

**CITY COUNCIL OF THE CITY OF LADUE
ST. LOUIS COUNTY, MISSOURI
MONDAY, DECEMBER 19, 2016**

The regular meeting of the City Council of the City of Ladue, St. Louis County, Missouri, was held on Monday, December 19, 2016, at 4:03 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
John Fox
Harold Burroughs
William Brennan

Absent:

Patrick Hensley

Five Council Members present.

Also present were Ms. Laura Rider, City Clerk/Assistant to the Mayor; Mr. Sam Zes, Finance Director, Fire Chief Steve Lynn, Ms. Anne Lamitola, Public Works Director; Mr. Will Penney, Building Official; Ms. Andrea Sukanek, City Planner; and Ms. Erin Seele, City Attorney. Police Chief Rich Wooten was absent.

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

Approval of Minutes: Mayor Spewak asked for any amendments, corrections or clarifications to the Minutes of the Work Session, Regular and Closed Meetings of November 21, 2016. Council Member Hiemenz moved approval of the Minutes of the Work Session, Regular and Closed Meetings for November 21, 2016, seconded by Council Member Brennan, which motion passed unanimously.

Public Forum: Ms. Liz Parker, 714 Woods of Ladue Lane, expressed concerns with Pulte Homes about unresolved issues for homeowners in the Woods of Ladue development and asked for assistance from the City. Mayor Spewak stated that Pulte Homes has escrow on deposit with the City. The escrow will not be released until all issues are resolved.

Mr. John Weseman, 4 Godwin Lane, expressed concerns about the proposed cell tower at 2 Godwin Lane; generator noise, visual impact and potential damage to property values in the neighborhood. Mayor Spewak stated that the applicant for the cell tower, Dolan Realty, will be scheduling a meeting with Godwin

Lane residents and encouraged Mr. Weseman to contact his trustees about the meeting.

Mr. Robert Mueller, 16 Ladue Crest Lane, stated he is a trustee for the neighborhood and in opposition to the proposed tower. The proposed site for the tower is the only entrance to the subdivision and is zoned residential. The tower is a commercial enterprise and should not be considered by the City in a residential area.

Public Hearing: PH1 -The City Council will hold a public hearing on a recommendation submitted by the Zoning and Planning Commission, that the Council approves an amendment to a Special Use Permit for John Burroughs School to revise their master site plan to include demolishing two buildings and building one new building. The application also includes a request to increase enrollment from 600 to 650. Property address is 755 South Price Road (B Residential Zoning District).

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

Ms. Erin Seele, City Attorney, stated that the hearing notice, the Zoning and Planning File ZPC 16-14 as well as the entire Code of Ordinances and Ordinance No. 1175 are entered as part of the record and are available for review.

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

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

Council Member Fox moved approval of the amendment to the Special Use Permit for John Burroughs School to revise their master site plan to include demolishing two buildings and building one new building and an increase in enrollment from 600 to 650, seconded by Council Member Brennan, which motion passed unanimously.

PH2 - The City Council will hold a public hearing on the report of the Finance, Revenue and Taxation Committee recommending the City's proposed budget for the year January 1, 2017 – December 31, 2017.

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

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

Council Member Fox moved acceptance of the recommendation from the Revenue, Finance and Taxation Committee on the proposed budget for the fiscal year beginning January 1, 2017 and ending December 31, 2017, with one amendment of a 0.5% salary increase for staff, seconded by Council Member Hiemenz, which motion passed unanimously.

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

Council Member Hiemenz moved approval of the 2017 budget as amended, seconded by Council Member Howell, which motion passed unanimously.

Zoning & Planning Matters: None.

Old Business: None

New Business:

Proposed Legislation:

Bill No. 2142 – An ordinance ordering the installation of one (1) fire hydrant in the City of Ladue, St. Louis County, Missouri.

Mayor Spewak read Bill No. 2142 for a first reading. Council Member Howell read Bill No. 2142 for a second reading.

