

**CITY COUNCIL OF THE CITY OF LADUE
ST. LOUIS COUNTY, MISSOURI
TUESDAY, JANUARY 22, 2019**

The regular meeting of the City Council of the City of Ladue, St. Louis County, Missouri, was held on Tuesday, January 22, 2019, 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:

Stacey Kamps
John Howell
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.

Approval of the Agenda: Council Member Fox moved approval of the agenda, seconded by Council Member Brennan, which motion passed unanimously.

Approval of the Minutes: Mayor Spewak asked if the minutes of the regular meeting of December 17, 2018 should reflect Council Member Kamps disclosure regarding her involvement with Community School. Ms. Seele advised the minutes could be amended to include the disclosure even though it will be included in the transcript of the public hearing. Council Member Fox moved approval of the minutes as amended for the regular meeting and as submitted for the closed meeting of December 17, 2018, seconded by Council Member Hensley, which motion passed unanimously.

The December 2018 minutes were amended by adding "Council Member Kamps disclosed she was recently asked to serve on the Community School Finance Committee and her involvement in such committee would not affect her Ladue City Council vote for the outdoor structure that Community School requested an SUP amendment for."

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 submitted by

the Zoning and Planning Commission that the City Council approves Amendments to Zoning Ordinance #1175 regarding wireless communication facilities.

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

Ms. Sukanek explained the purpose of this ordinance is to address the changes from HB1991 which limits the ability of local governments to regulate antennas. Small, wireless facilities on utility poles in the right-of-way must be considered permitted uses in non-residential zoning districts and specific criteria must be followed. Definitions and time limits for review have changed. Ms. Sukanek went on to explain the reduced time limit and process for approval for those items requiring an SUP and additional changes to the affected sections of the zoning ordinance.

Ms. Seele announced that the public hearing notice, Zoning and Planning file ZPC 18-17, Ordinance No. 1175 and the entire Code of Ordinances were available at the meeting and part of the official record.

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

Council Member Burroughs moved to close the public hearing, with second by Council Member Brennan the motion passed unanimously.

Zoning & Planning Matters: There were no zoning and planning matters.

New Business:

Proposed Legislation:

Bill No. 2218 – An ordinance authorizing and directing the Mayor to enter into and execute on behalf of the City of Ladue, Missouri a contract with St. Louis County, Missouri for Vector Control Services.

Mayor Spewak read Bill No. 2218 followed by a second reading by Council Member Kamps.

Ms. Lamitola reported the contract with St. Louis County has a five year term. The meeting packet included a copy of the contract with a description of services and rates which are increasing from \$45/hour to \$55/hour for larviciding, \$72/hour to \$82/hour for adulticiding, rodent abatement will be \$32/hour and is a request driven program by City staff request only.

At the November Council meeting, a resident expressed concerns with adulticiding (spraying). The Public Works Committee considered and discussed the resident's concerns and ultimately recommended approval of the contract, as is, including adulticiding. Ms. Lamitola noted residents may opt out of the adulticiding service by contacting St. Louis County to be added to their email list for notification of the spraying schedule in order to take extra precautions for protection of their property. Staff will publish that information on the City's website and in the newsletter.

Council Member Howell moved approval of Bill No. 2218 with second by Council Member Hensley, and the roll call vote thereupon was as follows:

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

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

Bill No. 2219 – An ordinance repealing Ordinance No. 2213 and authorizing the execution of an agreement between the Cities of Ladue and Brentwood for the traffic engineering study for McKnight Road Corridor from I-64 to Litzsinger Road, within the municipal boundaries of both the City of Brentwood and the City of Ladue.

Mayor Spewak read Bill No. 2219 followed by a second reading by Council Member Burroughs.

Ms. Lamitola stated Ordinance No. 2213 was approved by the Council in October 2018 but the agreement it authorized was never signed by the Mayor because the City of Brentwood rejected the agreement. Upon Brentwood's rejection of the agreement, Mayor Spewak and Ms. Lamitola continued discussions with Brentwood officials and came to agreement with some revision. The basis of the revision relates to the Sonora Avenue crosswalk which is a mid-block crossing from Sonora Avenue in Brentwood to Tilles Park. The changes are outlined in Section 6 of the revised agreement. Brentwood desires for the crosswalk to be improved with a solar powered flashing sign that improves visibility of the sign, improving safety. Brentwood will pay for the improvements to the crosswalk within both their community and Ladue. There were no changes to the scope of work for the study.

Mayor Spewak explained that initially Brentwood misunderstood Ladue's goals for the traffic study and thought Ladue desired to move traffic through freely on McKnight, when in fact the City's goal is to improve safety for both pedestrian and vehicular traffic while safely mitigating the traffic congestion on McKnight. Mayor Spewak stressed that pedestrian safety is a priority for Ladue.

Mayor Spewak went on to say that Ladue wanted to address the crosswalk as part of the traffic study, but Brentwood was adamant that the crosswalk be improved immediately and if the study reveals that the crosswalk should be in a new location Brentwood will pay for those changes. In order to come to agreement with Brentwood, as a concession the Mayor offered if the study shows that the crosswalk should remain unchanged then Ladue will pay for half the cost of the improvements, in a manner that will comply with state law.

There was discussion of residential access points at gates along the fence at Tilles Park at the crosswalk and other areas.

