

**CITY COUNCIL OF THE CITY OF LADUE  
ST. LOUIS COUNTY, MISSOURI  
MONDAY, JULY 19, 2021**

The meeting of the City Council of the City of Ladue, St. Louis County, Missouri, was held on Monday, July 19, 2021, at 4:05 p.m., at City Hall at 9345 Clayton Road. The following members were present:

The Hon. Nancy Spewak, Mayor, presided over the meeting.

Members of the Council present:

John Howell  
Patrick Hensley  
William Brennan  
Harold Burroughs

Absent:

Stacey Kamps  
John Fox

Four Council Members present.

Also present were Ms. Laura Rider, Assistant to the Mayor/City Clerk; Mr. Sam Zes, Finance Director; Police Captain Brian Dieckmann; Fire Chief Steven Lynn; Ms. Anne Lamitola, Public Works Director; Ms. Andrea Sukanek, City Planner; Mr. Roger Stewart, Building Official and Ms. Erin Seele, City Attorney. Police Chief Ken Andreski, Jr. was absent.

**Approval of the Agenda:** Council Member Burroughs moved approval of the agenda, upon second by Council Member Brennan the motion passed unanimously.

**Approval of the Minutes:** Mayor Spewak asked if there were any amendments, corrections, or clarifications to the minutes of the Regular Meeting of June 21, 2021.

Council Member Burroughs moved approval of the minutes as submitted for the Regular Meeting of June 21, 2021, upon second by Council Member Howell the motion passed unanimously.

**Presentation – Youth Council Certificates of Recognition**

Mayor Spewak presented certificates to Youth Council Members Ben Goeke, Hugh Chan, Grace Hu, and Sophia Liu and recognized their service on the Council.

**Public Forum:** No one came forward to address the Mayor and Council.

**Public Hearing:**

**PH1:** The City Council of the City of Ladue will hold a Public Hearing regarding a

recommendation submitted by the Zoning and Planning Commission that the City Council approves a Special Use Permit Amendment to construct a new building, parking area, and other associated improvements at Old Warson Country Club. The property is located at 9841 Old Warson Road in the B Residential Zoning District.

The public hearing was opened upon motion by Council Member Brennan and second by Council Member Burroughs.

Mr. Kevin Lasater, project manager, presented the planned improvements which include a new golf instruction facility consisting of 3,100 square feet with three interior bay simulators, a small waiting area, an office area for the golf pro, and veranda on two sides and creation of more green space. In addition, they plan to expand the driving range to the north away from Old Warson Road. They found that more people are playing golf during the pandemic, than prior to, and are confident it will continue.

Mr. Lasater stated that the plans had been presented to the Architectural Review Board and Zoning & Planning Commission and the Zoning Board of Adjustment for approval of a variance. The next step would be to submit a landscape plan to the Building Department. An extensive buffer is planned along Old Warson Road. The total project budget is about \$3.5 million.

Ms. Sukanek reviewed the Special Use Permit (SUP) conditions. All conditions of the previous SUP still apply. The lighting on the pickle ball courts must be turned off no later than 9:00 p.m. No parking signs are required along Warson Road during construction. No access shall be allowed directly from Old Warson, except for delivery of materials and large trucks or equipment. All other traffic shall access the property via the main entrance. The approval process must be followed for landscape plans, City of Ladue stormwater and MSD requirements.

Council Member Hensley asked how trash removal would be addressed. Mr. Lasater replied that he did not foresee much trash being generated but that housekeeping would clean daily.

Council Member Brennan asked if there would be a basement with the new facility. Mr. Lasater stated that there would be a basement for storage with two entry points, one exterior and one interior.

No one else came forward to speak.

Ms. Seele announced the public hearing notice, Zoning and Planning file, the Code of Ordinances and Ordinance 1175 were available for viewing and part of the official record.

Ms. Seele asked the Council Members if any were members of the Old Warson Country Club. Council Member Brennan indicated that he was a member but that he came to the meeting with an open mind and had not made a decision on the matter prior to the meeting.

The public hearing was closed upon motion by Council Member Burroughs and second by Council Member Hensley.

Council Member Howell moved approval of the Amended Special Use Permit issued to Old Warson Country Club, upon second by Council Member Brennan the motion passed unanimously.

**Zoning and Planning Matters:**

**ZP1:** Referral to the Zoning and Planning Commission for review and recommendation of changes to the approved site plan for the Village of Schneithorst at 1600 S. Lindbergh.

