

**CITY COUNCIL OF THE CITY OF LADUE
ST. LOUIS COUNTY, MISSOURI
TUESDAY FEBRUARY 18TH, 2025**

The meeting of the City Council of the City of Ladue, St. Louis County, Missouri, was held on Tuesday February 18th, 2025, at 4:00 p.m. at 9345 Clayton Road, Ladue, Missouri 63124 and via TEAMS. The following members were present:

The Hon. Nancy Spewak, Mayor, presiding.

Members of the Council present:

William Brennan
Harold Burroughs
John Fox (TEAMS)
Patrick Hensley
John Howell

Five Council Members present.

Also, present Police Chief Ken Andreski, Fire Chief Steve Lynn Ms. Lamitola, Senior Director of Public Services; Mr. Nicholas Wigglesworth, Director of Finance; Ms. Andrea Sukanek, City Planner; Ms. Erin Seele, City Attorney; and Ms. Stacey Mann, City Clerk.

Approval of the Agenda: Mayor Spewak announced that the Chairman of the Ladue Archives Committee's scheduled presentation has been rescheduled for the April 2025 City Council agenda.

Council Member Burroughs motioned to approve the amended agenda, and with a second from Council Member Brennan, the motion was unanimously approved.

Approval of the Minutes: Mayor Spewak asked if there were any amendments, corrections, or clarifications to the minutes of the Regular Meeting of January 21st, 2025, or the Special Meeting of February 7th, 2025.

Council Member Burroughs moved approval of the minutes from the regular meeting of January 21st, 2025, and the Special Meeting of February 7th, 2025; upon second by Council Member Brennan, the motion passed unanimously.

Presentation: None.

Public Forum: None.

Public Hearings:

PH1: The City Council of the City of Ladue will hold a Public Hearing regarding a proposed amendment to Sections III, VII, and XVI of the Ladue Zoning Ordinance 1175 regarding recreational marijuana facilities.

Ms. Sukanek shared that the public hearing on amending Sections III, VII, and XVI of the Ladue Zoning Ordinance 1175 regarding recreational marijuana facilities, along with associated Bill 2335, remains on hold. This pause allows staff to continue discussions with the developers and

owners of Rock Hill Quarry. If the text amendment is approved, marijuana cultivation and processing could occur at this location and the City wants further time to study that and the text amendment's impact on residents and ways to address same.

During the discussion, Mr. Greg Mattingly and Mrs. Judi Mattingly, residents of 55 Fair Oaks, inquired about the sale of liquor and spirits by establishments other than restaurants and grocers. Mayor Spewak responded that a few locations, such as Ladue Pharmacy and Olive Ovation, are licensed to sell and serve alcohol.

Council Member Hensley moved to continue the public hearing to the June 2025 City Council meeting; upon second by Council Member Burroughs, the motion passed unanimously.

PH2: The City Council of the City of Ladue will hold a Public Hearing regarding a proposed zoning change of the property at 9630 Clayton Road from D-Residential to G-1 Commercial zoning.

Before opening the public hearing, Mayor Spewak welcomed residents and encouraged them to share their comments and concerns. She also reminded attendees that speaking time would be limited to three minutes per person.

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

Ms. Sukanek provided a background on the request for rezoning of property 9630 Clayton Road from D-Residential to G-1 Commercial. Ms. Sukanek explained that the property has been in commercial use since the 1920s and was originally zoned commercial when Ladue was incorporated. In 1945, it was rezoned to residential, rendering the commercial use nonconforming. Ms. Sukanek noted the property is located by a flashing light, immediately adjacent to commercial uses, and appears to be part of the business district. She further noted that the property was assumed to be within the business district within the City's comprehensive plan. The current owners, Albert Bender and Jim Johnson, seek rezoning to address limitations associated with the nonconforming status, such as restrictions on rebuilding or expanding the existing structure. They also believe that commercial zoning is more appropriate given the property's location at a busy intersection. Following their meetings on December 18, 2024, and January 29, 2025, where they reviewed this request and received public comment, the Zoning and Planning Commission voted to forward the application to the City Council with a recommendation to approve the rezoning.

