

**CITY COUNCIL OF THE CITY OF LADUE
ST. LOUIS COUNTY, MISSOURI
MONDAY, DECEMBER 21, 2020**

The meeting of the City Council of the City of Ladue, St. Louis County, Missouri, was held on Monday, December 21, 2020, at 4:00 p.m., by Video Conference via Zoom and at City Hall, 9345 Clayton Road. The following members were present:

The Hon. Nancy Spewak, Mayor, presided over the meeting from her office at City Hall via Zoom.

Members of the Council present via Zoom:

Stacey Kamps
John Howell
John Fox
Patrick Hensley
William Brennan
Harold Burroughs

Six Council Members present.

Also present were Ms. Laura Rider, Assistant to the Mayor/City Clerk at City Hall in the Council Chambers via Zoom. Also present via Zoom were Mr. Sam Zes, Finance Director; Police Chief Ken Andreski, Jr.; 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.

Mayor Spewak announced that due to current and various restrictions ordered by St. Louis County on public gatherings due to Covid-19, the meeting was held by video conference and encouraged those interested in participating to join the meeting via the Zoom link posted on the meeting agenda.

Approval of the Agenda: Council Member Fox 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 Work Session, Regular and Closed Meetings of November 16, 2020 and Special Meeting of December 1, 2020. Council Member Howell moved approval of the minutes as submitted for the Work Session, Regular and Closed Meetings of November 16, 2020 and Special Meeting of December 1, 2020, upon second by Council Member Hensley the motion passed unanimously.

Public Forum: Mr. Bob Chambers, representing residents on Twin Springs Drive, expressed resident concerns regarding MSD's Project Clear and the removal of canopy trees along the north side of Twin Springs, which they felt increased the noise by five to ten times than experienced prior to the project, and negatively impacted their privacy.

Mayor Spewak advised that Ms. Lamitola had been working on some potential remedies and recommended that Mr. Chambers file a complaint with Mr. Kevin Nelson with Black & Veatch, project manager for MSD, to officially document their concerns. Mayor Spewak advised that some remedies were within the City's power and some within MSD's power.

Ms. Lamitola reported on the City's plan for a walking trail for the site and revegetation plan as part of the project.

Mayor Spewak reported on MoDot's past actions and policies regarding the sound wall in that area.

Mayor Spewak suggested a Zoom meeting with residents in order to sustain ongoing communications.

Committee Reports:

Mr. Charlie Hiemenz, Chairman of the Ladue Cellular Service Advisory Committee, presented a report on the efforts of the committee thus far. Mr. Hiemenz thanked Ms. Lamitola, Ms. Sukanek and Mayor Spewak for their work with and support of the committee.

Mr. Hiemenz reported the first step after Council approved the establishment of the committee was development of members comprised of residents with diverse cellular service backgrounds and the second step was development of priorities addressing cell coverage deficiencies defined as dead zones, gap areas & capacity issues.

The members identified deficiencies in cellular service throughout Ladue and contacted high level individuals with T-Mobile/Sprint, AT&T and Verizon and asked what barriers they faced in placing infrastructure in Ladue and what the City could do to assist them. The carriers were under the impression that Ladue did not want to add more towers.

Upon communication from the committee that the City wanted to collaborate to improve service, the carriers offered suggestions where the City might assist them: 1) Identify real estate to place equipment, 2) the carriers need for height to get above the tree canopy (the carriers favor utility poles to place antennas), 3) City review and potentially simplify the permit process and 4) support the carriers in the Ladue community. The carriers were given a contact with the City and Committee for future discussions.

Mr. Hiemenz noted that consumers have multiple choices and the City should assist wherever possible in the options available to residents.

Mr. Hiemenz advised the committee is looking at country clubs, golf clubs and schools for potential locations to place equipment. He explained with today's newer technology the cellular equipment is smaller, and restrictions can be put in place regarding carrier access to maintain the equipment. Mr. Hiemenz stated that he planned to provide periodic updates to the Council.

Public Hearings:

PH1: The City Council will hold a public hearing on a recommendation that the City Council approves an application for an amendment to the Special Use Permit issued to Old Warson Country Club in the B - Residential Zoning District. The amendment includes the installation of pickle ball courts and construction of a pavilion. (ZPC 20-17)

Mayor Spewak opened the public hearing upon motion by Council Member Fox and second by Council Member Hensley.

Mr. Paul Fendler, architect for Old Warson Country Club, presented the plan for the two-phased project. Phase 1 includes installation of lighted pickle ball courts and tennis courts without lighting and construction of a pavilion. Phase 2 includes the removal of the upper tennis courts and improvements to the golf training facility. Mr. Fendler indicated the landscaping plan called for replacement of trees.