Ms. Sukanek presented the referral and stated that the site plan for the Village of Schneithorst was approved in February 2020 by the City Council and was substantially complete but there had been a few modifications from the original site plan. The modifications involve a walkway on the property. They are moving a walkway that would have connected to the existing sidewalk because of challenges with the steep slope and meeting ADA requirements. The sidewalk along Lindbergh was to be updated to ADA standards but they reconsidered because of tree removal. It was suggested that leaving the existing sidewalk in its current condition might be acceptable as long as improvements are made to the intersection.

Ms. Sukanek stated that the City's ordinance requires her to take the site plan back to the Council if it is substantially changed from the plan that was approved. She wanted to discuss with Council to see if it was necessary to go back to the Zoning & Planning Commission. Mayor Spewak commented that the City needs to carefully consider these changes regarding the sidewalk given the City's commitment to upgrade sidewalks to ADA standards during improvement projects.

Discussion ensued regarding projects with sidewalks that are privately funded and whether updating to ADA standards or not updating to ADA standards would reflect negatively on the City and if the City should enforce ADA standards on private property. Ms. Lamitola stated that it was her understanding that ADA standards for sidewalks on private property is enforced through the U. S. Department of Justice. She noted that projects that the City works on in the right-of-way must be ADA compliant. Council Member Burroughs stated that he was in favor of making that property more walkable in a safe manner.

Upon conclusion of discussion, Council Member Burroughs moved referral to the Zoning and Planning Commission for review and recommendation of the modified site plan, upon second by Council Member Brennan the motion passed unanimously.

**ZP2:** Referral to the Zoning and Planning Commission for review and recommendation of a potential text amendment to the Zoning Code regarding food trucks in Ladue.

Ms. Sukanek presented the text amendment and explained that the City was receiving more requests for special events involving food trucks. The zoning code currently states that a business may not operate from a vehicle. She suggested it

would be appropriate to allow food trucks with special events and recommended referral of the text amendment to allow the Zoning and Planning Commission to review.

Council Member Hensley moved referral to the Zoning and Planning Commission for review and recommendation of the text amendment regarding food trucks, upon second by Council Member Howell the motion passed unanimously.

**New Business:**

**Proposed Legislation:**

**Bill No. 2270** – An ordinance of the City of Ladue, Missouri to establish a procedure to disclose potential conflicts of interest and substantial interests for certain municipal officials.

Mayor Spewak read Bill No. 2270 followed by a second reading by Council Member Howell.

Ms. Rider explained the bill establishes the City's procedure to disclose potential conflicts of interest and is adopted annually with a copy submitted to the Missouri Ethics Commission. Mr. Rider stated there were no changes to the ordinance from the prior year.

Council Member Hensley moved approval of Bill No. 2270. Upon second by Council Member Burroughs the roll call vote thereupon was as follows:

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

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

**Bill No. 2271** – An ordinance modifying Chapter 58 Noise, Section 58-2 Acts Enumerated, of the City of Ladue, Missouri Code of Ordinances.

Mayor Spewak read Bill No. 2271 followed by a second reading by Council Member Brennan.

Mayor Spewak reported there were two proposed changes to the noise ordinance which consisted of changing the ending time for mowing on Saturday and Sunday from 6:00 p.m. to 5:00 p.m. and construction ending at the same time at 5:00 p.m. on Saturday. Construction has never been allowed on Sunday. Mayor Spewak indicated the change was a result of complaints and that she received several letters of support of the change from residents. It was noted that the noise ordinance is enforced on a complaint basis and residents should call the Police Department if they observe or hear a violation of the ordinance. It was also noted that construction under special circumstances, other than the allowed time, could be approved by the City when requested.

Council Member Burroughs moved approval of Bill No. 2271. Upon second by Council Member Hensley the roll call vote thereupon was follows:

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

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

**Resolution No. 2021-33** – A resolution authorizing the application submission for construction funding to the Municipal Park Grant Program for the City owned property known as "Edie's Mulch Site", located at 9810 South 40 Drive.

Ms. Lamitola presented the resolution and explained the City planned to apply for grants to convert Edie's Mulch Site to a passive park with a trail, and part of the application process was to adopt an enabling resolution. She stated there was a landscaping component to the project, the trail, and a small parking area with eight spaces. Mayor Spewak added that this came from Ward 3 residents wanting a way to connect with the business district. The intent of the trail is for access for residents to move from one side of the highway to the schools and businesses. The project received a significant amount of resident support.

