

**CITY COUNCIL OF THE CITY OF LADUE  
ST. LOUIS COUNTY, MISSOURI  
MONDAY, MARCH 18, 2019**

The regular meeting of the City Council of the City of Ladue, St. Louis County, Missouri, was held on Monday, March 18, 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 Fox  
Patrick Hensley  
William Brennan

Absent:

John Howell  
Harold Burroughs

Four 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:** Mayor Spewak amended the agenda by withdrawing Resolution No. 2019-06. Council Member Hensley moved approval of the amended agenda, seconded by Council Member Fox, which motion passed unanimously.

**Approval of the Minutes:** Mayor Spewak asked if there were any amendments, corrections or clarifications to the regular and closed meetings of February 19, 2019. Council Member Kamps moved approval of the minutes as submitted for the regular and closed meetings of February 19, 2019, seconded by Council Member Hensley, which motion passed unanimously.

**Public Forum:** Mr. Bob Snell and Mr. Dusty Riley, with Ameren Missouri presented information regarding work being performed by Ameren within the City, including tree trimming, utility pole replacement and fiber optic installation which will all improve electric service reliability to Ladue residents. Mayor Spewak recognized Ms. Elsie Wilkins, who was in attendance, for her involvement and work with Ameren to decrease power outages in Ladue.

**Public Hearings:**

**PH1:** The City Council will hold a public hearing on a recommendation from the Zoning and Planning Commission that the City Council approves amendments to Zoning Ordinance #1175 regarding amendments to Section V to adjust and clarify certain yard and setback issues in Zoning Ordinance #1175.

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

Ms. Sukanek presented the goals of these amendments and reviewed the changes to the ordinance since the last meeting, noting the ordinance had gone through a number of iterations and was improved each time. Council Member Fox praised Ms. Sukanek for her work on the ordinance and her ability to make it all easily understandable.

Ms. Seele announced this public hearing was a continuation of the hearing held last month and the public hearing notice, the Zoning and Planning file, 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 on file with the City Clerk.

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

**Zoning & Planning Matters:** Referral to the Zoning and Planning Commission for review and recommendation of an application of a text amendment regarding regulation of medical marijuana facilities.

Ms. Sukanek reported the State is developing regulations and has already received applications from those entities desiring to either cultivate, process or dispense medical marijuana. The Department of Health and Senior Services has oversight of these activities. Cities cannot opt out of allowing these uses nor can Cities ban these facilities or make it unduly burdensome to operate. Ms. Sukanek recommended the City develop regulations for these potential facilities to ensure that medical marijuana activities will be located and regulated in a manner that supports the welfare of the City's residents. The City has the authority to regulate time, place and manner for these uses.

Council Member Fox moved referral to the Zoning and Planning Commission for review and recommendation of a text amendment regarding regulation of medical marijuana facilities, with second by Council Member Hensley the motion passed unanimously.

**Unfinished Business:**

**Bill No. 2215 AMENDED:** An ordinance to amend Section V of Ordinance 1175 – the Zoning Ordinance of the City of Ladue, St. Louis County, Missouri – to amend

certain requirements regarding accessory structures and other yard and setback requirements in Ladue.

Mayor Spewak read Bill No. 2215 AMENDED followed by a second reading by Council Member Fox.

Council Member Hensley moved approval of Bill No. 2215 AMENDED with second by Council Member Brennan, and the roll call vote thereupon was as follows:

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

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

**New Business:**

**Proposed Legislation:**

**Bill No. 2224** – An ordinance amending Chapter 26 of the Ladue Code of Ordinances relating to the City's court costs.

Mayor Spewak read Bill No. 2224 followed by a second reading by Council Member Brennan.

It was reported by Ms. Rider that during preparation for the transition to the Show Me Court software it was discovered that Section 26-28 of the Ladue Code did not conform to the state statute relating to the collection of the surcharge for Peace Officer Standards and Training Commission Fund. While the Court was collecting the surcharge correctly the City's ordinance did not reflect that. In addition, after conferring with the City Attorney, Court Administrator and Municipal Judge, the decision was made to combine all court costs collected in one Code section.

Council Member Kamps moved approval of Bill No. 2224 with second by Council Member Brennan and the roll call vote thereupon was as follows:

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

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

**Resolution No. 2019-06** was withdrawn from the agenda.

Fire Chief Lynn reported the new pumper truck will be delivered on March 19th, which will leave the department with two reserve pumpers while only one is needed. Therefore, he requested the 1999 Pierce Dash Rescue Pumper be declared as surplus equipment in order to be sold.

