

**CITY COUNCIL OF THE CITY OF LADUE
ST. LOUIS COUNTY, MISSOURI
MONDAY, AUGUST 20, 2018**

The regular meeting of the City Council of the City of Ladue, St. Louis County, Missouri, was held on Monday, August 20, 2018, 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:

John Howell
Stacey Kamps
John Fox
Patrick Hensley
Harold Burroughs
William Brennan

Six Council Members present.

Also present were Ms. Laura Rider, Assistant to the Mayor/City Clerk; Mr. Sam Zes, Finance Director; Police Chief Ken Andreski, Jr.; Fire Chief Steven Lynn; Ms. Anne Lamitola, Public Works Director; Mr. Roger Stewart, Building Official; Ms. Andrea Sukanek, City Planner and Ms. Erin Seele, City Attorney.

Mayor Spewak provided introduction and presentation of a Certificate of Recognition to Elizabeth Clarke, Mayor for a Day. Ms. Clarke called the meeting to order and stepped down from the dais.

Approval of the Agenda: Council Member Burroughs moved approval of the agenda, seconded by Council Member Hensley, which 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 July 16, 2018. Council Member Brennan moved approval of the minutes as submitted for the regular and closed meetings of July 16, 2018, seconded by Council Member Howell, which motion passed unanimously.

Resolution No. 2018-24 – A resolution approving an amendment to the Trust Agreement and Indenture of Restrictions for Kingston Manor.

Mayor Spewak explained that an unusual situation exists with Kingston Manor. In addition to a unanimous vote of the trustees confirmed in writing by a majority of the lot owners, City Council approval is required to amend their indentures. The residents and trustees are requesting removal of that requirement.

Resolution No. 2018-24 was unanimously adopted upon motion by Council Member Fox and second by Council Member Hensley.

Public Forum: No one wished to address the Mayor and Council.

Public Hearings:

PH1: The City Council will hold a public hearing on a recommendation from the Zoning and Planning Commission that the City Council approves new Architectural Review Board Guidelines for the City of Ladue.

Council Member Howell moved to open the public hearing, seconded by Council Member Fox, which motion passed unanimously.

Ms. Seele stated the Public Hearing Notice, Zoning and Planning File, Zoning Ordinance #1175 and the entire Code of Ordinances are made part of the record and available.

Council Member Hensley moved to close the public hearing, seconded by Council Member Burroughs, which motion passed unanimously.

The transcript of the public hearing is attached as part of the minutes.

Zoning & Planning Matters:

ZP1: Referral to the Zoning and Planning Commission for review and recommendation of changes to the Zoning Code regarding swimming pool regulations.

Referral to the Zoning and Planning Commission for review and recommendation of changes to the Zoning Code regarding swimming pool regulations was unanimously approved upon motion by Council Member Howell and second by Council Member Fox.

New Business:

Proposed Legislation:

Bill No. 2202 – An ordinance of the City of Ladue, Missouri, to establish a procedure to disclose potential conflicts of interest and substantial interests for certain municipal officials.

Mayor Spewak read Bill No. 2202 followed by a second reading by Council Member Howell.

Ms. Rider explained this bill is a re-adoption of the existing ordinance establishing a procedure to disclose potential conflicts of interest and substantial interests which is allowed under state statute.

Council Member Hensley moved approval of Bill No. 2202 with second by Council Member Brennan, and the roll call vote thereupon was as follows:

Council Member Burroughs "Aye"

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

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

Bill No. 2203 – An ordinance of the City of Ladue to repeal and replace Division 3 of Article II of Chapter 34 – Fire Protection and Prevention of the City of Ladue Code of Ordinances.

Mayor Spewak read Bill No. 2203 followed by a second reading by Council Member Brennan.

Chief Lynn reported this bill eliminates duplicate language in several different places within the ordinances.