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, comprehensive plan, letters of opposition and support, and staff report was available and made part of the official record.

City Attorney Ms. Seele outlined the standards for considering a rezoning request, emphasizing that the Council should evaluate whether the current zoning of the property remains reasonable.

Mr. David Zeigler, a resident of 9 Glen Creek and subdivision trustee of the Glen Creek Subdivision, addressed the Council in opposition to the rezoning of 9630 Clayton Road. As a neighboring property owner, he stated that the business has always been a non-conforming use

on a residential lot and urged the Council to consider the possibility of creating a new zoning district to better protect residents' interests.

Laura Ellenhorn, a resident of 11 Glen Creek, also spoke in opposition to the rezoning request, citing concerns about the privacy of adjacent residential homes, noise and traffic concerns, and financial impact. She urged the Council to reject the request and asserted that the Zoning and Planning Commission had not fully considered the impact on surrounding residential property owners.

Karen Bass, a resident of 15 Glen Creek, expressed her opposition to the zoning change, stating that when she purchased her home in 2016, she understood that the adjacent property would remain residentially zoned. She stated traffic is a real concern now.

Marty Sumner, a resident of 10 Glen Creek, noted that previous attempts to rezone the property at 9630 Clayton Road for commercial use in 1945 and 1961 had not received favorable recommendations from the Zoning and Planning Commission.

Laure Hullverson, a resident of 9952 Clayton Road, raised concerns about safety at the intersection, describing it as challenging. She suggested that more controlled zoning should be considered to minimize future impacts.

Mr. Tony Pezzani, an attorney representing the Ellenhorn family, argued that it would be unrealistic to claim that the rezoning would not negatively impact surrounding properties. He noted that rezoning the property to G-1 Commercial would allow for 14 to 22 different permitted uses, some of which could introduce environmental concerns, as well as noise and lighting issues. Mr. Pezzani also pointed out that no stormwater or traffic study had been submitted with the rezoning request.

Mr. Jim Johnson and Mr. Bear Bender, property owners, stated that there are no plans to change the current use of the property or expand the building footprint. They explained that the rezoning request originated after Ameren inquired about using their property for an easement. Upon further review, they recognized that the existing residential zoning would prevent them from rebuilding or making significant renovations in the event of major damage, as current regulations do not permit repairs under the nonconforming use.

Following discussion, including possible issues with the property being used as residential due to former gas station, uses that could be on the property currently with no zoning change, and unique characteristics of the property, Council directed the City Attorney and City Planner to explore additional options for the zoning of the property and report their findings back to Council at a future meeting.

Council Member Burroughs moved to continue the public hearing, with a second by Council Member Hensley, the motion passed unanimously.

New Business:

Bill 2376: An Ordinance Amending Section 62-3 of the City of Ladue Code of Ordinances, Establishing Regulations for Estate and Garage Sales.

Mayor Spewak read Bill No. 2376 followed by a second reading by Council Member Brennan.

Council Member Hensley moved approval of Bill No. 2376. Upon second by Council Member Howell the roll call vote thereupon was as follows:

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

There being four aye votes and zero nay votes the motion passed unanimously.
Let the record reflect that due to audio/video complications, Council Member Fox did not cast a vote for Bill 2374.

Bill 2377: An Ordinance to Amend the Zoning Map and Change the Zoning of 9630 Clayton Road from the D Residential Zoning District to the G1 Commercial Zoning District

Mayor Spewak declared Bill 2377 as continued.

Bill 2378: An Ordinance Approving the Subdivision Plat for "Upper Ladue Stone Haven Consolidation"

Mayor Spewak read Bill No. 2378 followed by a second reading by Council Member Hensley.

