

**CITY COUNCIL OF THE CITY OF LADUE
ST. LOUIS COUNTY, MISSOURI
MONDAY, SEPTEMBER 18, 2017**

The regular meeting of the City Council of the City of Ladue, St. Louis County, Missouri, was held on Monday, September 18, 2017, at 4:04 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
John Fox
Harold Burroughs
William Brennan
Patrick Hensley
John Howell

Six Council Members present.

Also present were Ms. Laura Rider, Assistant to the Mayor/City Clerk; Mr. Sam Zes, Finance Director; Police Chief Rich Wooten; Fire Chief Steven Lynn; Ms. Anne Lamitola, Public Works Director; 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 if there were any amendments, corrections or clarifications to the minutes of the regular and closed meetings of August 21, 2017. Council Member Hensley moved approval of the minutes as submitted for the regular and closed meetings of August 21, 2017, seconded by Council Member Howell, which motion passed unanimously.

Public Forum: No one addressed the Mayor and Council.

Mayor Spewak recognized Chief Rich Wooten for his 32 years of service with the Ladue Police Department and most recently as Chief and wished him well in retirement.

Appointment: Chief of Police: Mayor Spewak requested approval of the appointment of Ken Andreski, Jr. as the new Chief of Police. Council Member Burroughs moved approval of the appointment, seconded by Council Member Brennan, which motion passed unanimously.

Mayor Spewak administered the oath of office to Police Chief Ken Andreski, Jr.

Former Chief Wooten left the meeting at 4:10 pm.

Zoning & Planning Matters:

ZP1: Referral to the Zoning and Planning Commission for consideration of an Amended Special Use Permit for pole and antenna installation by Missouri American Water.

Ms. Sukanek stated that the Special Use Permit was approved by Council last month. However, Missouri American Water has contacted the City with an alternative location. There is a decommissioned Emergency Communications Commission pole that may be able to be used instead of the original proposed location.

Council Member Fox noted that this may be a good solution as the original location was a little close to two residences.

Council Member Hiemenz moved referral of the consideration of an Amended Special Use Permit for pole and antenna installation by Missouri American Water to the Zoning and Planning Commission for review and recommendation, seconded by Council Member Burroughs, which motion passed unanimously.

Old Business: None

New Business:

Proposed Legislation:

Bill No. 2165 – An ordinance repealing Chapter 102 Trees and Shrubs in its entirety and replacing it with a new Chapter 102 Trees and Landscaping.

Ms. Lamitola reported on the reasons prompting this re-write of Chapter 102. In January 2015, the City adopted Article III of Chapter 102 which established a landscape plan requirement for new single family homes. The language was general and did not outline clear landscape plan requirements or review criteria. Through an arrangement with the City, Christner has been performing the reviews since that time without formal adopted landscape plan requirements, which causes some to question the authority of the review requirements.

Ms. Lamitola stated that a small committee of staff took on the initiative to re-write Chapter 102. As the review progressed, other related portions of the document were reviewed which evolved into the complete re-write of Chapter 102.

Council Member Fox stated that he met with Ms. Lamitola this afternoon and provided his comments. He believes there is a fine line between being overly restrictive and too vague and suggested that this bill be tabled for further review and a comment period from Council.

Ms. Lamitola stated she welcomes feedback from Council Members and distributed Chapter 102 in its original form for comparison to the re-write.

There were no readings of Bill No. 2165. Council Member Hiemenz moved to table Bill No. 2165, seconded by Council Member Fox, which motion passed unanimously.

Resolution No. 2017-22 – A resolution authorizing the Mayor to execute on behalf of the City of Ladue, Missouri an independent contractor agreement with RD Wooten, LLC for Special Project Management Services.

Mayor Spewak stated that Rich Wooten is retired and is forming RD Wooten, LLC to contract for special project management services.

Ms. Rider stated that the initial term of the agreement will be for a period of one year beginning on January 1, 2018. Payment will be determined on a per project basis with an annual amount not to exceed \$65,000.00. To date, the projects identified include Records Management, Purchasing Policy Update, Personnel Administration Manual Update and Community Outreach. As the year progresses other projects may be identified.

Council Member Fox expressed his feelings that this is a very good idea and that Rich Wooten is well qualified.

Council Member Hiemenz asked Ms. Seele how this independent contractor arrangement differs from the City Planner contractor that the City had to re-classify as an employee. Ms. Seele responded that this differs because the City Planner had an office at City Hall, and the City directed how to do the work and set the hours, which more closely aligns with the definition of an employee. Mr. Wooten will not have an office at City Hall, nor will the City direct his work schedule. He will work on a per project basis.

Council Member Fox moved adoption of Resolution No. 2017-22, seconded by Council Member Burroughs, which motion passed unanimously.

