

**CITY COUNCIL OF THE CITY OF LADUE
ST. LOUIS COUNTY, MISSOURI
MONDAY, JUNE 17, 2019**

The meeting of the City Council of the City of Ladue, St. Louis County, Missouri, was held on Monday, June 17, 2019, at 4:00 p.m., at City Hall, 9345 Clayton Road. The following members were present:

The Hon. Nancy Spewak, Mayor, presiding.

Members of the Council present:

Stacey Kamps
John Fox
Patrick Hensley
William Brennan
Harold Burroughs

Absent:

John Howell

Five Council Members present.

Also present Police Chief Ken Andreski, Jr.; Fire Chief Steven Lynn; Mr. Roger Stewart, Building Commissioner; Ms. Andrea Sukanek, City Planner; Mr. Sam Zes, Finance Director; Mr. Pete Merten, Storm Water Engineer, and Ms. Erin Seele, City Attorney and Ms. Lori Wrobel Administrative Assistant. Ms. Laura Rider, Assistant to the Mayor/City Clerk and Ms. Anne Lamitola, Director of Public Works were absent.

Approval of the Agenda: Council Member Fox moved for approval of the agenda, with a second by Council Member Brennan, 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 and Closed Meetings of May 20, 2019 and Special Meeting of May 29, 2019. Council Member Brennan moved approval of the minutes as submitted for the regular, closed and special meetings of May 20 and 29, 2019, with a second by Council Member Hensley, the motion passed unanimously.

Public Forum: Superintendent of Ladue Schools, Donna Janke announced her retirement after serving for 32 years. She expressed much gratitude to the remarkable City Officials for the years of support and collaboration. Mayor Spewak stated appreciation for Ms. Janke's leadership, cooperation and impact on the community and the students. She will be sorely missed.

Public Hearings:

PH1: 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 discuss adjusting and clarifying the current night lighting restrictions in Zoning Ordinance #1175.

Council Member Fox moved to open the public hearing, with a second by Council Member Hensley, the motion passed unanimously.

Ms. Sukanek introduced Randy Burkett, of Randy Burkett Lighting Design, who apologized for the miscommunication regarding the May Council Meeting. He gave a presentation covering ordinance impact, objectives, influences, ambient lighting conditions, glare, light trespass, light source, shielding, safety, security, curfews, exemptions, complaint process and enforcement. Mr. Burkett explained the different types of cutoff used to reduce glare, and avoid light spilling over into unwanted areas.

Discussion followed. Concealing the light source eliminates unwanted glare. Louvers and filters can shield light and cutoff problematic areas. Many homes in the City have carriage style lights with visible bulbs. In some cases, kits are available to install the bulbs in the hood to reduce glare. Mayor Spewak then stated that educating the subdivision trustees would be a good place to begin implementation for change. There is no need to rush implementation as this is a lot of information to digest.

Council Member Fox moved to close the public hearing, with a second By Council Member Brennan the motion passed unanimously.

Committee Report: (Insurance)

Mr. Stephen Hall, Chairman of the Insurance Committee, reported that the initial proposal from Cigna requested a 30% increase over current rates. The plan continues to experience an elevated loss ratio due to a high cost specialty maintenance medication. The full impact was delayed in 2018 by moving the plan carrier from UHC to Cigna. However as this claim cost will be ongoing it is now an unavoidable cost factor.

Daniel and Henry recommended making plan design changes to reduce the cost of premiums for all employees, moving to one single medical plan option for all employees, and introducing a Health Reimbursement Arrangement (HRA) to help offset the increased out-of-pocket expenses for employees that have higher claims expenses.

The analysis determined that a single medical plan option with a \$4000 individual deductible and additional cost-sharing changes would be the best option for the City. An HRA would also be introduced that would cover up to \$3000 for a portion of the deductible and coinsurance that an individual may have. This option will increase the total health insurance premiums for the plan by 5.6%, and with the addition of the HRA expenses, the total plan costs are estimated to be 13-15% higher than the current costs. There were no changes to Cigna dental, VSP vision or Asiflex. Insurance renewal forms with terms are on file in the office of the City Clerk.

Council Member Fox moved for approval of Cigna medical insurance, VSP vision insurance, Asiflex, Travelers proposal for Property and Casualty Insurance at a cost of \$291,281.00 and Workers Compensation Insurance at a cost of \$114,972.00, with second by Council Member Hensley, the motion passed unanimously.

ZP1: Referral to the Zoning and Planning Commission for review and recommendation of potential text amendments to Zoning Ordinance #1175 regarding parking requirements, fence regulations and special event requirements.

Ms. Sukanek stated that St. Louis County Phase II Storm Water Management Plan requires review and update to parking policies to reduce mandatory impervious parking areas. The City is required to complete this review. This may include some reduced parking requirements for certain land uses and increased flexibility of requirements ensuring excessive impervious parking areas are not being developed.