With no further comments Council Member Burroughs moved adoption of Resolution No. 2021-33, upon second by Council Member Brennan the motion passed unanimously.

**Resolution No. 2021-34** – A resolution authorizing the Mayor to execute on behalf of the City of Ladue, Missouri a Professional Services Agreement with O.R. Colan Associates, LLC for the Deerfield/Wakefield Stormwater Infrastructure Project.

Ms. Lamitola presented the resolution and stated that O. R. Colan had worked with the City for many years as the easement acquisition agent for the City on other projects. The City would like to contract with O. R. Colan for the Deerfield/Wakefield project.

There being no questions Council Member Howell moved adoption of Resolution No. 2021-34, upon second by Council Member Hensley the motion passed unanimously.

**Resolution No. 2021-35** – A resolution authorizing the Mayor to enter into a Contract on behalf of the City of Ladue, Missouri with Gershenson Construction Co. for construction of the City of Ladue's 2021 Asphalt Pavement Program.

Ms. Lamitola presented the resolution and reported the City issued a bid package for two different areas in need of asphalt paving, the intersection of Litzinger and McKnight within the municipal boundary and patching the City campus parking lot. Ms. Lamitola reported that sealing was not included in the bid package.

Ms. Lamitola stated the mill and overlay of North Rock Hill Road, which was budgeted, will be completed by MSD as part of the Deer Creek Sanitary Sewer replacement project.

Ms. Lamitola reported that eight bids were received with Gershenson Construction submitting the low bid of \$93,931.80 and recommended adoption of the resolution.

Council Member Burroughs moved adoption of Resolution No. 2021-35, upon second by Council Member Brennan the motion passed unanimously.

**Resolution No. 2021-36** - A resolution authorizing the Mayor to execute on behalf of the City of Ladue, Missouri a Contract with Stryker Corporation for preventative maintenance and incidental repairs of the City of Ladue Fire Department Power Cots and Power Load Device.

Chief Lynn presented the resolution and noted the 1-year warranty on the equipment had expired and recommended adoption of the resolution authorizing the service agreement. The Chief explained the three pieces of equipment covered under the agreement are considered medical devices and stressed the importance of regular maintenance.

Council Member Burroughs moved adoption of Resolution No. 2021-36, upon second by Council Member Hensley the motion passed unanimously.

**Resolution No. 2021-37** – A resolution authorizing the Mayor to execute on behalf of the City of Ladue, Missouri a Contract with Will Electronics for City Facilities Security Improvements.

Project Manager Collette Kolcielski, with Navigate Building Solutions, presented background information on the project. Ms. Kolcielski stated the primary scope of the work is to replace and add additional security cameras and exterior cameras at City Hall, Building Department, and the Police Department and replace the existing access control for electronic door entry access using either a card or code. The advantage of the upgrades is that the cameras will be on a centralized system to monitor all cameras and door access control. The other advantage is the system will be federated so West Central Dispatch Center (WCDC) can monitor prisoners housed in Ladue Police Department cells and open the sally port door. In order to become federated with WCDC the City needs to use the same platform, Genetec. Genetec performs security projects for law enforcement agencies and uses specialized authorized contractors. Will Electronics is one of the authorized contractors. Will Electronics presented a proposal with a cost of \$120,341.96 which was within budget. All materials will be purchased under the state contract. Ms. Kolcielski recommended execution of the contract with Will Electronics for the security upgrade project.

Council Member Hensley asked who would monitor the cameras and would they be monitored at all times. Ms. Kolcielski stated that the cameras would not be monitored around the clock except for the cells, but that recordings could be reviewed later if needed.

There being no further questions Council Member Howell moved adoption of Resolution No. 2021-37, upon second by Council Member Burroughs the motion passed unanimously.

**Resolution No. 2021-38** - A resolution authorizing the Mayor to execute on behalf of the City of Ladue, Missouri a Contract with Conference Technologies, Inc. for Council Chambers Technology Upgrade.

Ms. Rider explained that \$8,800.00 was budgeted in the Capital Fund for technology upgrades in the Council Chambers. The upgrades include display systems equipment, video systems equipment and control systems equipment integrated with the existing sound system and use with Zoom, in order to provide virtual meeting options for the public and committees who are unable to attend or who may have concerns attending meetings in person due to the pandemic.

