wage Order for St. Louis County No. 23, being the applicable prevailing wage order for the Project, is part of the Contract Documents and incorporated herein by reference.

Section 4. This Resolution shall take effect and be in force from and after its passage and approval by the Mayor.

Adopted by the City Council and approved by the Mayor on this ____ day of July 2016.

Nancy Spewak, Mayor

ATTEST:

Laura Rider, City Clerk

RESOLUTION NO. 2016-08

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ON BEHALF OF THE CITY OF LADUE, MISSOURI A CONTRACT WITH GEISSLER ROOFING COMPANY, INC. FOR THE REMOVAL OF THE EXISTING ROOF AND INSTALLATION OF A NEW ROOF ON THE CITY HALL BUILDING AND OTHER CITY OWNED FACILITIES.

WHEREAS, on May 18, 2016, the City of Ladue sent out a request for bids for the removal of the existing roof and installation of a new roof on the City Hall Building, the Public Works Sign Shop Building, the Building Department Building and the City Hall Annex Building ("Project"); and

WHEREAS, staff reviewed three bid submittals and after evaluation of the same in accordance with the City's competitive bidding requirements, found that Geissler Roofing Company, Inc. submitted the lowest and best bid that met the City's needs; and

WHEREAS, the City Council now desires and finds it in the best interest of the City to enter into a contract with Geissler Roofing Company, Inc. for the Project as the lowest and best bidder.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF LADUE, MISSOURI, AS FOLLOWS:

Section 1. The City Council hereby authorizes the Mayor to execute on behalf of the City a contract with Geissler Roofing Company, Inc. to remove the existing roof and install a new roof on the City Hall Building, the Public Works Sign Shop Building, the Building Department Building and the City Hall Annex Building in substantially the form of Exhibit A incorporated herein by reference (the "Contract"), including all documents specified in the Contract as being part of the Contract.

Section 2. The requirements of Section 292.675 RSMo., and the OSHA requirements, penalties, and obligations in the Contract, are hereby incorporated herein by reference and made a part of this Resolution for all purposes.

Section 3. The requirements of Section 290.210 RSMo., and the prevailing wage requirements and obligations in the Contract, are hereby incorporated herein by reference and made a part of this Resolution for all purposes. Additionally, a copy of Annual Wage Order for St. Louis County No. 23, being the applicable prevailing wage order for the Project, is part of the Contract and incorporated herein by reference.

Section 4. This Resolution shall take effect and be in force from and after its passage and approval by the Mayor.

Adopted by the City Council and approved by the Mayor on this ____ day of July 2016.

Nancy Spewak, Mayor

ATTEST:

Laura Rider, City Clerk