Council Member Fox moved approval of Bill No. 2142, seconded by Council Member Brennan and the vote thereupon was as follows:

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

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

Mayor Spewak declared Bill No. 2142 adopted as **Ordinance 2142**.

Financial Matters:

Mr. Zes presented two amendments to the 2016 budget; elimination of the transfer of \$2,400,000.00 from the General Fund to the Capital Fund and an increase in legal fees (Account 4410-1-44) from \$40,000.00 to \$90,000.00.

Council Member Burroughs moved approval of the two amendments to the 2016 budget as presented by Mr. Zes, seconded by Council Member Brennan, which motion passed unanimously.

The Council reviewed the **vouchers for payment** for the month of November 2016. 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 November 2016. The Mayor ordered the reports filed for information.

The Mayor and Council reviewed the Financial Reports for November 2016. The Mayor ordered the reports filed for information.

The Mayor and Council reviewed the Cash Flow Summary for November 2016. The Mayor ordered the report filed for information.

The Mayor and Council reviewed the Delinquent Real Estate Tax Report for November 2016. The Mayor ordered the report filed for information.

Department Reports:

Fire Department: The Mayor and Council reviewed the Fire Department Activity Report for November 2016. The Mayor ordered the report filed.

Ms. Collette Koscielski, with Paric, gave an update on the construction of the new Firehouse No. 1. The concrete slab on grade has been poured for the floors in two areas of the First Floor. Structural concrete block walls are built up to the mezzanine level. Depending on weather, structural masonry will be the primary activity for several more weeks.

Ms. Koscielski stated that Change Order No. 2 was approved for \$12,377.00 for remediation of poor soil below the basement.

Council Member Fox moved ratification of Change Order No. 2 in the amount of \$12,377.00 for remediation of poor soil below the basement, seconded by Council Member Burroughs, which motion passed unanimously.

Police Department: The Mayor and Council reviewed the Police Activity Report for November 2016. The Mayor ordered the report filed.

Public Works Department: The Mayor and Council reviewed the Public Works report for November 2016. The Mayor ordered the report filed.

Building Office Report: The Mayor and Council reviewed the Building Office report for November 2016. The Mayor ordered the report filed.

Municipal Court: The Mayor and Council reviewed the Municipal Court Report for November 2016. The Mayor ordered the report filed.

Administration/City Clerk: Ms. Rider had nothing new to report.

City Attorney: Ms. Seele had nothing new to report.

Appointments:

Council Member Brennan moved approval of the reappointments of members to various City committees and boards, seconded by Council Member Hiemenz, which motion passed unanimously.

Liquor Licenses:

L-1 An application for a liquor license by L'Ecole Culinaire, 9807 South Forty Drive, for change of managing officer. The report from the police department finds no reason why the license should not be issued.

Council Member Fox moved approval of the liquor license for L'Ecole Culinaire, 9807 South Forty Drive, for change of managing officer, seconded by Council Member Burroughs, which motion passed unanimously.

Mayor Spewak noted that the next meetings are scheduled for Tuesday, January 17th and Tuesday, February 21st.

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

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

Council Member Hiemenz amended his motion to include discussion of hiring, firing, promoting or disciplining of particular employees pursuant to RSMo. 610.021 (3), seconded by Council Member Burroughs and the vote thereupon was as follows:

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

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

The Mayor and Council went into closed session at 5:15 PM with Ms. Erin Seele and Ms. Anne Lamitola.

The Mayor and Council returned to open session at 5:31 PM with Ms. Erin Seele and Ms. Anne Lamitola.

Adjournment: Council Member Hiemenz moved adjournment, seconded by Council Member Fox, which motion passed unanimously. The meeting adjourned at 5:31 PM.

APPROVED THIS 17TH DAY OF JANUARY 2017.



Nancy Spewak, Mayor

ATTEST:



Laura Rider, City Clerk