

**MINUTES OF MEETING  
CITY COUNCIL OF THE CITY OF LADUE  
ST. LOUIS COUNTY, MISSOURI  
MONDAY, NOVEMBER 16, 2015, 4:00 P.M.**

The regular meeting of the City Council of the City of Ladue, St. Louis County, Missouri, was held on Monday, November 16, 2015, at 4:00 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 Howell  
Patrick Hensley  
John Fox  
William Brennan  
Harold Burroughs

Six Council Members present.

Also present were Ms. Laura Rider, Assistant to the Mayor/City Clerk; Ms. Julie O'Guinn, Finance Director; Police Chief Rich Wooten; Fire Chief Steve Lynn, Ms. Anne Lamitola, Public Works Director; Mr. William Penney, Building Official; Ms. Erin Seele, City Attorney and Mr. John Maupin, Special Counsel.

**Approval of the Agenda:** Council Member Burroughs moved approval of the agenda, seconded by Council Member Fox and the motion was passed unanimously.

**Approval of Minutes:** Mayor Spewak asked for any amendments, corrections or clarifications to the Minutes of the Regular and Closed Meetings of October 19, 2015 and Special Meeting of November 4, 2015. Council Member Hiemenz moved approval of the Minutes of the Regular and Closed Meetings as submitted for October 19, 2015 and Special Meeting of November 4, 2015, seconded by Council Member Howell and the motion was passed unanimously.

Mr. Lee Cannon and Mr. Mike Busch with the Missouri Chapter of the American Public Work Association (APWA) presented Ms. Anne Lamitola with a plaque in

recognition of being selected as Professional Engineer of the Year. Mr. Cannon stated that the Professional Engineer of the Year Award seeks to inspire excellence and dedication in the private and public sectors by recognizing the outstanding career service achievements of engineering and technology professionals. The primary focus of this award is recognition of exceptional leadership and management in the Public Works Profession. Ms. Lamitola has previously served on the Board of the Local APWA St. Louis Branch and was just elected as an officer for the APWA Missouri Branch. We appreciate Ms. Lamitola's service to the City of Ladue, the general public, and the APWA organization, he stated.

Mayor Spewak commended Ms. Lamitola on a prestigious and well deserved award. She commented that Ms. Lamitola leads by example and expressed gratitude on behalf of the City of Ladue for her professional leadership.

Mayor Spewak recognized Mr. John Maupin for sixteen years of service as the City Attorney. She expressed gratitude for his guidance and congratulated Mr. Maupin on his retirement.

**Public Forum:**

Mr. Larry Marks, 4 Whitfield Lane, addressed the Mayor and Council regarding licensed trash haulers that will not provide service on his street. He requested that the City investigate the possibility of soliciting additional trash haulers to provide service in Ladue and update the list of haulers posted on the City's website. Mayor Spewak assured Mr. Marks that the City would update the list.

Ms. Barbara Hughes, 101 Hawthorn Estates in Town & Country, provided information about Town & Country's efforts to control the deer population there.

Mr. Al Gerber, 13482 Mason Village Ct. in Town & Country, explained how sterilization along with sharp shooting keeps the deer population from increasing.

Mr. Pat Kelly, Executive Director of the St. Louis County Municipal League, introduced himself to the Mayor and Council and provided an update on the issues that the league is currently working on with municipalities.

**Public Hearing:** None

**Old Business:** None

**Zoning and Planning Matters:** Amendment to Special Use Permit for Schneithorst Catering Company/Schneithorst Restaurant, 1600 S. Lindbergh Blvd. to modify the outdoor beer garden with a new structure.

Council Member Hensley explained that the structure is 20 years old and is not sound. It will be replaced with a similar type of structure.

Council Member Fox moved referral of the Special Use Permit for Schneithorst Catering Company/Schneithorst Restaurant, 1600 S. Lindbergh Blvd. to modify the outdoor beer garden with a new structure to the Zoning and Planning Commission for review and recommendation, seconded by Council Member Howell, which motion passed with Council Member Hensley recusing himself as his company would be the project contractor.

**New Business:**

**Proposed Legislation:**

**Bill No. 2117** – An ordinance appointing the City Attorney and authorizing the Mayor to execute a contract for legal services.

Council Member Hiemenz moved the introduction of Bill 2117, seconded by Council Member Fox, which motion passed unanimously.

Council Member Fox moved the first reading of Bill 2117, seconded by Council Member Howell, which motion passed unanimously.

Council Member Fox read Bill No. 2117 for the first time.

Council Member Howell moved the second reading of Bill 2117, seconded by Council Member Brennan, which motion passed unanimously.

Council Member Fox read Bill No. 2117 for a second time.