Fence regulation considerations include pool barriers and areas in which an 8-foot fence is allowed in yards that abut an interstate highway.

Regulations regarding special event exemption for the limited public properties, including the St. Louis County Library. Churches and schools are currently exempt. Amplified sound or music for events may be considered.

Ms. Sukanek requested these items be referred to the Zoning and Planning Commission for discussion.

Council Member Fox moved referral to the Zoning and Planning Commission for review and recommendation of potential text amendments to Zoning Ordinance #1175 regarding parking requirements, fence regulations and special event requirements, with second by Council Member Hensley the motion passed unanimously.

**New Business:
Proposed Legislation:**

Bill No. 2228 – An ordinance approving the “Adjusted Lot 22 of Clermont Park”.

Mayor Spewak read Bill No. 2228, followed by a second reading by Council Member Hensley.

Ms. Sukanek stated this plat consolidation cleans up a nonconforming, land locked parcel. This lot can only hold one house.

Council Member Fox moved for approval of Bill No. 2228, with a second by Council Member Brennan and the roll call vote thereupon was as follows:

| | |
|--------------------------|-------|
| Council Member Fox | “Aye” |
| Council Member Kamps | “Aye” |
| Council Member Burroughs | “Aye” |
| Council Member Brennan | “Aye” |

Council Member Hensley

“Aye”

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

Resolution No. 2019-20 – A resolution authorizing the Mayor to execute on behalf of the City of Ladue, Missouri a contract with American Response Vehicles for the purchase of a 2019 AEV Trauma Hawk Custom Type I Ambulance.

Chief Lynn recommended entering into a contract in 2019 for the new ambulance that is in the 2020 Capital Budget due to the length of design and production. The current 2010 ambulance will replace the current reserve ambulance which will be traded in once the new ambulance arrives. He also recommended allowing the vendor to display the vehicle at the FDIC conference in Indianapolis. The compensation for displaying the vehicle is an upgraded lighting package and \$10,000 in additional safety amenities.

Council Member Fox moved to adopt Resolution No. **2019-20**, with a second by Council Member Brennan the motion passed unanimously.

Resolution No. 2019-21 – A resolution establishing fee policies and procedures for fees and billing of emergency ambulance transportation services provided by the City of Ladue.

Chief Lynn addressed the Council regarding the ambulance transport rates that were set by the City Council in October 2013. The fire department assessed current rates, operation expenses for transports and comparison of rates with surrounding fire agencies. Chief Lynn, in agreement with the finance department and Mayor Spewak, recommended the City of Ladue adjust its ambulance billing fees. Ambulance transport rates are based on recommendation by Page, Wolfberg and Wirth, the National EMS industry Law Firm, who recommends the rate be set 150% to 200% above Medicare allowable rates to maximize reimbursement from commercial insurance companies.

Council Member Kamps moved to adopt Resolution No. **2019-21**, with a second by Council Member Hensley the motion passed unanimously.

Resolution No. 2019-22 – A resolution authorizing the Mayor on behalf of the City of Ladue, Missouri to enter into an agreement with Missouri HealthNet for the reimbursement of uncompensated costs associated with the transportation of Department of Social Services, MO HealthNet Participants.

Chief Lynn requested approval of the City Council to participate in the Ground Emergency Medical Transport (GEMT) Uncompensated Cost Reimbursement Program. The program would allow the City to reclaim unreimbursed cost from Medicaid billing. This is an agreement between the City of Ladue and Missouri HealthNet division and an amendment to the EMS/MC (Current ambulance Billing Company) allowing them to utilize a third party expert in this process. Discussion ensued. The City will be required to put 33% up front, with little

to no risk involved. Although this initially requires substantial work for the Fire Department, it will be beneficial.

Council Member Brennan moved to adopt Resolution No. **2019-22**, with a second by Council Member Hensley, the motion passed unanimously.

Resolution No. 2019-23 – A resolution authorizing the Mayor to execute on behalf of the City of Ladue, Missouri an amendment to the existing contract with EMS Management and Consultants (EMS/MC) for the management of the Missouri Ground Emergency Medical Transportation (GEMT) Uncompensated Cost Reimbursement Program offered through the Missouri Division of Social Services, MO HealthNet Program.

Chief Lynn addressed the Council. The paperwork for this is significant. An expert will cut down on the time needed as they will know the ins and outs. In the event of an audit, the staff will be able to lean on the expert. The fee is 15%, however, the City will retain the option to opt out annually.

Council Member Hensley moved to adopt Resolution No. **2019-23**, with a second by Council Member Brennan the motion passed unanimously.

Resolution No. 2019-24 – A resolution amending the City of Ladue Personnel Administration Manual by amending Subject – Electronic Communications – Social Media Policy.