Ms. Laure Hullverson, resident and Chairperson of the Beautification, Open Space & Tree Advisory Committee (BOSTA) inquired if the Country Club had plans to use Missouri native plants when replacing plantings. Ms. Hullverson stated that the committee had been working with the Clubs in Ladue on removal of honeysuckle and other non-native plants and were hoping to establish a partnership.

Ms. Sukanek stated that the applicant was going to request a variance from the Zoning Board of Adjustment which was needed due to the encroachment of the tennis courts into the front setback.

Ms. Sukanek read the conditions of the Special Use Permit recommended by the Zoning and Planning Commission which included rules that would apply during construction.

Council Member Burroughs stated that setbacks were important and that further encroachment into the front setback is not a positive and asked if the plan included screening. Mr. Fendler indicated that there was a variance granted previously and the new courts would be lowered to lessen their presence along Old Warson, and the landscape plan was very aggressive. Ms. Sukanek added that neighbors within 185 feet were notified and one letter of support was received.

Council Member Hensley asked how the construction entrance would be handled. Mr. McCurdy responded that a temporary construction entrance would be established off Old Warson. Ms. Lamitola stated that an excavation permit would be required for the construction entrance which would be issued through the Department of Public Works. Ms. Lamitola added that a Land Disturbance permit application was currently under review by the City.

Ms. Seele announced that the notice for the hearing, the entire Code of Ordinances including Ordinance 1175, the entire file including the application, Zoning & Planning Commission recommendation and staff report was available and made part of the official record.

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

Mayor Spewak closed the public hearing upon motion by Council Member Fox and second by Council Member Brennan.

Upon motion by Council Member Hensley and second by Council Member Burroughs the Amended Special Use Permit issued to Old Warson Country Club for installation of pickle ball courts and construction of a pavilion was unanimously approved.

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, 2021 – December 31, 2021.

Mayor Spewak opened the public hearing upon motion by Council Member Brennan and second by Council Member Hensley.

Mr. Zes reported the proposed 2021 budget presented at the meeting was the same as presented at the Council Work Session in November. Mr. Zes reported that the Finance Committee met several times to review the proposed budget as well as Mayor Spewak and the Department Heads. There were no questions from the Council, and no one came forward to comment during the public hearing.

Mayor Spewak closed the public hearing upon motion by Council Member Fox and second by Council Member Hensley.

Upon motion by Council Member Howell and second by Council Member Kamps, the 2021 Budget was unanimously approved.

Zoning and Planning Matters:

ZP1: Referral to the Zoning and Planning Commission for review and recommendation of an application for a Special Use Permit for a residence over 15,000 square feet at 9625 Ladue Road.

Ms. Sukanek reported that the City had received an application for a residence with 17,825 square feet at 9625 Ladue Road with the existing home to remain. Ms. Sukanek reported that a residence of this size requires a Special Use Permit.

Upon motion by Council Member Burroughs and second by Council Member Hensley, the application for a Special Use Permit for a residence over 15,000 square feet at 9625 Ladue Road was referred to the Zoning and Planning Commission for review and recommendation.

ZP2: Referral to the Zoning and Planning Commission for review and recommendation of an application for a Special Use Permit for Pulitzer Arts and Ecology Center located at 9501 Clayton Road.

Ms. Sukanek explained that Mrs. Pulitzer requested that her 15-acre property at 9501 Clayton Road become a non-profit arts and ecology center at some point in the future. It would serve as residency space for artists so it would not be a busy site with visitors.

Council Member Fox commented on the tax status of the property and if it were to become a non-profit entity the property would be removed from the tax rolls.

Mr. Steve Trampe, a representative for Mrs. Pulitzer, stated that much of the property is already in a conservancy district and didn't believe there was much tax liability currently.

Council Member Burroughs recused himself from the discussion as his law firm represents Mrs. Pulitzer.

Upon motion by Council Member Fox and second by Council Member Hensley the application for a Special Use Permit for Pulitzer Arts and Ecology Center at 9501 Clayton Road was referred to the Zoning and Planning Commission for review and recommendation.

Unfinished Business: Discussion regarding a text amendment to Section V. of Ordinance 1175 - The Zoning Ordinance of the City of Ladue regarding building restrictions in the E1 Zoning District. (ZPC 20-13)

Ms. Sukanek began the discussion which was a continuation from the November Council meeting regarding front facing garages in the E1 Zoning District.