Council Member Fox moved declaration of the 1999 Pierce Dash Rescue Pumper as surplus equipment, with second by Council Member Hensley the motion passed unanimously.

**Resolution No. 2019-07** – A resolution authorizing the Mayor to execute on behalf of the City of Ladue, Missouri a contract for the sale of City of Ladue Fire Department reserve rescue pumper.

Chief Lynn reported that the 1999 Pierce Dash Rescue Pumper will be sold to a small rural fire department. Some small miscellaneous equipment that is no longer needed by Ladue Fire Department will be sold with the truck. Both the truck and equipment will be sold as is. The truck has been maintained and certified as active and will be sold as a commissioned truck.

Council Member Kamps moved adoption of Resolution No. 2019-07, with second by Council Member Brennan the motion passed unanimously.

**Resolution No. 2019-08** – A resolution authorizing the Mayor to execute on behalf of the City of Ladue, Missouri a professional services contract with Ed M. Feld Equipment Co., Inc. for the maintenance and service of the self-contained breathing apparatus air compressor and fill station.

Chief Lynn stated the contract presented is for the maintenance and service, as well as quarterly testing, on the masks and tanks the fire fighters wear when fighting fires.

Council Member Fox moved adoption of Resolution No. 2019-08, with second by Council Member Hensley the motion passed unanimously.

**Resolution No. 2019-09** – A resolution authorizing the Mayor to execute on behalf of the City of Ladue, Missouri a professional services contract with Pediatric Emergency Standards, Inc. for administration of HandTevy Pediatric Program (“HPP”).

Chief Lynn explained pediatric patients are more difficult to treat than adult patients due to their small size. The department is currently determining the weight of the pediatric patient and calculating the dosage of medication required. The HandTevy program will automatically calculate the correct dosage and will be easily accessible on the EMT’s cell phone, thereby, eliminating the potential for mistakes.

Council Member Brennan moved adoption of Resolution No. 2019-09, with second by Council Member Kamps the motion passed unanimously.

**Resolution No. 2019-10** – A resolution authorizing the Mayor to execute on behalf of the City of Ladue, Missouri a contract with Central County Emergency 911 Dispatching Center, for the delivery of centralized dispatch service for the receipt and transmission of emergency calls.

It was noted by Chief Lynn that this is a renewal contract for another five-year term.

Council Member Fox moved adoption of Resolution No. 2019-10, with second by Council Member Brennan the motion passed unanimously.

**Resolution No. 2019-11** – A resolution authorizing the Mayor to execute on behalf of the City of Ladue, Missouri a Work Order with CBB for the peer review of the traffic impact study for the proposed Rock Hill Quarry Site Redevelopment under the On-Call Professional Services Contract for Traffic Engineering.

Ms. Lamitola offered background on the Planned Development Ordinance and the requirement of a traffic study paid by the applicant with a traffic study conducted by the city as well.

Council Member Hensley moved adoption of Resolution No. 2019-11, with second by Council Member Brennan the motion passed unanimously.

**Resolution No. 2019-12** – A resolution authorizing the Mayor to execute on behalf of the City of Ladue, Missouri a professional services contract with H3 Studio for Professional Planning Services related to the review of the Rock Hill Quarry Redevelopment.

Ms. Sukanek presented information regarding the professional services contract with H3 Studio, who was recently selected to conduct the comprehensive plan update for the City after the issuance of a Request for Qualifications, and because plans for the Rock Hill Quarry Site Redevelopment have already been submitted, the comprehensive plan update selection committee requested that H3 Studio review these plans as well, bringing forth the presentation of this expedited contract for review of this particular project.

Council Member Fox commented that the Rock Hill Quarry Site will be the largest industrial redevelopment area in fifty years and expressed his pleasure with the committee bringing in H3 Studio to conduct a common review of the City's goals.

Council Member Kamps moved adoption of Resolution No. 2019-12, with second by Council Member Hensley the motion passed unanimously.

**Resolution No. 2019-13** – A resolution authorizing the Mayor to execute on behalf of the City of Ladue, Missouri a professional services contract with Zobrio, Inc. for Information Technology Support Services.

Ms. Rider explained the contract with Zobrio is a renewal with a six-month term.

Council Member Brennan moved adoption of Resolution No. 2019-13, with second by Council Member Kamps the motion passed unanimously.