Council Member Brennan moved adoption of Bill 2117, seconded by Council Member Howell, and the vote thereupon was as follows:

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

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

Mayor Spewak declared Bill 2117 adopted as **Ordinance 2117**.

**Bill No. 2118** – An ordinance calling for a regular election to be held in the City of Ladue, St. Louis County, Missouri, on Tuesday, April 5, 2016, and designating the St. Louis County Board of Election Commissioners to conduct such election in compliance with state statute requirements and the revised Missouri election laws.

Council Member Fox moved the introduction of Bill 2118, seconded by Council Member Brennan, which motion passed unanimously.

Council Member Fox moved the first reading of Bill 2118, seconded by Council Member Howell, which motion passed unanimously.

Council Member Hensley read Bill No. 2118 for the first time.

Council Member Hiemenz moved the second reading of Bill 2118, seconded by Council Member Howell, which motion passed unanimously.

Council Member Hensley read Bill No. 2118 for a second time.

Council Member Fox moved adoption of Bill 2118, seconded by Council Member Burroughs, and the vote thereupon was as follows:

Council Member Hensley	"Aye"
Council Member Burroughs	"Aye"
Council Member Hiemenz	"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.

Mayor Spewak declared Bill 2118 adopted as **Ordinance 2118**.

**Bill No. 2119** – An ordinance authorizing the Mayor to execute on behalf of the City of Ladue, Missouri a professional services contract to provide planning services to the City.

Council Member Howell moved the introduction of Bill 2119, seconded by Council Member Brennan, which motion passed unanimously.

Council Member Hiemenz moved the first reading of Bill 2119, seconded by Council Member Burroughs, which motion passed unanimously.

Council Member Burroughs read Bill No. 2119 for the first time.

Council Member Howell moved the second reading of Bill 2119, seconded by Council Member Brennan, which motion passed unanimously.

Council Member Burroughs read Bill No. 2119 for a second time.

Council Member Brennan moved adoption of Bill 2119, seconded by Council Member Howell, and the vote thereupon was as follows:

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

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

Mayor Spewak declared Bill 2119 adopted as **Ordinance 2119**.

**Financial Matters:**

The Mayor and Council reviewed the vouchers for payment for the month of October 2015. Council Member Howell moved their approval, seconded by Council Member Burroughs, which motion passed unanimously.

The Mayor and Council reviewed the Treasurer's and Collector's reports for October 2015. The Mayor ordered the reports filed for information.

The Mayor and Council reviewed the Financial report for October 2015. The Mayor ordered the report filed for information.

The Mayor and Council reviewed the Cash Flow Summary for October 2015. The Mayor ordered the report filed for information.

The Mayor and Council reviewed the Land and Lots Delinquent Tax List. The Mayor ordered the report filed for information.

**Department Reports:**

**Fire Department:** The Mayor and Council reviewed the Fire Department Activity Report for October 2015. The Mayor ordered the report filed.

Fire Chief Lynn requested approval to purchase two thermal imaging cameras from the Leo M. Ellebracht Company at a cost of \$18,638.00. \$15,500.00 was included in the 2015 capital budget for one camera, and an additional \$15,500.00 for a second camera purchase was included in the proposed 2016 capital budget. After researching and receiving bids it was determined that purchasing two cameras this year will provide savings of \$400 per camera. The capital budget has a small surplus and will be able to absorb the \$3,138.00 difference. If the purchase of two cameras is approved the 2016 amount will be eliminated from the budget. This purchase will allow for the older camera to be reallocated to the Police Department.

Council Member Fox moved approval of the purchase of two (2) Scott X-380 thermal imaging cameras from the Leo M. Ellebracht Company at a cost of \$18,638.00, seconded by Council Member Howell, which motion passed unanimously.

Council Member Fox gave an update on Firehouse #1. He stated that the Oversight Committee met with Paric and Chiodini and reviewed a variety of options in order to reduce the cost. It was determined to eliminate the south leg of the basement and the basement restroom for a savings of \$250,000.00, which brings the total project cost to \$4,200,000.00. House #1 is about 25% larger than House

#2 due to the ambulance, administrative offices and extra space in the apparatus bay.

Council Member Fox stated that Chiodini has prepared a rendering of House #1. It is very similar to House #2. The rendering will be displayed at City Hall.

Mayor Spewak thanked Council Member Fox and Mr. Bill Francis as co-chairs of the Oversight Committee. She stated they have both been invaluable in this process. She also acknowledged Ms. Jen Kissinger of Paric for the detailed cost estimate and Chief Lynn and Assistant Chief Johnson for their input on design and function.

**Police Department:** The Mayor and Council reviewed the Police Activity Report for the period January 1, 2015 through October 31, 2015. The Mayor ordered the report filed.

