

**CITY COUNCIL OF THE CITY OF LADUE  
ST. LOUIS COUNTY, MISSOURI  
TUESDAY, JANUARY 21, 2020**

The meeting of the City Council of the City of Ladue, St. Louis County, Missouri, was held on Tuesday, January 21, 2020, 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  
William Brennan

Absent:  
Harold Burroughs

Five 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.; Assistant Fire Chief Jeff Johnson; Ms. Anne Lamitola, Public Works Director; Ms. Andrea Sukanek, City Planner; Mr. Roger Stewart, Building Official and Ms. Erin Seele, City Attorney. Fire Chief Steven Lynn was absent.

**Approval of the Agenda:** Council Member Fox moved approval of the agenda, with 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 and Closed Meetings of December 19, 2019. Council Member Howell moved approval of the minutes as submitted for the Regular and Closed meetings of December 19, 2019, with second by Council Member Hensley the motion passed unanimously.

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

**Committee Reports:** Mr. Giuseppe Di Cera, president of the Ladue Mayor's Youth Council, presented an overview of a new program - Ladue Student Opportunities Network - designed to bring high school and college students together with Ladue businesses and organizations in need of interns, volunteers or student shadowers, in the form of a database that he created.

**New Business:**

**Proposed Legislation:**

**Bill No. 2242 Amended** – An ordinance approving “The Re-subdivision of Lot 42 of Clermont Park Addition in Plat Book 25 Page 66 and Lot 2 of Warson Hills Addition in Plat Book 333 Page 24”.

Mayor Spewak read Bill No. 2242 Amended followed by a second reading by Council Member Fox.

Ms. Sukanek reported Bill No. 2242 Amended was for a similar request that had been withdrawn by the applicant a few months ago. The owner of 5 Warson Hills is under contract to purchase Lot 42 Clermont. The lot under contract is a landlocked property. 42 Clermont will be transferred to the applicants immediately before the subdivision is recorded. This will be a re-subdivision of two lots owned by the same persons. Ms. Sukanek reviewed other options for consolidation. While this re-subdivision changes the shape of 5 Warson Hills from a four-sided parcel to an oddly shaped eight-sided parcel, elimination of the landlocked unusable parcel is desirable and doing so is nearly impossible without creating another non-conformity. Ms. Sukanek recommended approval of the re-subdivision.

Council Member Fox moved approval of **Bill No. 2242 Amended**, with second by Council Member Hensley and the roll call vote thereupon was as follows:

Council Member Kamps	“Aye”
Council Member Brennan	“Aye”
Council Member Howell	“Aye”
Council Member Fox	“Aye”
Council Member Hensley	“Aye”

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

**Bill No. 2247** – An ordinance authorizing the execution of an agreement with the Missouri Highways and Transportation Commission pertaining to the Dielman Road Improvements Project.

Mayor Spewak read Bill No. 2247, followed by a second reading by Council Member Hensley.

Ms. Lamitola reported the City was successful in their application for federal funding and execution of the agreement is the first step in moving the project forward. Ms. Lamitola explained normal practice for Ladue for authorizing execution of an agreement is by resolution, but the Missouri Highways and Transportation Commission specifically requested an enabling ordinance.

Council Member Hensley moved approval of **Bill No. 2247**, with second by Council Member Fox and the roll call vote thereupon was as follows:

Council Member Brennan	“Aye”
Council Member Fox	“Aye”
Council Member Hensley	“Aye”
Council Member Howell	“Aye”
Council Member Kamps	“Aye”

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

**Bill No. 2248** – An ordinance authorizing the vacation of the City of Ladue, Missouri’s interest in a Public Utility Easement on 805 South Price Road in the City of Ladue.

Mayor Spewak read Bill No. 2248, followed by a second reading by Council Member Brennan.

Ms. Sukanek explained the easement lies on the Burroughs School campus, was from the 1950’s, but never used. A notice of the vacation of the City’s interest in the easement was advertised and sent to surrounding properties. No comments or objections were received. Therefore, Ms. Sukanek recommended the easement be released.

Council Member Fox moved approval of **Bill No. 2248**, with second by Council Member Brennan and the roll call vote thereupon was as follows:

Council Member Hensley	“Aye”
Council Member Fox	“Aye”
Council Member Kamps	“Aye”
Council Member Brennan	“Aye”
Council Member Howell	“Aye”

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

**Bill No. 2249** – An ordinance approving the Subdivision Plat for “Litzsinger Corner”.

Mayor Spewak read Bill No. 2249, followed by a second reading by Council Member Brennan.

Ms. Sukanek provided explanation of the request for a Subdivision Plat. The intent of the boundary adjustment is to remove the non-conformities and irregularities of the current parcels but not change the parcel sizes. The house at 76 Trent Drive will be demolished before the plat is recorded. Ms. Sukanek noted the condition for demolition was included in the conditions of the ordinance.

