

**MINUTES OF MEETING
CITY COUNCIL OF THE CITY OF LADUE
ST. LOUIS COUNTY, MISSOURI
MONDAY, DECEMBER 21, 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, December 21, 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; Mr. John Maupin, Special Counsel and Mr. James E. Schiele, Chairman of the Finance Committee.

Approval of the Agenda: Council Member Fox moved to amend the agenda to include a request for approval of a bid from SCI Engineering, Inc. to conduct a Phase II Environmental Study at the site of Firehouse 1, seconded by Council Member Brennan and the motion was passed unanimously.

Approval of Minutes: Mayor Spewak asked for any amendments, corrections or clarifications to the Minutes of the Work Session and Regular Meeting of November 16, 2015. Council Member Hiemenz moved approval of the Minutes of the Work Session and Regular Meeting as submitted for November 16, 2015, seconded by Council Member Howell and the motion was passed unanimously.

Public Forum: There were no public comments.

Zoning and Planning Matters:

Referral to Zoning & Planning Commission for a Special Use Permit submitted by The Evangelical Lutheran Village Church located at 9233 Clayton Road for a cell tower disguised as a pine tree.

Council Member Fox moved referral of the Special Use Permit for The Evangelical Lutheran Church located at 9233 Clayton Road for a cell tower disguised as a pine tree to the Zoning and Planning Commission for review and recommendation, seconded by Council Member Brennan, which motion passed unanimously.

Referral to Zoning & Planning Commission for a Re-subdivision Plat for portions of Dwyer Place subdivision and 9909 Clayton Road.

Council Member Hiemenz moved referral of the Re-subdivision Plat for portions of Dwyer Place subdivision and 9909 Clayton Road to the Zoning and Planning Commission for review and recommendation, seconded by Council Member Fox, which motion passed unanimously.

Referral to Zoning & Planning Commission for Rezoning a portion of adjusted lot 18 of Dwyer Place subdivision from G - Commercial to E - Residential and a portion of 9909 Clayton Road from E - Residential to G - Commercial.

Council Member Burroughs moved referral of Rezoning a portion of adjusted lot 18 of Dwyer Place subdivision from G – Commercial to E – Residential and a portion of 9909 Clayton Road from E – Residential to G – Commercial to the Zoning and Planning Commission for review and recommendation, seconded by Council Member Howell, which motion passed unanimously.

Referral to Zoning & Planning Commission for a text amendment of Ordinance 1175, Section VII (F) to allow for modification to height requirements for concealed communication antennas when being approved by Special Use Permit.

Council Member Fox moved referral of the text amendment of Ordinance 1175, Section VII (F) to allow for modification to height requirements for concealed communication antennas when being approved by Special Use Permit to the Zoning and Planning Commission for review and recommendation, seconded by Council Member Brennan, which motion passed unanimously.

Public Hearing:

PH1: Notice of Public Hearing
City Council, City of Ladue
St. Louis County, Missouri

Notice is hereby given that the City Council of the City of Ladue will hold a public hearing on a recommendation submitted by the Zoning and Planning Commission that the City Council approve an Amended Special Use Permit at MICDS, 101 N. Warson, for a new outdoor stadium, artificial playing surface and hospitality building: the replacement of the existing Natatorium; and replacement of the existing track stadium.

The hearing will be held at 4:00 p.m. or as soon thereafter as the matter may be properly heard, on Monday, December 21, 2015, at the Ladue City Hall, 9345 Clayton Road.

The hearing will be open to the public and any person interested in the proceedings will be given an opportunity to be heard.

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.

Anne C. Lamitola, P.E.
Director of Public Works

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

PH2: The City Council will hold a public hearing on the recommendation from the Revenue, Finance and Taxation Committee on the proposed budget for the fiscal year beginning January 1, 2016 and ending December 31, 2016.

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

Old Business: None

New Business:

Proposed Legislation:

Bill No. 2120 – An ordinance authorizing the Mayor to execute on behalf of the City of Ladue, Missouri a professional services contract to provide on-call traffic signal maintenance services to the City.

Mayor Spewak read Bill No. 2120 for a first reading.

Council Member Hiemenz read Bill No. 2120 for a second reading.

Ms. Lamitola explained that St. Louis County will no longer provide traffic signal maintenance for municipalities.

Council Member Brennan moved adoption of Bill 2120, 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 2120 adopted as **Ordinance 2120**.

Bill No. 2121 – An ordinance authorizing the Mayor to execute on behalf of the City of Ladue, Missouri a professional services contract for the Lay Road sidewalk and road improvements STP-5529(613).

Mayor Spewak read Bill No. 2121 for a first reading.

