

**TENTATIVE AGENDA
MEETING OF THE CITY COUNCIL
CITY OF LADUE, MISSOURI
COUNCIL CHAMBERS
9345 CLAYTON ROAD
LADUE, MISSOURI 63124
MONDAY, APRIL 24, 2017
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 and Closed Meetings of March 27, 2017.

Oath of Office: Mayor Spewak will suspend the regular order of business for the purpose of the City Clerk administering the Oath of Office to the Mayor and City Council Members elected at the Municipal Election held on April 4, 2017.

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 Hearings: None

Zoning and Planning Matters:

ZP1: Referral to the Zoning and Planning Commission for consideration of the construction of a new gymnasium on the Litzsinger School Property, which is part of the Special School District of St. Louis County. In addition, sidewalks, walkways, and entryways are being constructed or improved in conjunction with this project. An access drive for the gymnasium structure will also be constructed along with modifications to the stormwater structures on the site. This property lies in the A Residential Zoning District.

ZP2: Referral to the Zoning and Planning Commission for consideration of a text amendment to the Zoning Ordinance (#1175) for the addition of requirements for Special Events. Special Events are defined as an event that is different from the usual activities conducted on a site and is planned for or reasonably may be expected to attract more than 50 persons at any one time, or will use any portion of the public right-of-way. Special events may include, but are not limited to sidewalk sales, outdoor promotional events, block parties, music fairs or concerts, art shows, festivals, civil war enactments, equestrian shows, corporate receptions, fundraisers, and weddings.

Old Business: None

New Business:

Proposed Legislation:

Bill No. 2149 – An ordinance of the City of Ladue, St. Louis County, Missouri, amending Section 2 of Ordinance 2145 relating to the agreement for installation and maintenance of ornamental fencing between the Desco Group and the City.

Bill No. 2150 – An ordinance authorizing the vacation of the City of Ladue, Missouri's interest in two public utility easements on Lot 51 of Clermont Woods Boundary Adjustment Plat in the City of Ladue, Missouri and accepting a new easement in lieu thereof.

Bill No. 2151 – An ordinance authorizing the vacation of the City of Ladue, Missouri's interest in a public utility easement on Lot W of the Randelay Subdivision, located at 25 Randelay Drive, in the City of Ladue, Missouri.

Resolution No. 2017-11 – A resolution authorizing the Mayor to execute on behalf of the City of Ladue, Missouri a professional services contract with Oates Associates, Inc. for the development of an ADA Transition Plan.

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 March 2017.
- F-3 The Mayor and Council to review the combined Treasurer's and Collector's Report for March 2017.
- F-4 The Mayor and Council to review the Financial Report for March 2017.
- F-5 The Mayor and Council to review the Cash Flow Summary for March 2017.
- 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 March 2017.
 - a. Review 2016 Annual Report.
 - b. Construction Update - Fire House No.1.
 - c. Request for approval of Change Order No. 4 in the amount of \$97,295.00 for new traffic signals for Fire House No. 1 per CBB plans - \$65,552.00; Mattresses and Low-Profile Box Springs to coordinate with Wall Beds - \$12,396.00; Blinds and Roller Shades, Coordinate Communications and Additional Paint - \$4,146.00; Additional Work for Sewer Upgrade on Wallis Property - \$15,201.00.
- D-2 **Police Department:** Mayor and Council to review the Police Activity Report for the period of January 1 – March 31, 2017.
 - a. Review 2016 Annual Report.
- D-3 **Public Works:** Mayor and Council to review the report of the Director of the Public Works Department.
 - a. Request for authorization for the Public Works Director to purchase one (1) Ford F350 1-ton truck under the Missouri State Bid from Dave Sinclair Ford at a cost of \$45,821.00.
 - b. Building Office report for the period through March 2017.
- D-4 **Municipal Court:** Mayor and Council to review the report of the Municipal Court for March 2017.
- D-5 **Administration/City Clerk:**
 - a. Report from the City Attorney.
- D-6 **Appointments:** None

Adjournment: Next meeting dates: Tuesday, April 25, 2017 8:00 A.M. Work Session – Storm Water Master Plan, Monday, May 15, 2017 and Monday, June 19, 2017.