Chief Andreski addressed the Council with information regarding the City Social Media Policy. He has been working with Laura Rider, City Clerk and Erin Seele, the City Attorney. The Fire Department is the only City department currently utilizing social media. A social media presence will establish an interactive communication platform and aid in communication between the City, visitors and residents. The proposed policy was developed to establish guidelines for the use of social media to mitigate associated risks from use of this technology. The sites approved for official use include Facebook, Twitter and Instagram. If approved this policy will replace the current existing social media policy in the Personnel Administration Manual.

Council Member Kamps moved to adopt Resolution No. **2019-24**, with second by Council Member Hensley the motion passed unanimously.

Financial Matters:

Sam Zes, Finance Director introduced Michelle Graham of Botz, Deal and Company regarding the City's 2018 Audit. The City was given an Unmodified Opinion, the best of three because of the accuracy.

Mr. Bill Winningham of Milliman Inc. presented the valuation report for the Uniform Pension Plan as of January 1, 2019 starting with the contribution summary, noting that the recommended contribution increased from \$1,712,937 in 2018 to \$1,834,700 in 2019. The primary reason for the increase was a return on the actuarial value of assets lower than the assumed rate of 7.0%. The unaudited market value of plan assets decreased from \$35,240,462 at January 1, 2018 to

\$32,599,549 at January 1, 2019. The net market rate of return was a loss of 6.5% for the period. The actuarial value of assets increased from \$34,265,500 to \$35,377,311. The net actuarial rate of return for this period was 4.3% vs the assumed rate of 7%. Due to the asset smoothing method used, there are \$2,777,762 of investment losses that have not yet been recognized in the Actuarial Value of Assets.

Mr. Winningham next presented the valuation for the Non-Uniform Pension Plan noting the recommended contribution increased from \$176,577 in 2018 to \$218,921 in 2019. Due to the asset smoothing method used, there are \$396,715 of investment losses that have not yet been recognized in the actuarial value of assets. The actuarial value of assets increased from \$4,904,796 at January 1, 2018 to \$5,014,047 at January 1, 2019. The net actuarial rate of return for the period was 4.3% vs the assumed 7%.

The Council reviewed the vouchers for payment for the month of May 2019. Council Member Fox moved for approval, with second by Council Member Hensley, the motion passed unanimously.

The Mayor and Council reviewed the Treasurer's and Collector's reports for May 2019. The Mayor ordered the reports filed for information.

The Mayor and Council reviewed the Financial Report for May 2019. The Mayor ordered the report filed for information.

The Mayor and Council reviewed the Cash Flow Summary for May 2019. The Mayor ordered the report filed for information.

The Mayor and Council reviewed the Delinquent Real Estate Tax Report for May 2019. The Mayor ordered the report filed for information.

Department Reports:

Fire Department: The Mayor and Council reviewed the Fire Department Activity Report for May 2019. The Mayor ordered the report filed.

Chief Lynn reported on the project essays written by John Burroughs students for their May projects, the students came in and learned much about trust and respect. Mayor Spewak appreciated the great insight shared by the department. The Chief shared information on the recent loss of two Fire Department comrades.

Police Department: The Mayor and Council reviewed the Police Activity Report for May 2019. The Mayor ordered the report filed.

Chief Andreski reported on a recent crime spree in the City. Nine vehicles have been stolen in the City. The investigation is ongoing. The night shift has been increased to keep more officers on the streets overnight. This is not just a Ladue problem, it is wide spread. Informational post cards are being sent out to all residents reminding them to lock up vehicles and to please call if they see anything suspicious. Mayor Spewak stated that although the community is very safe, it is not immune to crime. Locking up valuables and making it harder to steal things here will make the area less appealing to criminals.

Public Works Department: The Mayor and Council reviewed the Public Works report for May 2019. The Mayor ordered the report filed.

Pete Merten presented a request for approval of a Small Project Storm Water Grant Application submitted for the property located at 16 Lindworth Drive in the amount of \$19,949.60. This new home had an issue with a lot of standing water. The application process and plan review were followed, and this has been approved by the Storm Water Advisory Committee. Mayor Spewak stated this is a great use of funds. Council Member Fox gave a strong endorsement for this project.

Council Member Fox moved to approve the Small Project Grant in the amount of \$19,949.60 with second by Council Member Kamps, the motion passed unanimously.

City Planner, Andrea Sukanek, presented the Council information regarding the Special Use Permit issued to Community School to construct an outdoor pavilion on campus as an outdoor classroom space and changes to the pavilion in closer proximity to the school and reduced size, which will likely lessen the impact on the surrounding area.

Building Office Report: The Mayor and Council reviewed the Building Office report for May 2019. The Mayor ordered the report filed.

Municipal Court: The Mayor and Council reviewed the Municipal Court Report for May 2019. The Mayor ordered the report filed.

