

**CITY COUNCIL OF THE CITY OF LADUE
ST. LOUIS COUNTY, MISSOURI
MONDAY, OCTOBER 16, 2017**

The regular meeting of the City Council of the City of Ladue, St. Louis County, Missouri, was held on Monday, October 16, 2017, at 4:01 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 (arrived at 4:50 p.m.)

Five Council Members present at the commencement of the meeting.
Council Member Howell arrived at 4:50 pm.

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; Ms. Andrea Sukanek, City Planner and Mr. Nathan Nickolaus, Acting 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 September 18, 2017, work session of September 25, 2017 and special meeting of September 27, 2017. Council Member Hiemenz moved approval of the minutes as submitted for the regular and closed meetings of September 18, 2017, work session of September 25, 2017 and special meeting of September 27, 2017, seconded by Council Member Hensley, which motion passed unanimously.

Employee Service Award Presentation: Ms. Lamitola presented a service award to Scot Bollinger, Public Works Superintendent, in recognition of his 20 years of dedicated service to Ladue.

Public Forum: No one addressed 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 a proposed text

amendment to Zoning Ordinance (#1175) regarding definition of floor area and requirements in the E1 zoning district, and proposed text amendment to Chapter 110 of the Ladue Code of Ordinances regarding storm water detention requirements.

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

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

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

Zoning & Planning Matters: There were none.

Old Business:

Bill No. 2163 Amended - An ordinance amending Section V and XIV of Ordinance 1175, the Zoning Ordinance of the City of Ladue, St. Louis County, Missouri, regarding requirements for structures in the E-1 Zoning District and the definition of floor area, and Sections 110-142 and 110-147 of the Ladue Code of Ordinances regarding new storm water runoff and detention requirements and the required plans to be submitted.

Upon the first reading of Bill No. 2163 Amended by Mayor Spewak and second reading by Council Member Fox, Council Member Burroughs moved approval of Bill No. 2163 Amended, seconded by Council Member Brennan and the roll call vote thereupon was as follows:

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

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

New Business:

Proposed Legislation:

Resolution No. 2017-23 – A resolution authorizing the Mayor to execute on behalf of the City of Ladue, Missouri a Business Services Agreement with MeteoGroup for weather forecasting services.

Ms. Lamitola explained that this resolution authorizes the Mayor to execute a three year contract for weather forecasting services. After using the service

on a trial basis the Public Works Department is recommending approval of the agreement with MeteoGroup. As this is a specialized service only one other bid was sought and MeteoGroup was lower.

Council Member Brennan asked if this service is similar to Code Red. Council Member Hensley asked if other cities use this service. Ms. Lamitola stated the service is used internally by staff and would be extended to Fire Department and Police Department staff and noted that other cities use this service.

Council Member Hensley moved adoption of Resolution No. 2017-23, seconded by Council Member Brennan, which motion passed unanimously.

Resolution No. 2017-24 - A resolution amending the City of Ladue Personnel Administration Manual by establishing a policy for Shared Sick Leave.

Ms. Rider stated the proposed policy would cover situations where an employee has exhausted all forms of accrued paid leave when undergoing treatment or recovering from a serious illness or injury. The voluntary donation of eligible sick leave hours by employees to a shared pool would be available to eligible recipient employees.

Discussion ensued regarding requirements, potential budget impact and expense to the City.

Council Member Howell arrived at 4:50 p.m.

Council Member Hiemenz stated he would like additional time to study the impact of this policy. It was determined that the City Council would like examples of the cost of the shared pool and impact to cash and budget along with any other cities that are known to offer a shared leave pool.

Council Member Hiemenz moved to table Resolution No. 2017-24 for further review and discussion, seconded by Council Member Brennan, which motion passed unanimously.

Resolution No. 2017-25 – A resolution urging the St. Louis County Council and St. Louis Board of Aldermen to oppose any and all legislation authorizing a statewide vote regarding or mandating a change in the government structure of St. Louis City and St. Louis County and the municipalities therein.