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:

4/20/17

Time:

3:15 pm

By:

J. Rider

BILL NO. 2149

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LADUE, ST. LOUIS COUNTY, MISSOURI, AMENDING SECTION 2 OF ORDINANCE 2145 RELATING TO THE AGREEMENT FOR INSTALLATION AND MAINTENANCE OF ORNAMENTAL FENCING BETWEEN THE DESCO GROUP AND THE CITY.

WHEREAS, under Ordinance 2139, the City Council authorized the Mayor to enter into an agreement with MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION (“Commission”) to permit the installation and maintenance of an ornamental fence in the Commission’s right-of-way located within the City of Ladue (“Agreement”), and an Ornamental Fence Maintenance Contract (“Contract”) with The DESCO Group (“Desco”), pursuant to which such ornamental fence is to be installed and maintained by Desco; and

WHEREAS, the City Council, under Ordinance 2145, repealed Ordinance 2139 at the request of the Commission to make minor changes to the Agreement with the Commission and authorize the Mayor to enter into a new agreement with the Commission to permit the installation and maintenance of the ornamental fencing in the Commission’s right-of-way; and

WHEREAS, the City Council in repealing Ordinance 2139 intended to only repeal the portion related to the Agreement with the Commission and not the authority for or the Contract with Desco; and

WHEREAS, the City Council now desires to amend Section 2 of Ordinance 2145 to clarify its intent to keep in full force and effect the Desco Contract between Desco and the City; 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 2 of Ordinance No. 2145 is hereby repealed and replaced with the following new Section 2: Section 1 of Ordinance 2139 is hereby repealed.

Section 2. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

PASSED THIS ____ DAY OF _____, 2017.

President, City Council

ADOPTED AND APPROVED THIS ____ DAY OF _____, 2017.

Nancy Spewak, Mayor

ATTEST:

Laura Rider, City Clerk

BILL NO. 2150

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE VACATION OF THE CITY OF LADUE, MISSOURI'S INTEREST IN TWO PUBLIC UTILITY EASEMENTS ON LOT 51 OF CLERMONT WOODS BOUNDARY ADJUSTMENT PLAT IN THE CITY OF LADUE, MISSOURI AND ACCEPTING A NEW EASEMENT IN LIEU THEREOF.

WHEREAS, the City of Ladue received a request from the property owners at 51 Clermont Lane to vacate two public utility easements in the favor of the City for general public utilities on the property at 51 Clermont Lane as more fully described in Exhibit A (the "Easements") to facilitate the relocation of the Easements on the property and the potential use of the property for residential purposes; and

WHEREAS, the Easements form an 18' utility easement that cuts through the north half of the property and no longer border the property line due to a boundary adjustment that was approved in 2008 that moved the lot line between 51 Clermont Estates and Lot 1 of Clermont Woods 30' to the north; and

WHEREAS, the City has received copies of recorded documents confirming that the following utilities have vacated their Easements from the original property line and have no further use for that portion of their Easements: Laclede Gas, Charter Communications, Union Electric (d/b/a Ameren Missouri), Southwestern Bell Telephone (d/b/a AT&T Missouri), Missouri-American Water Company, and Metropolitan St. Louis Sewer District; and

WHEREAS, the City has determined that no public utility lines are located in the existing Easements and are, instead, located near the re-established property line; and

WHEREAS, the owners of Lot 51 have provided the City of Ladue with a new relocated general public utility easement as more fully described in Exhibit B ("New Easement") along the northern perimeter of said Lot 51 in substitution for the Easements being vacated pursuant to this ordinance; and

WHEREAS, the City has followed all applicable laws and ordinances in reviewing and approving this vacation and ordinance; and

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

WHEREAS, after review of the application and the staff comments, the City Council finds that the property owners directly affected by the Easements have petitioned for vacation of the Easements and that the City no longer has need of the Easements due to the New Easement provided by the owners of said Lot 51 and, therefore, desires to vacate the two utility Easements and accept the New Easement in lieu thereof.

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

Section 1. The City Council of the City of Ladue hereby accepts the New Easement on Lot 51 of the Clermont Woods, which is shown as cross-hatched on the attached Exhibit B, and, therefore, finds and determines that the City of Ladue's interests in the Easements, which are shown as cross-hatched on the attached Exhibit A (which easements were created pursuant to dedication in Plat Book 29, Page 16, and Plat Book 225, Page 100 of the St. Louis County Records), and which are located on Lot 51

of the Clermont Woods Boundary Adjustment Plat as the same are reflected in the records of the St. Louis County Recorder of Deeds, are no longer needed and that the City of Ladue's interest therein is hereby vacated, released, abandoned, and extinguished.