**Public Works:** The Mayor and Council reviewed the Public Works report for October 2015. The Mayor ordered the report filed.

Ms. Lamitola requested approval for Systemaire to replace the HVAC system in the Public Works Department building at a cost of \$8,480.00. The bid noticed was published and submitted to five local bidders. Only one bid was received from Systemaire.

Council Members Hiemenz and Brennan questioned the reason for only one bid. Ms. Lamitola stated that it may be because Systemaire has the City's maintenance contract. After discussion the Council determined that the HVAC replacement project should be put out for bid again.

Mr. Pete Merten with HR Green presented the summary findings of the storm water needs assessment. He stated that there are three phases to the storm water management program. Phase I is the needs assessment, Phase II is developing a master plan and Phase III is implementation. Phase I was a nine month process. HR Green walked 24 miles of streams and obtained citizen input through public meetings.

First HR Green identified the problem types, performed a stream assessment to determine the health of the streams and performed a desktop hydraulic study to determine where the water is coming from and where it is going. There are fifty-two problem points with failing infrastructure, erosion, debris collection, a failing masonry wall and a collapsed concrete wall.

Mr. Josiah Holst with HR Green presented the citizen input portion of the study. He stated HR Green sent out mailers, held three open house meetings and offered a website tool where residents could upload comments, photos and videos of storm water problems. Fifty videos and hundreds of photos were uploaded with valuable information.

Mr. Jason Dohrmann with HR Green presented on Phase II - the master plan. He stated once the projects are identified the City could start a rolling schedule for projects every three years. The City would first prioritize, design, and then implement. The City could draft the master plan and design in 2016, then acquire easements and construct in 2017. The City's Storm Water Fund has reserves so that may allow for an accelerated schedule. There may be a potential for cost sharing with MSD. Midland GIS is maintaining the City's database, which is a benefit because it would be a seamless transfer of data to MSD's program for evaluation of storm water problems.

Council Member Hiemenz asked if other cities water flow affects Ladue what the City's recourse is. Mr. Merten replied the City could contact MSD to request that they work with the other cities to restrict their flow.

Ms. Lamitola stated that \$400,000.00 has been included in the 2016 budget for the master plan process. An additional \$200,000.00 could be added for design fees.

After discussion it was determined to add \$200,000.00 to the 2016 budget for design.



Ms. Lamitola stated that the City may need to form a storm water committee to review the problem points, prioritize and consider additional staffing for oversight of the projects.

Mr. Ray Potter, 13 Midpark Lane, expressed concern about existing water problems from homes being torn down and rebuilt. Mayor Spewak assured Mr. Potter that the development requirements will be reviewed by the City Planner and that the rules and regulations are being addressed.

**Building Office Report:** The Mayor and Council reviewed the Building Office report for October 2015. The Mayor ordered the report filed.

**Building Permit Extensions:**

Council Member Fox moved approval of building permit extensions for:

1. 10010 Conway Road, Permit #140513, extended to December 16, 2015.
2. 126 Pointer Lane, Permit #150367, extended to December 28, 2015.
3. 16 Salem Estates, Permit #150373, extended to March 31, 2016.

seconded by Council Member Brennan, which motion passed unanimously.

Council Member Fox moved approval of the building permit extension for:

1. 9160 Clayton Road, Permit #140341, extended to March 4, 2016.

seconded by Council Member Howell, which motion passed with Council Member Hensley recusing himself as his company is the project contractor.

**Municipal Court:** The Mayor and Council reviewed the Municipal Court Report for October 2015. The Mayor ordered the report filed.

**Administration/City Clerk:** The City Attorney had nothing to report.

**Appointments:** Mayor Spewak requested approval of the appointment of Laura Gerdes Long to the Zoning Board of Adjustment to complete the term of Robbye Toft, Daniel Welsh to Zoning Board of Adjustment as an alternate to complete the

term of Laura Gerdes Long and Stacey Kamps to the Finance Committee to complete the term of Dave Mueller.

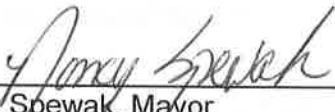
Council Member Fox moved approval of the appointments, seconded by Council Member Brennan which motion passed unanimously.

**Liquor Licenses:** None

Mayor Spewak noted that the next meetings are scheduled for December 21<sup>st</sup> and Tuesday, January 19th.

**Adjournment:** Council Member Hiemenz moved adjournment, seconded by Council member Brennan, which motion passed unanimously. The meeting adjourned at 5:30 PM.

**APPROVED THIS 21ST DAY OF DECEMBER, 2015.**

  
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Nancy Spewak, Mayor

**ATTEST:**

  
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Laura A. Rider, City Clerk