Mayor Spewak proclaimed Friday, April 5, 2019 as the “**First Annual Arbor Day Observance**” in the City of Ladue and read aloud the proclamation in its entirety. Mayor Spewak announced the City will host an Arbor Day Celebration on April 6th at 10:00 a.m. on the City campus.

**Financial Matters:**

Mr. Zes reported the annual audit is scheduled for the first week of April.

The Council reviewed the **vouchers for payment** for the month of February 2019. Council Member Kamps moved their approval, with second by Council Member Fox the motion passed unanimously.

The Mayor and Council reviewed the Treasurer’s and Collector’s reports for February 2019. 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 February 2019. The Mayor ordered the report filed for information.

The Mayor and Council reviewed the Delinquent Real Estate Tax Report for February 2019. The Mayor ordered the report filed for information.

**Department Reports:**

**Fire Department:** The Mayor and Council reviewed the Fire Department Activity Report for February 2019. The Mayor ordered the report filed.

Chief Lynn reported the new fire truck will be outfitted with equipment and lettering and will be in service the week of April 1st.

Chief Lynn reported on an emergency repair to the car port at Fire House No. 2. The engineer brought in to evaluate the structure concluded that the bracing nails used were insufficient. The sides will be removed, the structure re-plumbed and sides re-installed with longer nails. The original contractor was contacted, but believed that the structure was damaged by a vehicle and would not agree to the repair. The Chief indicated there was no evidence that a vehicle damaged the structure. The cost for repairs after insurance proceeds is \$5,000.00 plus \$850.00 for the engineer’s evaluation.

Council Member Hensley moved ratification of the emergency repair expense to the car port at Fire House No. 2, with second by Council Member Kamps the motion passed unanimously.

**Police Department:** The Mayor and Council reviewed the Police Activity Report for February 2019. The Mayor ordered the report filed.

**Public Works Department:** The Mayor and Council reviewed the Public Works report for February 2019. The Mayor ordered the report filed.

Ms. Lamitola requested authorization to purchase a replacement Skid Steer, which is an essential piece of equipment utilized by the Public Works Department. The Sourcewell Contract #032515-JDC bid amount was \$52,673.78 with attachments.

Council Member Fox moved authorization for the Public Works Director to purchase a Skid Steer with attachments from Erb Equipment Company under the Sourcewell Contract #032515-JDC at a cost of \$52,673.78, with second by Council Member Brennan the motion passed unanimously.

Ms. Lamitola reported on a purchase request for a new piece of equipment – a Brine System – to be utilized during winter weather operations. Brine is an effective way to pre-treat pavement fairly inexpensively. The low bid was received from Turbo Technologies in the amount of \$12,213.37 and consists of a salt brine maker, storage tanks and sprayer tank.

Council Member Brennan moved authorization for the Public Works Director to purchase a Brine System from Turbo Technologies at a cost of \$12,213.37, with second by Council Member Fox the motion passed unanimously.

**Building Office Report:** The Mayor and Council reviewed the Building Office report for February 2019. The Mayor ordered the report filed.

**Municipal Court:** The Mayor and Council reviewed the Municipal Court Report for February 2019. The Mayor ordered the report filed.

**Administration/City Clerk:**

Ms. Rider reported the audio equipment for the Council Room had been ordered and anticipated installation by the April Council meeting. She also reported one bid had been received for the large screen TV/monitor with moveable cart for \$4,500.00 but was securing additional bids.

Ms. Seele had nothing new to report.

**Committee Appointments:** There were no committee appointments.

Mayor Spewak noted the next regular Council meetings are scheduled for Monday, April 22, 2019 and Monday, May 20, 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 Fox 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), with second by Council Member Hensley and the roll call vote thereupon was as follows:

Council Member Kamps	“Aye”
Council Member Hensley	“Aye”

Council Member Fox	“Aye”
Council Member Brennan	“Aye”

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

The Mayor and Council went into closed session at 5:11 PM with Ms. Erin Seele, Ms. Anne Lamitola and Ms. Andrea Sukanek.

The Mayor and Council returned to open session at 5:39 PM with Ms. Erin Seele, Ms. Anne Lamitola and Ms. Andrea Sukanek.

**Adjournment:** Council Member Hensley moved adjournment, seconded by Council Member Kamps, which motion passed unanimously. The meeting adjourned at 5:39 PM.

**APPROVED THIS 22ND DAY OF APRIL, 2019.**

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Nancy Spewak, Mayor

**ATTEST:**

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Laura Rider, City Clerk