Section 2. The petitioner shall record the document establishing the New Easement in the office of the Recorder of Deeds of St. Louis County, Missouri and provide evidence of such recording to the City Clerk of the City of Ladue.

Section 3. The petitioner shall cause a copy of this ordinance and vacation plat to be recorded in the office of the Recorder of Deeds of St. Louis County, Missouri and provide evidence of such recording to the City Clerk of the City of Ladue.

Section 4. The City Council further grants the City Clerk, City Planner, and City Attorney such further authority to sign the vacation plat, New Easement, or otherwise to carry out the intent of this ordinance.

Section 5. This ordinance shall be in full force and effect on and after its adoption and approval by the Mayor.

PASSED THIS ____ DAY OF _____ 2017.

President, City Council

ADOPTED AND APPROVED THIS ____ DAY OF _____ 2017.

Nancy Spewak, Mayor

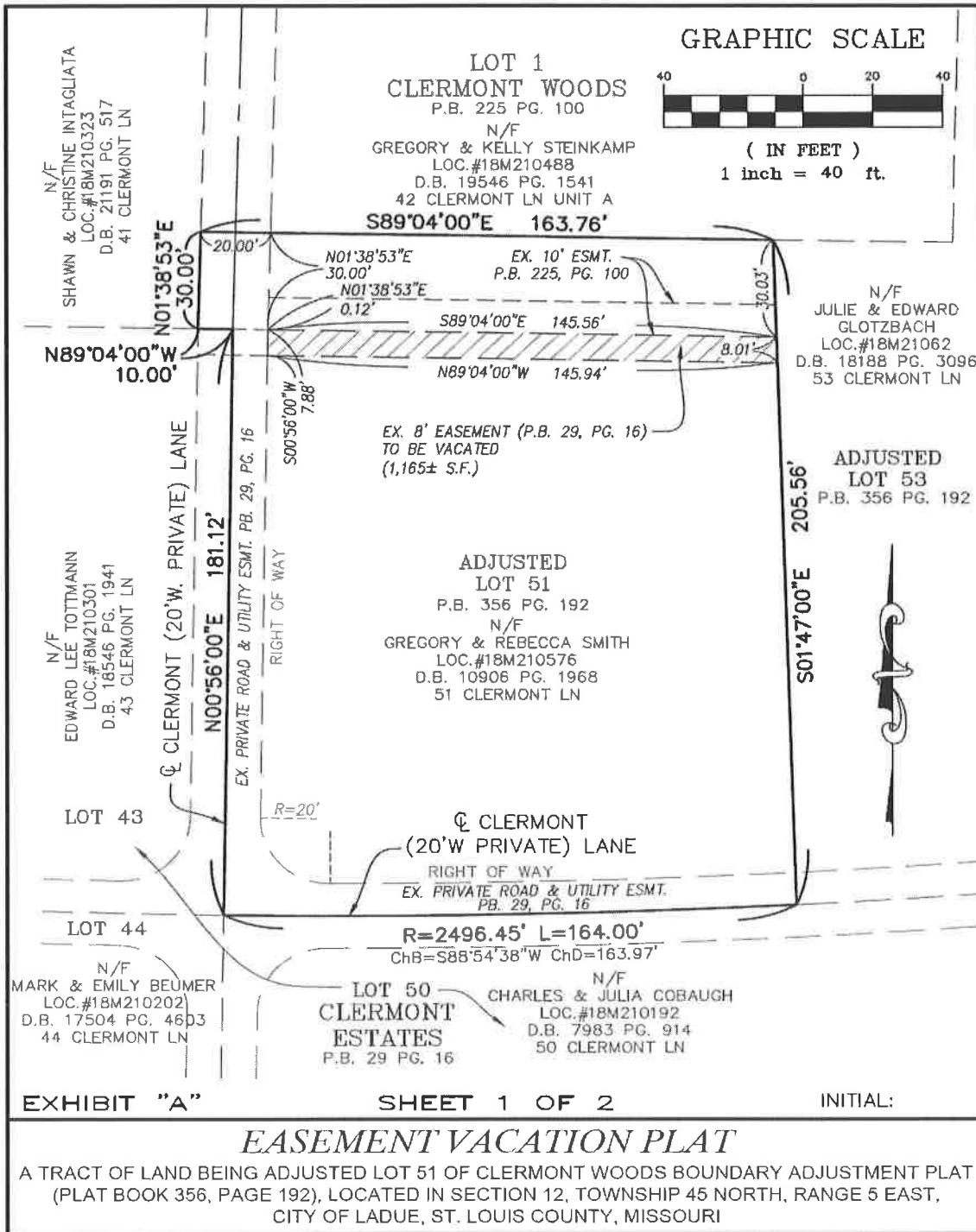
ATTEST:

Laura Rider, City Clerk

Exhibit A

Easements

CLERMONT WOODS BDY. ADJ.
MSD M-0328002-16



Drawing name: V:\1510319 51 Clermont Ln\Drawings\Surveying\Easements\8' Easement Vac MSD.dwg Plotted on: Apr 05, 2016 - 9:41am. Plotted by: VWinters

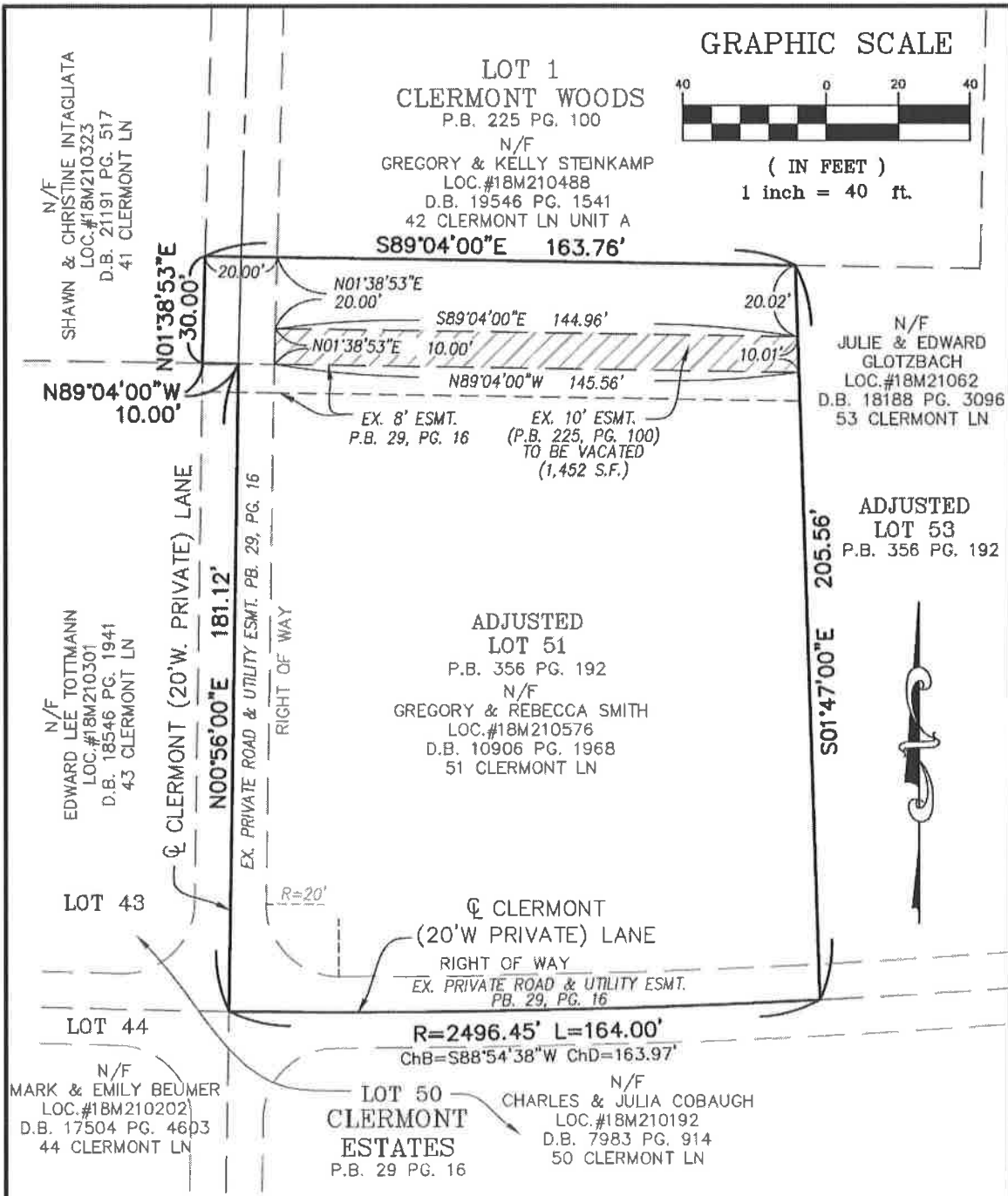


EXHIBIT "A"

SHEET 2 OF 2

INITIAL:

EASEMENT VACATION PLAT

A TRACT OF LAND BEING ADJUSTED LOT 51 OF CLERMONT WOODS BOUNDARY ADJUSTMENT PLAT (PLAT BOOK 356, PAGE 192), LOCATED IN SECTION 12, TOWNSHIP 45 NORTH, RANGE 5 EAST, CITY OF LADUE, ST. LOUIS COUNTY, MISSOURI

Exhibit B
New Easement

Space Above for Recorder's Use Only

DOCUMENT COVER SHEET

TITLE OF DOCUMENT: EASEMENT

DATE OF DOCUMENT: _____, 2017

GRANTOR : **Gregory & Rebecca Smith**
Mailing Address: 51 Clermont Lane
St. Louis, Missouri 63124

GRANTEE : **City of Ladue, Missouri**
Mailing Address: 9345 Clayton Road
Ladue, Missouri 63124

PARCEL I.D. NUMBER: 18M210576


LEGAL DESCRIPTION: **Adjusted Lot 51 of Clermont Woods Boundary
Adjustment Plat, (Plat Book 356, Page 192), Located in
Section 12, Township 45 North, Range 5 East, City of
Ladue, St. Louis County, Missouri**