Administration/City Clerk: Mayor Spewak shared information regarding the request for approval of an agreement between the City of Ladue and STL Programs for publication of a 2020 Ladue Community Directory. This is an annual agreement and there are no changes.

Council Member Fox moved to approve the agreement with STL Programs for publication of a 2020 Ladue Community Directory, with second by Council Member Brennan, the motion passed unanimously.

City Attorney: Ms. Seele had nothing new to report.

Liquor License Renewals:

Mayor Spewak stated there are nineteen liquor license renewals. The Police Department has found no reason to deny the renewals.

L-1: An application from Bogey Club, 9266 Clayton Road, for renewal of their liquor license to sell intoxicating liquor by the drink for consumption on the premises, including beer or malt liquor not in excess of 5% by weight and with Sunday sales.

L-2: An application from Deer Creek Club, 9861 Deer Creek Hill, for renewal of their liquor license to sell intoxicating liquor by the drink for consumption on the premises, for sale in the original package,

malt liquor not in excess of 5% by weight for consumption on the premises, wine sampling and with Sunday sales.

- L-3:** An application from Extra Virgin an Olive Ovation, 8829 Ladue Road, for renewal of their liquor license to sell wine in the original package not to be consumed on the premises where sold with Sunday sales.
- L-4:** An application from Giovanni's Kitchen, 8831 Ladue Road, for renewal of their liquor license to sell intoxicating liquors by the drink on the premises, with Sunday sales.
- L-5:** An application from Gourmet to Go, 9828 Clayton Road, for renewal of their liquor license to sell intoxicating liquors in the original package.
- L-6:** An application from Ladue Market Inc., 9155 Clayton Road, for renewal of their liquor license to sell intoxicating liquors in the original package.
- L-7:** An application from Ladue Pharmacy, LLC, 9832 Clayton Road, for renewal of their liquor license to sell intoxicating liquors and beer in the original package, not for consumption on the premises.
- L-8:** An application from Lester's, LLC, 9906 Clayton Road, for renewal of their liquor license to sell intoxicating liquors by the drink on the premises, with Sunday sales.
- L-9:** An application from Log Cabin Club, 1140 Log Cabin Lane, for renewal of their liquor license to sell intoxicating liquor by the drink for consumption on the premises, including beer or malt liquor not in excess of 5% by weight and with Sunday sales.
- L-10:** An application from MOD Pizza, 8855 Ladue Road, for renewal of their liquor license to sell intoxicating liquors by the drink on the premises, with Sunday sales.
- L-11:** 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.
- L-12:** An application from the Racquet Club Ladue, 1600 Log Cabin Lane for renewal of their liquor license to sell intoxicating liquor by the drink for consumption on the premises, in the original package with Sunday sales.
- L-13:** An application from Schneithorst's Restaurant, 1600 South Lindbergh Blvd., for renewal of their license to sell intoxicating liquors by the drink on the premises, with Sunday sales.
- L-14:** An application from Schnuck's Markets, Inc. d/b/a Schnuck's, 8867 Ladue Road, for renewal of their license to sell intoxicating liquors in

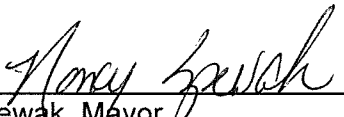
the original package with Sunday sales, by the drink on the premises, and wine sampling.

- L-15:** An application from Schnuck's Markets, Inc. d/b/a Schnuck's, 10275 Clayton Road, for renewal of their license to sell intoxicating liquors in the original package with Sunday sales, by the drink on the premises, and wine sampling.
- L-16:** An application from Dornaka Restaurant Holdings LLC d.b.a. Sportsman's Park Restaurant, 9901 Clayton Road, for renewal of their liquor license to sell intoxicating liquors by the drink and in the original package.
- L-17:** An application from St. Louis Country Club, 400 Barnes Road, for renewal of their liquor license to sell intoxicating liquor by the drink for consumption on the premises with Sunday sales.
- L-18:** An application from Hats, Inc. d.b.a. Truffles in Ladue, 9202 Clayton Road, for renewal of their license to sell intoxicating liquors by the drink.
- L-19:** An application from The Women's Exchange of St. Louis, 8811A Ladue Road, for renewal of their liquor license to sell intoxicating liquors by the drink.

Council Member Fox moved for approval of all liquor license renewal applications numbered L-1 to L-19, with second by Council Member Brennan, the motion passed unanimously.

Mayor Spewak noted that the next Council meetings are scheduled for Monday July 15, 2019 and Monday, August 19, 2019.

Adjournment: Council Member Hensley moved for adjournment, with second by Council Member Brennan, the motion passed unanimously. The meeting adjourned at 6:04 PM.



Nancy Spewak, Mayor

ATTEST:


Laura Rider, City Clerk