Council Member Hensley moved approval of Bill No. 2378. Upon second by Council Member Howell the roll call vote thereupon was as follows:

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

There being four aye votes and zero nay votes the motion passed unanimously.
Let the record reflect that due to audio/video complications, Council Member Fox did not cast a vote for Bill 2378.

Old Business:

Bill 2335-A: An ordinance to amend Section III, VII, and XVI of Ordinance 1175 the Zoning Ordinances of the City of Ladue, St. Louis County, Missouri, regarding recreational marijuana facilities.

Mayor Spewak declared Bill 2335-A as continued.

Report of Department Directors:

Senior Director of Public Services

Ms. Lamitola reported that the Public Services Department has been actively engaged in various projects and initiatives. The department has been focusing on infrastructure improvements, including road maintenance and utility upgrades, to enhance community services.

- **Financial Matters:** The Mayor and Council reviewed the Significant Items in the Financial Report, Collector's Report, Treasurer's Report, Cash Flow Summary, Delinquent Real Estate Tax Report, and Investment Report for January 2025. The Mayor ordered these reports filed for information.

The Mayor and Council reviewed Vouchers for Payment for the month of January 2025. Council Member Fox moved their approval, upon second by Council Member Hensley the motion passed unanimously.

- **City Clerk:** Mayor and Council reviewed the Report of the City Clerk for January 2025. The mayor ordered the report filed.
- **Public Works & Building:** Mayor and Council reviewed the report of the Director of the Public Works Department for January 2025. The Mayor ordered the report filed.

Motion to Approve – 2024 Stormwater Master Plan Report

Council Member Burroughs moved to approve the 2024 Stormwater Master Plan Report, with second by Council Member Hensley the motion passed unanimously.

Discussion- Traffic Management Plan

After reviewing the memorandum from Ms. Lamitola regarding the proposed Traffic Management Program, and following Council discussion, staff was directed to begin amending the current ordinance for Council's review.

- **Municipal Courts:** Mayor and Council reviewed the Municipal Court report for January 2025. The mayor ordered the report filed.

Police Department:

Mayor and Council reviewed the Police Activity Report for January 2025. The Mayor ordered the report filed.

Fire Department:

The Mayor and Council reviewed the Fire Department Activity Report for January 2025. The Mayor ordered the report filed.

Motion to Approve – Capital Purchase Request: Bunker Gear

Council Member Brennan moved to approve the capital purchase of bunker gear, and with second by Council Member Burroughs, the motion passed unanimously.

Report of the Mayor:

Reappointment of Various Board & Commission Members

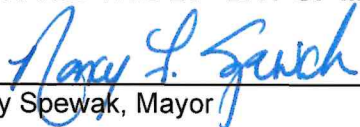
Mayor Spewak presented recommendations for the reappointment of members to various boards and committees, acknowledging their exceptional commitment and service to the community. The proposed reappointments include: Clint Williams to the Public Works Committee for a three-year term, Mark Gaertner as Municipal Judge for a two-year term, and Ben Kloos as Prosecuting Attorney for a two-year term.

Council Member Burroughs moved to approve the reappointments as listed in the memo dated February 12th, 2025, with a second by Council Member Brennan the motion passed unanimously.

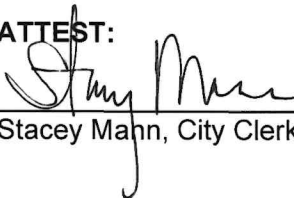
Reports of Various Board & Commission Meetings: The Mayor and Council reviewed the reports of various Board & Commission Meetings held during January 2025. The Mayor ordered the reports filed for information.

Adjournment: Council Member Brennan moved adjournment, and with second by Council Member Burroughs, the motion passed unanimously. The meeting was adjourned at 6:14 p.m.

APPROVED THIS 24th DAY OF MARCH 2025.



Nancy Spewak, Mayor

ATTEST:


Stacey Mann, City Clerk