UTILITY EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that on this 30th day of April, 2017, **GREGORY AND REBECCA SMITH**, party of the first part, being the owner(s) of a tract of land described as Adjusted Lot 51 of Clermont Woods Boundary Adjustment Plat (Plat Book 356 Page 192) located in Section 12, Township 45 North, Range 5 East, City of Ladue, St. Louis County, Missouri, do by these presents grant, sell, convey, and confirm, unto The City of Ladue, Missouri, their successors and assigns, parties of the second part, as their interests may appear, an easement over, under, and across the strip(s) of ground as shown hatched (//////////) on the attached easement plat marked EXHIBIT "A", attached hereto and incorporated herein for the purpose of improving, constructing, maintaining and repairing public utilities including but not limited to electric, gas, telephone, cable TV, water, sewer and drainage facilities, with the right of temporary use of adjacent ground not occupied by improvements for the excavation and storage of materials during installation, repair and replacement of said utilities, sewers and drainage facilities.

Party(ies) of the first part covenant and agree that they will not erect any structure or other building or works on the easement(s) herein granted.

IN WITNESS WHEREOF, the said party(ies) of the first part has/have executed these presents the day and year first above written.

By: 
GREGORY SMITH

By: 
REBECCA SMITH

STATE OF MISSOURI)
)SS
COUNTY OF ST. LOUIS)