Ms. Rider reported that Mr. Pat Kelly, Executive Director of the Municipal League, is coordinating an effort for municipalities in St. Louis County to adopt this resolution and stated the rationale behind the resolution is to publicly oppose any statewide vote or legislative mandate on governmental reorganization regarding the City of St. Louis and St. Louis County and the municipalities therein, and to support local discussions and local votes on any plans that may develop and to urge the St. Louis County Council and the St. Louis Board of Aldermen to pass a similar resolution. The resolutions adopted by the municipalities will be presented to the County Council and the St. Louis Board of Aldermen at their November meetings.

Council Member Hiemenz moved adoption of Resolution No. 2017-25, seconded by Council Member Fox, which motion passed unanimously.

Resolution No. 2017-26 – A resolution adopting a compensation plan for non-uniform employees.

Mr. Joe Rice, Project Manager with CBIZ, gave an overview of the report on the results of the compensation and benefits study which was presented at the recent work session. Mr. Rice explained that Resolution No. 2017-26 adopts a compensation plan for non-uniform employees including policies, provisions, salary ranges and grade placement. Each grade is assigned a salary range and each position is placed in the appropriate grade. The midpoint of the salary range represents the 75th percentile. However, the goal is not to get everyone to the midpoint immediately.

The policies set procedures for annual salary review, annual salary structure adjustments and establishing initial salary for new hires. Mr. Rice recommended using a merit matrix tool with the open range compensation plan.

Council Member Howell asked if the ranges and individual placements within those ranges will be transparent to the employees. Ms. Rider confirmed that each employee will be informed of their particular grade, salary range and their placement within the range.

Council Member Hiemenz suggested amending one of the attachments in Exhibit A titled "Salary Structure Adjustments". Paragraph 4 states that any employee whose salary is below the assigned updated salary range will receive a pay adjustment at least equal to the difference between actual salary and the salary range minimum. "Contingent upon successful performance evaluation" should be added at the end of that sentence.

Council Member Hiemenz asked for confirmation that this resolution adopts the provision and policies, the positions covered by this compensation plan, ranges with grade assignments and a merit matrix tool.

Ms. Rider confirmed that Resolution No. 2017-26 does adopt all of the documents referred to by Council Member Hiemenz.

Council Member Fox moved adoption of Resolution No. 2017-26 with the amendment to Exhibit A Salary Structure Adjustments Paragraph 4, as suggested by Council Member Hiemenz, seconded by Council Member Howell, which motion passed unanimously.

Resolution No. 2017-27 – A resolution authorizing the Mayor to execute on behalf of the City of Ladue, Missouri a City Contractor Agreement with Systemaire, Inc. for HVAC quarterly maintenance and on-call maintenance services.

Ms. Lamitola stated that this resolution and the next two are related. Every three years, the City solicits for labor rates for plumbing, electrical and HVAC maintenance and repairs for municipally owned buildings. In September, the Public Works Department solicited bids for these services for 2018 through 2020. Public

Works recommends contracting with Systemaire, Inc., Bieg Plumbing and Schaeffer Electric.

Council Member Hensley moved adoption of Resolution No. 2017-27, seconded by Council Member Fox, which motion passed unanimously.

Resolution No. 2017-28 – A resolution authorizing the Mayor to execute on behalf of the City of Ladue, Missouri a City Contractor Agreement with Bieg Plumbing Company for on-call plumbing maintenance and repair services.

Council Member Brennan moved adoption of Resolution No. 2017-28, seconded by Council Member Hensley, which motion passed unanimously.

Resolution No. 2017-29 – A resolution authorizing the Mayor to execute on behalf of the City of Ladue, Missouri a City Contractor Agreement with Schaeffer Electric Company, Inc. for on-call electrical maintenance and repair services.

Council Member Brennan moved adoption of Resolution No. 2017-29, seconded by Council Member Hensley, which motion passed unanimously.

Resolution No. 2017-30 – A resolution authorizing the Mayor to execute on behalf of the City of Ladue, Missouri a Supplemental Agreement to the Engineering Services Contract with Crawford, Murphy & Tilly, Inc. for construction engineering services for the Lay Road Improvements Project.