Financial Matters:

The Council reviewed the **vouchers for payment** for the month of August 2017. Council Member Fox moved their approval, seconded by Council Member Hensley, which motion passed unanimously.

The Mayor and Council reviewed the Treasurer's and Collector's reports for August 2017. The Mayor ordered the reports filed for information.

The Mayor and Council reviewed the Financial Report for August 2017. The Mayor ordered the report filed for information.

The Mayor and Council reviewed the Cash Flow Summary for August 2017. The Mayor ordered the report filed for information.

The Mayor and Council reviewed the Delinquent Real Estate Tax Report for August 2017. The Mayor ordered the report filed for information.

Department Reports:

Fire Department: The Mayor and Council reviewed the Fire Department Activity Report for August 2017. The Mayor ordered the report filed.

Ms. Collette Koscielski, with Paric/Navigate Building Solutions, reported that Fire House No. 1 is complete, the open house was a success and that she is working on the last change order and will have final numbers soon but the project cost is well below budget.

Mayor Spewak praised Navigate for their top notch professionalism. The Navigate team brought immeasurable benefit to the City and it was a wonderful experience to work with them. Mayor Spewak expressed her gratitude to Council Member Fox for his guidance throughout the project.

Chief Lynn reported that the City has been awarded a \$1,000.00 grant from Missouri American Water and acknowledged Assistant Chief Johnson's work on writing the grant.

Chief Lynn requested approval for two job title changes and one additional job title. Chief Lynn explained that he is requesting that EMS Lieutenant be changed to Lieutenant and MEMT Firefighter be changed to Firefighter/Paramedic and an additional title of Driver Operator/Engineer. These changes will better align with current practice and newly developed job descriptions that have been approved by the Board of Fire and Police Commissioners. There is no requested additional compensation tied to the Lieutenant and Firefighter/Paramedic title changes. However, additional compensation for the Driver Operator/Engineer position is requested in the amount of \$1,000.00 over Firefighter/Paramedic salary, effective immediately, if approved. Currently, there are six individuals who hold this classification but no title. Therefore, the projected impact to the budget in 2017 is \$2,000.00 for the last quarter and an additional \$6,000.00 in 2018.

Council Member Hiemenz asked if the Driver Operator/Engineer title is consistent with other departments. Chief Lynn responded that about 60% of local departments have this job title. Council Member Hensley asked why this position is needed and if the establishment of this title will change the responsibilities upon arrival at a scene. Chief Lynn responded that this position is part of succession planning and there will be no changes at the scene. All staff will help with the response.

Police Department: The Mayor and Council reviewed the Police Activity Report for August 2017. The Mayor ordered the report filed.

Chief Andreski reported on recent protest events around the area and the Police Department's role of assisting in the response.

Public Works Department: The Mayor and Council reviewed the Public Works report for August 2017. The Mayor ordered the report filed.

Ms. Lamitola reported that leaf collection starts in two weeks and reminded Council that there is no brush collection after the September collection has been completed. Ms. Lamitola explained that as a result of the discontinuance of the mulch production the Scarab Windrow Turner has been deemed as surplus equipment. The manufacturer, Scarab, under a verbal agreement with the City, is able to market the equipment on behalf of the City to find an interested buyer who will pay fair market price. In exchange, the City agrees to pay Scarab a 5% commission fee.

Building Office Report: The Mayor and Council reviewed the Building Office report for August 2017. The Mayor ordered the report filed.

Ms. Lamitola reported that the monthly permit report was revised in response to feedback from Mayor Spewak and the Council.

Municipal Court: The Mayor and Council reviewed the Municipal Court Report for August 2017. The Mayor ordered the report filed.

Administration/City Clerk: Ms. Rider had nothing to report at this time.

City Attorney: Ms. Seele had nothing to report at this time.

Committee Appointments: None

Mayor Spewak noted that the next Council meetings are scheduled for Monday, September 25th (work session), Wednesday, September 27th at 8:00 A.M., Monday, October 16th and Monday, November 20th.

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 pursuant to RSMo. 610.021 (1), seconded by Council Member Hensley and the vote thereupon was as follows:

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


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

The Mayor and Council went into closed session at 4:47 PM with Ms. Erin Seele and Mr. Sam Zes.

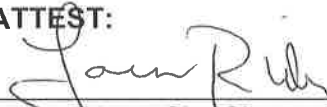
The Mayor and Council returned to open session at 4:55 PM with Ms. Erin Seele and Mr. Sam Zes.

Adjournment: Council Member Fox moved adjournment, seconded by Council Member Burroughs, which motion passed unanimously. The meeting adjourned at 4:55 PM.

APPROVED THIS 16TH DAY OF OCTOBER, 2017.



Nancy Spewak, Mayor

ATTEST:


Laura Rider, City Clerk