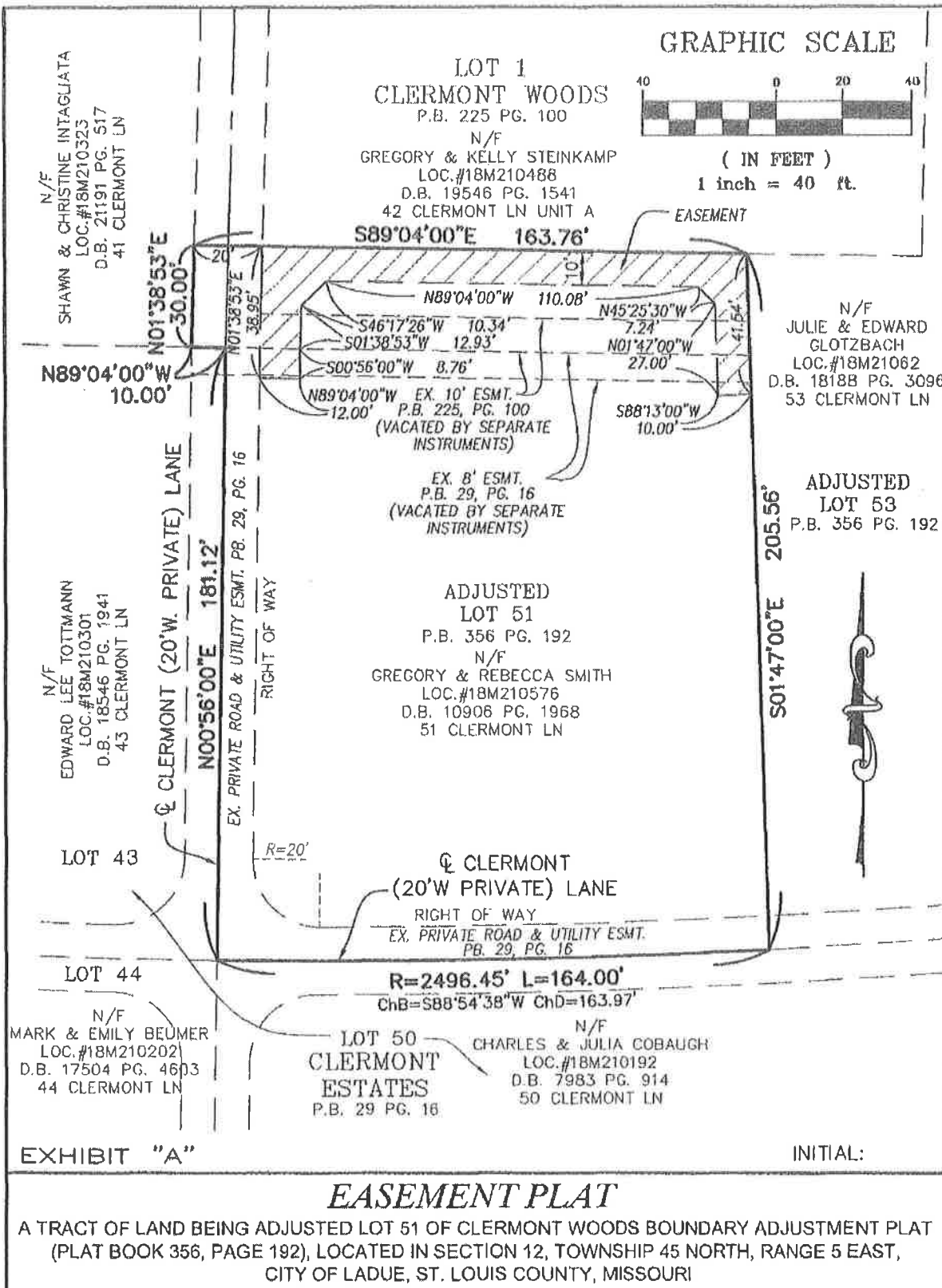
On this 30th day of April, 2017, before me personally appeared, **Gregory and Rebecca Smith**, to me known to be the person(s) described in and who executed the foregoing instrument, and acknowledged that they have executed the same as their free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.

My term expires: Aug 27, 2018


Notary Public





BILL NO. 2151

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE VACATION OF THE CITY OF LADUE, MISSOURI'S INTEREST IN A PUBLIC UTILITY EASEMENT ON LOT W OF THE RANDELAY SUBDIVISION, LOCATED AT 25 RANDELAY DRIVE, IN THE CITY OF LADUE, MISSOURI.

WHEREAS, the City of Ladue received a request from the property owners of 25 Randelay Drive to vacate a public utility easement established in 1959 and granted to the City of Ladue and the Metropolitan St. Louis Sewer District (MSD) for the purpose of installing and maintaining sewers and public utilities, being located on Lot W of Randelay Subdivision as more fully described in Exhibit A (the "Easement"); and

WHEREAS, the Easement in question is a 10' utility easement that crosses through the west part of the property and limits the residential development of this property; and

WHEREAS, this utility easement was dedicated for a planned sewer line that was not installed in this Easement, but was, instead, installed in another nearby easement; and

WHEREAS, the City has received a copy of a recorded document confirming that MSD has vacated this Easement and has no further use for that portion of its Easements; and