Ms. Sukanek's prior proposed amendment would allow a garage set back behind the front façade rather than the front door to match new homes with the existing character of the neighborhood, but there were some concerns that the proposed amendment would not encourage front porches which was the City's goal.

After the last meeting Ms. Sukanek searched for examples that would comply with the ordinance and shared some examples with the Council.

In order to achieve the goal of encouraging front porches Ms. Sukanek recommended the following be applied in the E-1 District only:

Front facing garages must be set back at least 5 feet behind the front door of the house. Except, if a house contains a front porch with a width of at least 15 feet and a depth of at least 6 feet, this requirement may be waived by the City Planner. In no case may the garage be in front of the front door of the house.

The floor area ratio (FAR) table for determining maximum residential building size would not change.

The floor area shall include all areas under roof, as defined in Section XV, except that a house with a front porch with dimensions of at least 15 feet by 6 feet may subtract up to 100 square feet of the area of the front porch from the

total floor area for the purposes of calculating the FAR. This shall have no effect on the green space required for this zoning district.

Ms. Sukanek stated that in no case may the garage be in front of the front door and a portion of the front porch may be exempted from the total floor area calculation.

Both Council Member Fox and Mayor Spewak commented that the proposed revised amendment made a lot of sense.

Council Member Hensley asked if a new residence could cantilever over the second floor if building a garage. Ms. Sukanek stated that she did see an example of a property like that and would research that before the ordinance is presented to the Council. Council Member Howell complimented Ms. Sukanek on her thoroughness with the revisions.

**New Business:
Proposed Legislation:**

Bill No. 2264 – An ordinance authorizing the execution of an agreement with the Missouri Highways and Transportation Commission pertaining to the Warson Road and Conway Road Intersection Improvements Project.

Mayor Spewak read Bill No. 2264 followed by a second reading by Council Member Kamps.

Ms. Lamitola presented the bill and reported that the City had applied for federal funding as a result of a traffic study and was successful in securing the funding for improvements at the Warson Road and Conway Road intersection. An ordinance authorizing the Mayor to execute the agreement was required in order to obtain the funding. Ms. Lamitola reported that the City had just issued a Request for Qualifications for an engineering consultant for the project.

Council Member Burroughs moved approval of Bill No. 2264, upon second by Council Member Brennan the roll call vote thereupon was as follows:

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

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

Resolution No. 2020-32 – A resolution authorizing the Mayor to execute on behalf of the City of Ladue, Missouri an amendment to the City-Contractor Agreement with Hansen's Tree, Lawn and Landscaping Services, Inc. for the Leaf Transfer and Brush Grinding Services for the City of Ladue's Yard Waste Program.

Ms. Lamitola stated that Hansen's Tree, Lawn and Landscaping Services, Inc. was under contract with the City the past three years. The amendment to the contract laid out the new costs for services through 2022 with a term to extend the contact to 2024 by motion of the Council.

Ms. Lamitola reported that the City was pleased with Hansen's, had no negative experience, and that Hansen's was responsive and easy to work with.

Council Member Burroughs moved adoption of Resolution No. 2020-32, upon second by Council Member Kamps the motion passed unanimously.

Resolution No. 2020-33 – A resolution ratifying the agreement with Utility Associates, Inc. and authorizing the Mayor to execute on behalf of the City of Ladue, Missouri an amendment to the agreement with Utility, Associates, Inc. to provide body worn cameras for Ladue police officers.

Chief Andreski explained the agreement with Utility Associates was the next step in advancing to the body worn camera program. The department had already been using the body microphones and now the cameras would be activated. The Chief indicated the department was pleased with Utility Associates.

Council Member Fox moved adoption of Resolution No. 2020-33, upon second by Council Member Brennan the motion passed unanimously.

Resolution No. 2020-34 – A resolution authorizing the Mayor to execute on behalf of the City of Ladue, Missouri a professional services contract with Horner & Shifrin for landscape plan review services for applicable residential and commercial development projects.

Ms. Lamitola reported that since January 2015 the City had contracted with Ms. Laurel Harrington for landscape plan review services. Ms. Harrington recently changed employers and was now employed with Horner & Shifrin. The proposed agreement has a six-month term to coincide with the July 1st renewal of on-call service agreements.

Council Member Fox commented that Ms. Harrington does a very good job and is an excellent advocate for the City's policies and residents.

Council Member Howell moved adoption of Resolution No. 2020-34, upon second by Council Member Hensley the motion passed unanimously.