Council Member Hiemenz read Bill No. 2121 for a second reading.

Council Member Hensley moved adoption of Bill 2121, seconded by Council Member Howell, 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 2121 adopted as **Ordinance 2121**.

Financial Matters:

Ms. O'Guinn reported that in the General Fund sales tax has increased by 7.5%, court revenue is down 34% and there are expense savings of \$698,000 year-to-date, resulting in a net income of \$800,000.00. No budget adjustments will be necessary for 2015.

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

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

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

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

Fire Chief Lynn announced the recent promotions; Marcus Jones to Captain and Mike Rose and Clay Boyd to Lieutenant.

Police Department: The Mayor and Council reviewed the Police Activity Report for the period January 1, 2015 through November 30, 2015. The Mayor ordered the report filed.

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

Ms. Lamitola reported that the replacement of the HVAC system in the Public Works Department building had been rebid. Two bids were received with Systemaire submitting the lower bid.

Council Member Fox moved to award and authorize the Mayor to execute a contract with Systemaire for the replacement of the HVAC system in the Public Works Department Building at a cost of \$8,480.00, seconded by Council Member Hiemenz, which motion passed unanimously.

Ms. Lamitola reported that an emergency repair had been made to the Scarab Windrow Turner in the amount of \$9,975.59. The equipment was not operational and to avoid any negative consequences Mayor Spewak and the City Clerk authorized the repair.

Council Member Howell moved the approval of the repair to the Scarab Windrow Turner in the amount of \$9,975.59, seconded by Council Member Hiemenz, which motion passed unanimously.

Ms. Lamitola requested approval of a proposal submitted by Horner & Shifrin to prepare the Transportation Improvement Program (TIP) application for sidewalks on Ladue Road at a cost of \$5,000.00. Horner & Shifrin developed the sidewalk plan and are deemed the most appropriate to complete the application.

Council Member Fox moved approval for the Mayor to execute a contract with Horner & Shifrin to prepare the Transportation Improvement Program (TIP) application for sidewalks on Ladue Road at a cost of \$5,000.00, seconded by Council Member Hensley, which motion passed unanimously.

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

Building Permit Extensions:

Council Member Hiemenz indicated that the building permit for 6 Clermont Lane had already been extended once. Ms. Lamitola explained that there was an amendment to the permit for a basement finish.

Council Member Burroughs moved approval of building permit extensions for:

1. 2 Briarcliff, Permit #069857, extended to March 15, 2016.
2. 34 Briarcliff, Permit #150394, extended to January 7, 2016.
3. 6 Clermont Lane, Permit #069884, extended to April 1, 2016.
4. 38 Deerfield Road, Permit #150391, extended to May 7, 2016.
5. 11 Pebble Creek Road, Permit #140648, extended to March 9, 2016.

seconded by Council Member Hensley, which motion passed unanimously.

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

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

Appointments: Mayor Spewak requested approval of member reappointments to various City boards and committees.

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

Liquor Licenses:

An application for a liquor license by Giovanni's Kitchen, 8831 Ladue Road, for a license (Class B & G) to sell intoxicating liquors by the drink on the premises, with Sunday sales. 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 Giovanni's Kitchen, 8831 Ladue Road, seconded by Council Member Hensley, which motion passed unanimously.

Mayor Spewak noted that the next meetings are scheduled for Tuesday, January 19th and Tuesday, February 16th.

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 and personnel matters under RSMo. Section 610.021 (1) and (3).

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 and personnel matters as provided under RSMo. 610.021 (1) & (3); seconded by Council Member Hensley, and the vote thereupon was as follows:

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

The motion was passed by a unanimous vote.

(The Mayor and Council went into closed session at 7:18 PM with Ms. Rider, Ms. O'Guinn, Police Chief Wooten and Ms. Seele).

Council Member Hiemenz moved to return to open session, seconded by Council Member Brennan, and the vote thereupon was as follows:

Council Member Hiemenz	"Aye"
Council Member Hensley	"Aye"
Council Member Fox	"Aye"

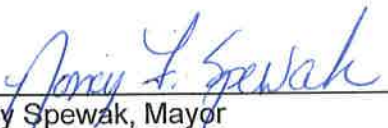
Council Member Burroughs
Council Member Brennan

"Aye"
"Aye"

The motion was passed by a unanimous vote.
(Returned to open session at 7:53 PM).

Adjournment: Council Member Hiemenz moved adjournment, seconded by Council member Brennan, which motion passed unanimously. The meeting adjourned at 7:53 PM.

APPROVED THIS 19TH DAY OF JANUARY, 2016.



Nancy Spewak, Mayor

ATTEST:


Laura A. Rider, City Clerk