WHEREAS, the City has determined that no sewer lines are located in the existing Easement; and

WHEREAS, the City posted a notice that the vacation of this utility Easement was being considered and sent notices to property owners within 185' of the Easement and allowed at least 15 days for public comment regarding this proposed Easement vacation; and

WHEREAS, the City did not receive any public comments regarding the vacation of this Easement; and

WHEREAS, the City has followed all applicable laws and ordinances in reviewing and approving this vacation and ordinance; and

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

WHEREAS, after review of the application and the staff comments, the City Council finds that the property owners directly affected by the Easement have petitioned for vacation of the Easement and that the City no longer has need of the Easement and that no nearby property owners object to the vacation of this Easement, and, therefore, desires to vacate this utility Easement.

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

Section 1. The City Council of the City of Ladue finds and determines that the City of Ladue's interests in the Easement, which is shown as cross-hatched on the attached Exhibit A (which easements were created pursuant to dedication in Plat Book 84, Page 8 and Plat Book 94, Page 32 of the St. Louis County Records), and which is located on Lot W of the Randelay Subdivision as the same are

reflected in the records of the St. Louis County Recorder of Deeds, is no longer needed and that the City of Ladue's interest therein is hereby vacated, released, abandoned, and extinguished.

Section 2. The petitioner shall cause a copy of this ordinance and vacation plat to be recorded in the office of the Recorder of Deeds of St. Louis County, Missouri and provide evidence of such recording to the City Clerk of the City of Ladue.

Section 3. The City Council further grants the City Clerk, City Planner, and City Attorney such further authority to sign the vacation plat or otherwise to carry out the intent of this ordinance.

Section 4. This ordinance shall be in full force and effect on and after its adoption and approval by the Mayor.

PASSED THIS ____ DAY OF _____ 2017.

President, City Council

ADOPTED AND APPROVED THIS ____ DAY OF _____ 2017.

Nancy Spewak, Mayor

ATTEST:

Laura Rider, City Clerk

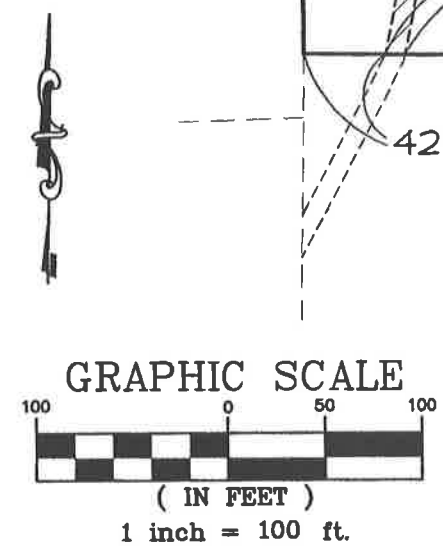
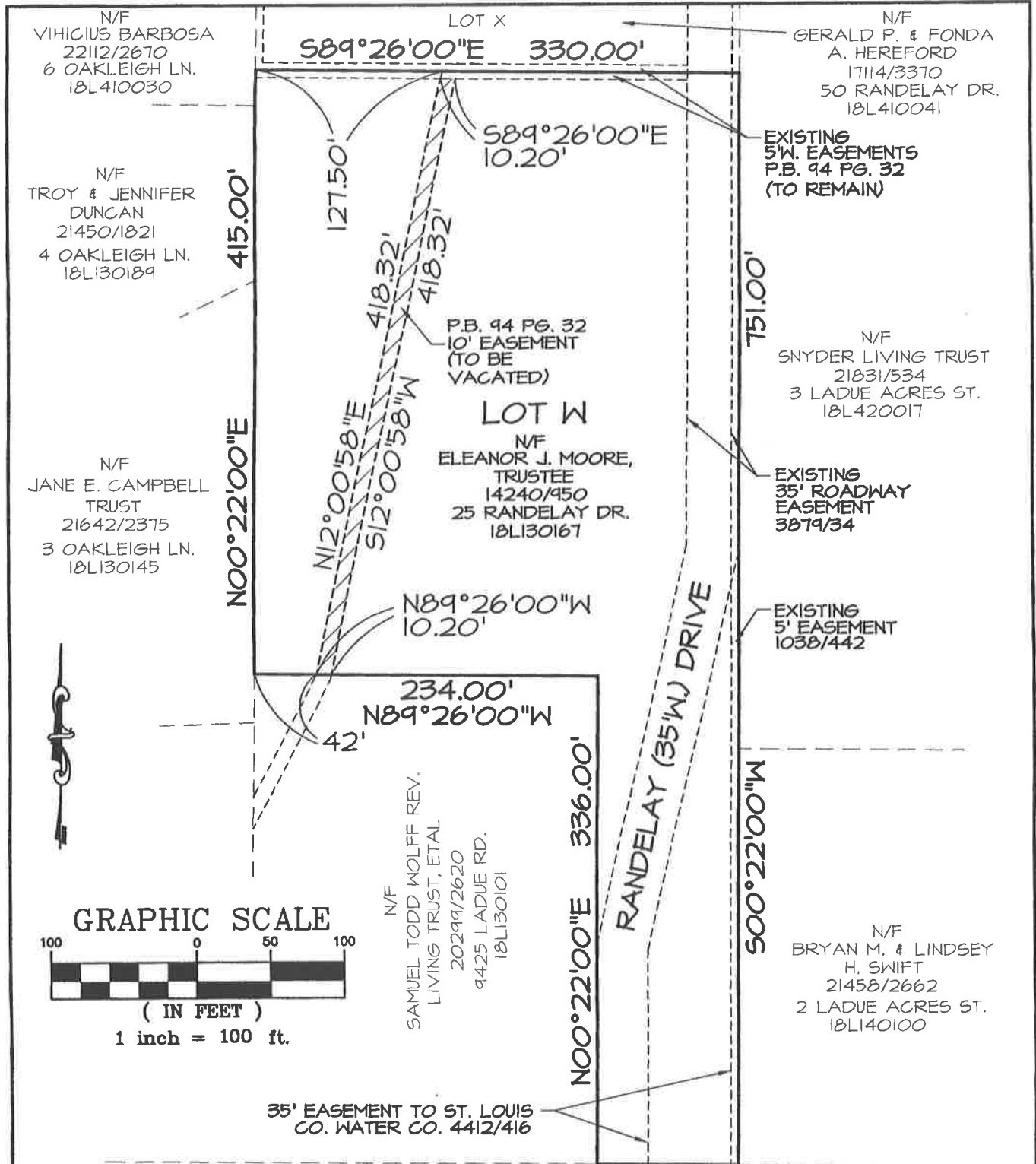