Council Member Burroughs moved approval of Bill No. 2203 with second by Council Member Brennan and the roll call vote thereupon was as follows:

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

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

Bill No. 2204 – An ordinance of the City of Ladue to repeal and replace Section 34-50 and enact new Sections 34-51 and 34-52 of Article II of Chapter 34 – Fire Protection and Prevention of the Ladue Code relating to firework displays.

Mayor Spewak read Bill No. 2204 followed by a second reading by Council Member Burroughs.

Chief Lynn provided an overview of the process for issuing permits for fireworks displays; St. Louis County issues the permits but requires municipalities to review the applications. The existing ordinance places the application review responsibility on the Police Chief. This bill shifts the responsibility from Ladue's Police Chief to Ladue's Fire Marshall and reconstructs the actual process adding a time frame for fireworks displays with completion by 10:30 p.m.

There was discussion regarding the time frame for displays with suggestions for the completion of displays no later than 11:00 p.m. An amendment extending the completion of displays by 11:00 p.m. may be introduced at the next meeting.

Council Member Fox moved approval of Bill No. 2204 with second by Council Member Howell and, the roll call vote thereupon was as follows:

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

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

Bill No. 2205 – An ordinance to repeal the current City of Ladue Architectural Design Guidelines and enact new Architectural Review Board Guidelines.

Upon first and second readings by Mayor Spewak and Council Member Fox, Council Member Brennan moved approval of Bill No. 2205 with second by Council Member Howell and the roll call vote thereupon was as follows:

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

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

Bill No. 2206 – An ordinance to modify the regulations regarding the keeping of chickens in the City of Ladue in Chapter 18 of the Ladue Code of Ordinances to add provisions for existing chicken structures and enclosures.

Upon first and second readings by Mayor Spewak and Council Member Hensley, Council Member Howell moved approval of Bill No. 2206 with second by Council Member Hensley and the roll call vote thereupon was as follows:

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

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

Resolution No. 2018-25 – A resolution authorizing the Mayor to execute on behalf of the City of Ladue, Missouri a contract agreement with United States Department of Homeland Security for Risk and Vulnerability Assessment.

Ms. Rider explained the Department of Homeland Security offers no cost services to emergency services and government entities for risk and vulnerability assessment of computer networks to help mitigate against cyber security threats.

Council Member Kamps moved adoption of Resolution No. 2018-25 with second by Council Member Burroughs, which motion passed unanimously.

Financial Matters:

The Council reviewed the **vouchers for payment** for the month of July 2018. 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 July 2018. The Mayor ordered the reports filed for information.

The Mayor and Council reviewed the Financial Report for July 2018. The Mayor ordered the report filed for information.

The Mayor and Council reviewed the Cash Flow Summary for July 2018. The Mayor ordered the report filed for information.

The Mayor and Council reviewed the Delinquent Real Estate Tax Report for July 2018. The Mayor ordered the report filed for information.

Department Reports:

Fire Department: The Mayor and Council reviewed the Fire Department Activity Report for July 2018. The Mayor ordered the report filed.

Chief Lynn requested authorization to purchase of six (6) sets of turn-out fire gear at a cost of \$18,858.00 in accordance with the replacement schedule which allows for one set for each firefighter every five years to be paid from the Capital Fund.

Council Member Brennan moved authorization for the Fire Chief to purchase six (6) sets of turn-out gear from Banner Fire Equipment, Inc. at a cost of \$18,858.00, with second by Council Member Kamps the motion passed unanimously.

The Fire Chief next requested authorization to replace the current hydraulic rescue tools (Jaws of Life) which is 15 – 18 years old. Cordless E-hydraulic tools are available and are battery operated so mobility is improved. The new E-hydraulic rescue tools will be fitted to the Department's new Fire Truck and comes with back-up batteries. The cost to purchase this item from Sentinel Emergency Solutions is \$26,403.19.

Council Member Howell moved authorization for the Fire Chief to purchase Hurst hydraulic rescue tools from Sentinel Emergency Solutions at a cost of \$26,403.19, with second by Council Member Fox the motion passed unanimously.