Council Member Brennan moved approval of **Bill No. 2249**, with second by Council Member Hensley and the roll call vote thereupon was as follows:

Council Member Howell	“Aye”
Council Member Hensley	“Aye”
Council Member Kamps	“Aye”
Council Member Fox	“Aye”
Council Member Brennan	“Aye”

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

**Resolution No. 2020-01** – A resolution authorizing the Mayor to execute on behalf of the City of Ladue, Missouri a professional services contract with Larimore Associates, Inc. for software support and maintenance services.

Ms. Rider reported the resolution authorized execution of a renewal contract with Larimore for maintenance and support for existing software in use by the Administration and Police Departments, but that 2020 would be the final year for actively using the Larimore software.

Council Member Howell moved adoption of Resolution No. 2020-01, with second by Council Member Fox the motion passed unanimously.

**Financial Matters:**

The Council reviewed the vouchers for payment for the month of December 2019.

Council Member Hensley moved their approval, with second by Council Member Brennan, the motion passed unanimously.

The Mayor and Council reviewed the Treasurer's and Collector's report for December 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 December 2019. The Mayor ordered the report filed for information.

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

**Department Reports:**

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

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

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

Ms. Lamitola reported the regularly scheduled leaf collection was completed on January 15<sup>th</sup>, three days beyond the scheduled completion date, due to inclement weather. Brush pick-up will begin on March 2<sup>nd</sup>.

Ms. Lamitola noted the BOSTA Committee will host a goal planning session on January 28<sup>th</sup> from 4-7 p.m. that will be open to the public.

Ms. Lamitola presented a request to purchase traffic sensors and associated data management software from HCI at a cost of \$7,978.00 and reported the sensors currently in place are no longer operational and have outdated technology. Ms. Lamitola explained the sensors are used for traffic counts and determining

vehicle speed and would be used by both Public Works and Police Departments. Some grants require traffic data to be supplied as part of the application.

Council Member Fox moved authorization for the Public Works Director to purchase traffic sensors and associated data management software from HCI under the MoDOT State Bid Contract #CD-15064SFS at a cost of \$7,978.00, with second by Council Member Brennan the motion passed unanimously.

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

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

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

**City Attorney:** Ms. Seele reported the legislative session was in full swing and her firm would be monitoring bills of interest, one of which would extend the uniform wireless act and could greatly reduce the funds, as much as 90%, cities receive from cable companies. The intent of the bill is to level the playing field between HULU and Netflix, and the cable companies by dramatically reducing the funds paid to cities. The Aurora Decision came out on December 24<sup>th</sup> from the Missouri Supreme Court, deciding what is actually taxable from the telecom companies, the main company was Century Link. Ms. Seele's firm is analyzing the decision, which came out in the cities' favor. Tolling agreements with some of the companies would most likely become more active now. Ms. Seele reported she is also watching bills pertaining to use tax.

Mayor Spewak requested approval of the appointment of Scott Solsvig as a member of the Storm Water Advisory Committee. Council Member Fox moved approval of the appointment, with second by Council Member Brennan the motion passed unanimously.

Mayor Spewak requested approval of the reappointment of Lee Rottmann and Kristen Holton as alternate members of the Zoning Board of Adjustment. Council Member Brennan moved approval of the reappointments, with second by Council Member Hensley the motion passed unanimously.

Mayor Spewak noted the next Council meetings were scheduled for Tuesday, February 18, 2020 and Monday, March 16, 2020. Mayor Spewak asked the Council Members to check their schedules for March attendance due to spring break.

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 leasing, purchase or sale of real estate pursuant to RSMo. Section 610.021 (1) (2).

Council Member Brennan moved to go into closed session for discussion of litigation, legal actions and/or any confidential or privileged communications from the City Attorney and leasing, purchase or sale of real estate pursuant to RSMo.

610.021 (1) (2), with second by Council Member Hensley and the roll call vote there upon was as follows:


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

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

The Mayor and Council, except Council Member Burroughs who was absent, went into closed session at 4:37 PM with Ms. Erin Seele, Ms. Anne Lamitola, and Mr. Pete Merten.

The Mayor and Council, including Council Member Burroughs who arrived during closed session, returned to open session at 5:11 PM with Ms. Erin Seele, Ms. Anne Lamitola and Mr. Pete Merten.

**Adjournment:** Council Member Fox moved adjournment, with second by Council Member Howell, the motion passed unanimously. The meeting adjourned at 5:11 PM.

  
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Nancy Spewak, Mayor

**ATTEST:**

  
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Laura Rider, City Clerk