Resolution No. 2020-35 – A resolution authorizing the Mayor to enter into a contract on behalf of the City of Ladue, Missouri with Gamma Tree Experts for tree & stump removal and tree pruning.

Ms. Lamitola presented the agreement with Gamma Tree Experts and noted that the agreement was related to the TRIM grant awarded to the City which was made possible because of the gift from the Ladue Garden Club and the subsequent tree inventory. Gamma Tree Experts was the only respondent to the bid request and

while the cost was \$22,975 for the tree and stump removal and tree pruning, the City's net cost would be \$12,975 after the \$10,000 grant.

Ms. Laure Hullverson, Chairperson of the BOSTA Committee, was present and commented that the committee discussed the project at their last meeting and recommended that the City proceed with the project. Council Member Hensley inquired if there were any other vendors that submitted bids. Ms. Lamitola responded that the bid request was posted on the Drexel website, published in the St. Louis Countian, and directly submitted to Frontenac Forestry and assured the Council that the City's procurement policy had been followed but that only one bid was received.

Council Member Fox moved adoption of Resolution No. 2020-35, upon second by Council Member Kamps the motion passed unanimously.

Resolution No. 2020-36 – A resolution authorizing the Mayor to execute on behalf of the City of Ladue, Missouri an agreement with St. Luke's Workplace Health for occupational health services.

Ms. Rider presented the resolution and stated that St. Luke's was the current provider for occupational health services and that COVID 19 testing was being added to the menu of services provided.

Council Member Burroughs moved adoption of Resolution No. 2020-36, upon second by Council Member Hensley 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 November 2020. Council Member Howell moved their approval, upon second by Council Member Hensley the motion passed unanimously.

The Mayor and Council reviewed the Collector's Report for November 2020. The Mayor ordered the report filed for information.

The Mayor and Council reviewed the Treasurer's Report for November 2020. The Mayor ordered the report filed for information.

The Mayor and Council reviewed the Cash Flow Summary Report for November 2020. The Mayor ordered the report filed for information.

The Mayor and Council reviewed the Delinquent Real Estate Tax Report for November 2020. The Mayor ordered the report filed for information.

Department Reports:

Fire Department: The Mayor and Council reviewed the Fire Department Activity Report for November 2020. The Mayor ordered the report filed.

Police Department: The Mayor and Council reviewed the Police Department Activity Report for November 2020. The Mayor ordered the report filed.

Public Works Department: The Mayor and Council reviewed the Public Works Report for November 2020. The Mayor ordered the report filed.

Ms. Lamitola presented three Small Storm Water Grant Applications for projects located at 470 S. Price Road in the amount of \$14,959.00, 1 Bridle Creek Road in the amount of \$9,775.00 and 1300 Log Cabin Lane in the amount of \$25,000.00.

Upon conclusion of her presentation Council Member Fox added that all three were good projects and benefitted each property owner and neighbors and moved approval of all three Small Storm Water Grant Applications, upon second by Council Member Brennan the motion passed unanimously.

Building Office: The Mayor and Council reviewed the Building Office Report for November 2020. The Mayor ordered the report filed.

Municipal Court: The Mayor and Council reviewed the Municipal Court Report for November 2020. 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.

Liquor License Application: Request for approval of an application from Pasta House located at 8831 Ladue Road for liquor license to sell intoxicating liquors by the drink on the premises and in the original package, with Sunday sales.

Mayor Spewak noted that Pasta House was opening in Giovanni's former location.

Council Member Fox moved approval of the liquor license application from Pasta House, upon second by Council Member Burroughs the motion passed unanimously.

Committee Appointments:

Mayor Spewak requested approval of the reappointment of members to various City committees and boards. Council Member Hensley moved approval of the reappointments, upon second by Council Member Howell the motion passed unanimously

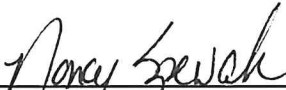
Mayor Spewak requested approval of the appointment of Susan Gausnell as a member of the Zoning & Planning Commission. Council Member Brennan moved approval of the appointment, upon second by Council Member Howell the motion passed unanimously.

Mayor Spewak expressed appreciation to Jim Howe for his service on the Zoning & Planning Commission.

Mayor Spewak noted the next Council meetings were scheduled for Tuesday, January 19, 2021 and Tuesday, February 16, 2021.

Mayor Spewak announced that City offices would be closed on Christmas Eve.

Adjournment: Council Member Howell moved adjournment, upon second by Council Member Burroughs, the motion passed unanimously. The meeting adjourned at 5:18 P.M.



Nancy Spewak, Mayor

ATTEST:


Laura Rider, City Clerk