Ms. Rider stated that Conference Technologies, Inc. submitted a proposal using U.S. General Services Administration (GSA) pricing under Contract Number GS-03F-0124Y with a total cost of \$23,641.76. Ms. Rider stated that Conference Technologies, Inc. had previously worked with the City with favorable results and that the project had been deemed eligible for funding from American Rescue Plan Act (APRA) to cover the remainder of the costs over and above the budgeted amount.

Ms. Seele added that the City's video conference policy will be amended to allow for hybrid meetings with Zoom.

Council Member Brennan moved adoption of Resolution No. 2021-38, upon second by Council Member Howell the motion passed unanimously.

#### **Financial Matters:**

The Mayor and Council reviewed the report of the Finance Director regarding significant financial transactions. The Mayor ordered the report filed for information.

The Mayor and Council reviewed the Vouchers for Payment for the month of June 2021. Council Member Howell moved their approval, upon second by Council Member Brennan the motion passed unanimously.

The Mayor and Council reviewed the Collector's Report for June 2021. The Mayor ordered the report filed for information.

The Mayor and Council reviewed the Treasurer's Report for June 2021. The Mayor ordered the report filed for information.

The Mayor and Council reviewed the Cash Flow Report for June 2021. The Mayor ordered the report filed for information.

The Mayor and Council reviewed the Delinquent Real Estate Tax Report for June 2021. The Mayor ordered the report filed for information.

#### **Department Reports:**

**Fire Department:** The Mayor and Council reviewed the Fire Department Activity Report for June 2021. The Mayor ordered the report filed.

Chief Lynn reported on the recent storm event on July 9<sup>th</sup> and 10<sup>th</sup> noting that 53 calls for service were received including three fires and multiple power lines down with major arteries blocked. The Chief recognized the Fire Department crews and Department of Public Works and Police Department for a team effort and all of their hard work to clear the roads.

**Police Department:** The Mayor and Council reviewed the Police Department Activity Report for June 2021. The Mayor ordered the report filed.

**Public Works Department:** The Mayor and Council reviewed the Public Works Report for June 2021. The Mayor ordered the report filed for information.

Ms. Lamitola reported on the storm event on July 9<sup>th</sup> and 10<sup>th</sup> and that the department was working overtime on brush pick-up due to the number of trees and limbs down across the City. Ms. Lamitola reported on challenges with the utility relocations in connection with the Robin Hill Lane Stormwater Infrastructure Project. Ms. Lamitola reported that Gershenson Construction discovered the gas main to be removed in connection with the project has an asbestos coating and the removal costs will be paid by the City. During the CCTV inspection of the sanitary sewer main the City discovered that three properties may be combined on one sanitary sewer lateral. Ms. Lamitola was waiting for an additional report to learn more information about the lateral.

Ms. Lamitola presented an application for a Small Project Storm Water Grant for 5 Buckhammon Place in the amount of \$21,913.50 which was reviewed by the Storm Water Advisory Committee and met all requirements.

Council Member Brennan moved approval of the application, upon second by Council Member Howell the motion passed unanimously.

**Building Office:** The Mayor and Council reviewed the Building Office Report for June 2021. The Mayor ordered the report filed.

**Municipal Court:** The Mayor and Council reviewed the Municipal Court Report for June 2021. The Mayor ordered the report filed.

**Administration/City Clerk:** The Mayor and Council reviewed the Administration Department Report.

**City Attorney:** Ms. Seele had nothing new to report at the time.

Ms. Rider presented an agreement with STL Publications for publication of the 2022 Ladue Community Directory. Ms. Rider reported there were no changes to the agreement from the prior year.

Council Member Hensley moved approval of the agreement with STL Publications, upon second by Council Member Howell the motion passed unanimously.



**Application for Liquor License:** Mayor Spewak asked for a motion to approve the liquor license application submitted by Petals Patio & Garden located at 9757 Clayton Road to sell intoxicating liquors of all kinds at retail in the original package not to be consumed on the premises where sold, with Sunday sales.

Council Member Burroughs moved approval of the liquor license application for Petals Patio & Garden, upon second by Council Member Hensley the motion passed unanimously.

Mayor Spewak noted the next Council meetings were scheduled for Monday, August 16, 2021 and Monday, September 20, 2021.

**Adjournment:** Council Member Hensley moved adjournment, upon second by Council Member Brennan, the motion passed unanimously. The meeting adjourned at 5:09 P.M.

  
\_\_\_\_\_  
Nancy Spewak, Mayor

**ATTEST:**  
  
\_\_\_\_\_  
Laura Rider, City Clerk