Council Member Fox moved approval of Bill No. 2219 with second by Council Member Brennan, and the roll call vote thereupon was as follows:

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

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

Bill No. 2220 - An ordinance to amend Sections III, IV, VII and XV of Ordinance 1175 – the Zoning Ordinance of the City of Ladue, St. Louis County, Missouri – to amend the regulations regarding cellular antennas.

Mayor Spewak read Bill No. 2220 followed by a second reading by Council Member Brennan.

Council Member Howell moved approval of Bill No. 2220 with second by Council Member Brennan, and the roll call vote thereupon was as follows:

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

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

Resolution No. 2019-01 – A resolution authorizing the Mayor to execute on behalf of the City of Ladue, Missouri a scope of services with SWT for professional master planning services under the on-call professional services contract for conducting master planning of Edie's Mulch Site located at 9810 South 40 Drive, associated with the Municipal Park Planning Grant.

Ms. Lamitola presented an overview of the basis for the resolution whereby the City has been trying to obtain funding for a trail in Edie's Mulch Site to enhance walkability, with the Beautification, Open Space & Tree Advisory Committee (BOSTA) and identified the Municipal Park Planning Grant which is administered through the Municipal League. Since the mulch program was discontinued there is not a need for as much space at the mulch site so it was deemed prudent to apply for the planning grant to study the site. The BOSTA Committee recommended approval of the proposal from SWT. The grant amount is \$6,400 with the City's share amounting to \$3,600. Other activity on the site is MDS's sanitary sewer

project. It was noted by Council Member Fox that a plan will be needed after MSD's project is complete to clean up the area.

Council Member Fox moved adoption of Resolution No. 2019-01, with second by Council Member Hensley the motion passed unanimously.

Resolution No. 2019-02 – A resolution authorizing the Mayor to execute on behalf of the City of Ladue, Missouri a contract with Larimore Associates, Inc. for software support and maintenance services.

Ms. Rider stated the contract with Larimore Associates is a renewal for annual support and maintenance for the licensing, alarm permitting and scheduling software used by City departments at a cost of \$10,241.00. City staff is seeking a new solution for licensing, alarm permitting, and scheduling so the Larimore software will not be actively used after 2019.

Council Member Brennan moved adoption of Resolution No. 2019-02, with second by Council Member Hensley the motion passed unanimously.

Financial Matters:

The Council reviewed the **vouchers for payment** for the month of December 2018. Council Member Burroughs moved their approval, seconded by Council Member Fox, which motion passed unanimously.

The Mayor and Council reviewed the Treasurer's and Collector's reports for December 2018. The Mayor ordered the reports filed for information.

There was no Financial Report due to year-end closing.

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

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

Department Reports:

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

Chief Lynn presented a request to purchase a replacement vehicle for the 3900 duty vehicle. The cost after trade-in is \$37,118.00, well under the budget amount, and will be paid from the Capital Fund.

Council Member Brennan moved authorization for the Fire Chief to purchase one (1) 2019 Chevrolet Tahoe from Don Brown Chevrolet under the 2019 Missouri State Highway Patrol Contract CC190367001 at a cost of \$37,118.00, seconded by Council Member Howell, which motion passed unanimously.

Chief Lynn presented another request for purchase of rescue tools for replacement of the twenty year old rescue tools currently in use by the department. The new rescue tools no longer use a cable but are battery operated offering mobility.

Council Member Fox moved authorization for the Fire Chief to purchase one (1) set of Hurst Rescue Tools from Sentinel Emergency Solutions at a cost of \$26,403.19, seconded by Council Member Hensley, which motion passed unanimously.

The Chief reported the department will make final inspection of the new fire truck in February and take possession shortly after that.

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

Chief Andreski reported on the progress the Police Department has made in the accreditation process, noting that all policies are close to completion. The Board of Fire and Police Commissioners have reviewed and approved numerous policies thus far and will continue reviewing remaining policies at their upcoming monthly meetings. The department will soon begin training on the approved policies.

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

Ms. Lamitola reported on recent snow events which resulted in trees down and power outages. Council Member Brennan commended the public works staff for excellent work on snow removal.

Ms. Lamitola announced MSD will host a neighborhood public meeting at City Hall on February 21st at 5:00 p.m. regarding the sanitary sewer relief project.

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

Mr. Stewart reported the total number of permits issued remains consistent from 2017 to 2018 and the Smart Board has been installed in the building department conference room.

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

Administration/City Clerk: Ms. Seele reported now that the legislators are back in session she will track bills that affect municipalities.

Committee Appointments: There were no committee appointments.

Mayor Spewak noted there is a Council Work Session on Wednesday, January 23rd at 7:30 a.m. and the next regular Council meetings are scheduled for Tuesday, February 19, 2019 and Monday, March 18, 2019.

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 pursuant to RSMo. Section 610.021 (1).

Council Member Howell 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 Fox and the roll call vote thereupon was as follows:

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

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

The Mayor and Council went into closed session at 5:24 PM with Ms. Erin Seele.

The Mayor and Council returned to open session at 5:43 PM with Ms. Erin Seele.

Adjournment: Council Member Fox moved adjournment, seconded by Council Member Brennan, which motion passed unanimously. The meeting adjourned at 5:43 PM.

APPROVED THIS 19TH DAY OF FEBRUARY, 2019.



Nancy Spewak, Mayor

ATTEST:



Laura Rider, City Clerk