Ms. Lamitola stated that the Lay Road Improvement Project is nearing the completion of the design phase and the City is awaiting approval from MoDOT. Crawford, Murphy & Tilly (CMT) has been under contract with the City for design services for the Lay Road Improvement Project and they have proven to be an excellent firm producing quality documents and consistently met schedule deadlines. Ms. Lamitola recommended contracting with CMT for construction engineering services.

Council Member Burroughs moved adoption of Resolution No. 2017-30, seconded by Council Member Hensley, which motion passed unanimously.

Financial Matters:

Mr. Zes announced that the budget work session for the City Council is scheduled for 3 p.m. on November 20th just prior to the regular meeting.

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

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

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

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

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

Department Reports:

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

Chief Lynn reported that Fire Department staff traveled to Minnesota to view the factory where the new fire truck will be manufactured and reviewed the specs. Ladue's new truck will take about a year to complete due to a back log at the factory.

Council Member Fox presented Change Order No. 7 emphasizing that the costliest item is the heavy duty pavement. It was necessary to upgrade the concrete to handle the heavy duty fire trucks.

Council Member Fox moved ratification of Change Order No. 7 in the amount of \$15,766.00 which includes the items noted below, seconded by Council Member Brennan, which motion passed unanimously.

- Condensate pump to drain tube heaters - \$1,243.00
- Electrical work for thermostats to radiant heaters - \$862.00
- Fall protection railing around mechanical shaft opening at mezzanine - \$3,437.00
- Heavy duty pavement and soil remediation - \$10,224.00

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

Chief Andreski reported on the promotions of Brian Dieckmann to Lieutenant and Tony Bommarito to Sergeant which become effective in November.

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

Ms. Lamitola expressed appreciation to the Council for feedback on the amendments to Chapter 102 and expects Bill No. 2165 to return on the agenda at the next meeting.

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

Ms. Lamitola reported that twenty seven complaints were filed last month.

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

Administration/City Clerk: Mayor Spewak stated that in order to have meaningful discussion at a work session regarding LAGERS the Council will need to know the full financial impact. The City has the valuation that determined the cost for the active employees if the City were to change the pension plan to LAGERS, but the cost for LAGERS to take over the administration of the retirees and deferred employees is still needed. Mayor Spewak went on to explain that the cost for the valuation is \$2,500.00 per plan for a total of \$5,000.00 and expressed her feelings that this money will be well spent.

Council Member Burroughs moved approval to authorize the Mayor to order an actuarial valuation in order to determine potential costs if Local Government Employees Retirement System (LAGERS) were to take over the administration of benefits for the retirees and deferred employees at a cost of \$2,500.00 per plan for a total of \$5,000.00, seconded by Council Member Hensley, which motion passed unanimously.

City Attorney: Mr. Nickolaus had nothing to report at this time.

Committee Appointments: None

Mayor Spewak noted that the next Council meetings are scheduled for Monday, November 20th, budget work session at 3 p.m. followed by the regular meeting at 4 p.m. and Monday, December 18th.

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 Howell and the vote thereupon was as follows:

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

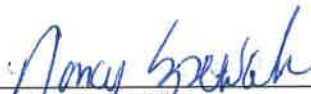
There being six aye votes and zero nay votes the motion passed unanimously.

The Mayor and Council, with the exception of Council Member Howell who left the meeting just after the motion to move to closed session, went into closed session at 5:40 PM with Mr. Nathan Nickolaus and Mr. Sam Zes.

The Mayor and Council returned to open session at 5:47 PM with Mr. Nathan Nickolaus and Mr. Sam Zes.

Adjournment: Council Member Hiemenz moved adjournment, seconded by Council Member Fox, which motion passed unanimously. The meeting adjourned at 5:47 PM.

APPROVED THIS 20TH DAY OF NOVEMBER, 2017.



Nancy Spewak, Mayor

ATTEST:


Laura Rider, City Clerk