Chief Lynn explained his next request for authorization to purchase twelve (12) sets of ballistic vests and helmets. Since 2014, Fire Departments in St. Louis County have been training under the principles of "Multiple Attack Counter Terror Action Capabilities" or MACTAC. This equipment is similar to the protective equipment worn by police officers and provides the same level of protection, but will be clearly marked to identify fire personnel, and will be worn by firefighters when responding along with police to active shooter scenes.

The Chief reported that he has the support of the Fire and Police Commissioners for this purchase. While this purchase is not a budgeted item there are funds in the Capital budget to cover it. The Chief presented a proposal and recommended purchasing twelve (12) sets of vests and helmets at a cost of \$11,388.00 from Officer Survival Solutions and Leon Uniform Company for the twelve seats in the fire truck, which would be stored on the truck and available, if needed.

Council Member Fox moved approval of the purchase of twelve (12) sets of ballistic vests and helmets from Officer Survival Solutions and Leon Uniform Company in the amount of \$11,388.00, with second by Council Member Burroughs the motion passed unanimously.

Police Department: The Mayor and Council reviewed the Police Activity Report for July 2018. The Mayor ordered the report filed.

Chief Andreski presented a proposal for the creation of a Bicycle Patrol Program consisting of four officers. The department had budgeted funds for the purchase of police vehicles but deferred the purchase of two of those vehicles and requests to use those funds to create the bicycle patrol program. This program will benefit the community by officers being more approachable, participating in community events and patrolling the business districts. The officers will need uniforms and equipment which includes bicycles, bicycle equipment and safety gear. The department solicited bids and received three proposals. The Chief recommended purchasing the necessary equipment from Ballwin Cycles and uniforms from Leon Uniform Company totaling \$6,993.00.

Council Member Hensley moved authorization for the Police Chief to create a Bicycle Patrol Program consisting of four officers and purchase of bicycles, bicycle equipment and bicycle safety gear from Ballwin Cycles at a cost of \$3,393.00 and uniforms from Leon Uniform Company at a cost of \$3,600.00, with second by Council Member Kamps the motion passed unanimously.

Public Works Department: The Mayor and Council reviewed the Public Works report for July 2018. The Mayor ordered the report filed.

Ms. Lamitola reported the Code Enforcement Officer position had been filled by Sean Seed, who was employed in the Public Works Department. Mr. Seed's vacated position is being advertised. The recently formed Beautification, Open Space and Tree Advisory Board met once in August and has another meeting scheduled

on September 4th. All storm water projects are underway with exception of Babler Lane. Mark Koester began employment with the Public Works Department on August 7th and will be the lead on the Deerfield/Wakefield project.

Building Office Report: The Mayor and Council reviewed the Building Office report for July 2018. The Mayor ordered the report filed.

Mr. Stewart reported that building permits exceed last year by 50 permits year to date.

Municipal Court: The Mayor and Council reviewed the Municipal Court Report for July 2018. The Mayor ordered the report filed.

Committee Appointments: There were no committee appointments.

Mayor Spewak noted that the next Council meetings are scheduled for Monday, September 17, 2018 and Monday, October 15, 2018.

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, real estate matters and contract negotiation under RSMo. Section 610.021 (1), (2), (12).

Council Member Kamps moved to go into closed session for discussion of litigation, legal actions and/or any confidential or privileged communications from the City Attorney, real estate matters and contract negotiation pursuant to RSMo. 610.021 (1), (2), (12) seconded by Council Member Hensley and the roll call vote thereupon was as follows:

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

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

The Mayor and Council went into closed session at 4:58 PM with Ms. Erin Seele and Ms. Anne Lamitola.

The Mayor and Council returned to open session at 5:26 PM with Ms. Erin Seele.

Adjournment: Council Member Burroughs moved adjournment, seconded by Council Member Kamps, which motion passed unanimously. The meeting adjourned at 5:26 PM.

APPROVED THIS 17TH DAY OF SEPTEMBER, 2018.



Nancy Spewak, Mayor

ATTEST:



Laura Rider, City Clerk