EXHIBIT "A" LADUE (60'W.) ROAD $N89^{\circ}26'00''W$ 96.00' INITIAL:

EASEMENT VACATION PLAT
A TRACT OF LAND BEING LOT W OF RANDELEY
RESUBDIVISION IN PLAT BOOK 94 PAGE 32,
CITY OF LADUE, ST. LOUIS COUNTY, MISSOURI

RESOLUTION NO. 2017-11

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ON BEHALF OF THE CITY OF LADUE, MISSOURI A PROFESSIONAL SERVICES CONTRACT WITH OATES ASSOCIATES, INC. FOR THE DEVELOPMENT OF AN ADA TRANSITION PLAN

WHEREAS, on March 9, 2017 the City of Ladue issued a Request for Qualifications for an ADA self-evaluation and development of a corresponding ADA transition plan; and

WHEREAS, on March 30, 2017 four Statements of Qualifications were received from engineering firms which were reviewed following a qualification based selection process; and

WHEREAS, on April 5, 2017 the Public Works Committee reviewed the two submittals with the highest score as determined by staff and determined that Oates Associates, Inc. was the most qualified firm; and

WHEREAS, the Director of Public Works worked with Oates Associates to develop a scope of work that was commensurate with the scope of work drafted in the Request for Qualification document and came to a mutually agreed upon cost for the plan that is within the budgeted amount for the project; and

WHEREAS, the City Council now desires and finds it in the best interest of the City to approve the Professional Service Agreement with Oates Associates, Inc. for the ADA Self Evaluation and Transition Plan.

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 the Professional Service Contract between the City of Ladue and Oates Associates, Inc. for the Ladue ADA Self Evaluation and Transition Plan in substantially the form of Exhibit A the Professional Services Contract incorporated herein by reference ("the Contract"),

Section 2. 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 24th day of April 2017.

Nancy Spewak, Mayor

ATTEST:

Laura Rider, City Clerk

Exhibit A

Proposal