

**CITY COUNCIL OF THE CITY OF LADUE
ST. LOUIS COUNTY, MISSOURI
MONDAY, SEPTEMBER 19TH, 2022**

The meeting of the City Council of the City of Ladue, St. Louis County, Missouri, was held on Monday September 19th, 2022, 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 (**left at 5:34PM*)
John Howell
William Brennan
Harold Burroughs

Six Council Members present.

Also, present Police Chief Ken Andreski; Fire Chief Steven Lynn; Mr. Roger Stewart, Building Commissioner; Ms. Andrea Sukanek, City Planner; Ms. Lamitola, Director of Public Works; Ms. Erin Seele, City Attorney; and Ms. Stacey Mann, City Clerk.

Approval of the Agenda: Council Member Fox moved to approve the agenda as presented, 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 Regular or Closed Meetings of August 15th, 2022. Council Member Brennan moved approval of the minutes as submitted; upon second by Council Member Fox, the motion passed unanimously.

Mayor Spewak recognized Chief Andreski on his completion of the FBI National Academy, stating that this selective program includes ten weeks of advanced communication, leadership, and fitness training.

Chief Andreski and Mayor Spewak recognized Captain Brian Dieckmann for his service as interim Chief during Chief Andreski's 10-week absence.

Public Forum:

Mr. Cory Bailey, 7 Dromara, addressed the Council requesting that more be done about the poor cell service within the area. Mr. Bailey stated that the wi-fi and cell coverage is unreliable, which could be problematic in emergency situations.

Public Hearing:

PH1: The City Council will hold a public hearing regarding a request for a Special Use Permit amendment for Community School for new construction and lot consolidation. Property is located at 900 Lay Road in the B-Residential Zoning District.

Let the record reflect that Council Member Kamps recused herself during this public hearing due to her affiliation with the applicant.

The public hearing was opened upon motion by Council Member Burroughs and second by Council Member Brennan.

Mr. Robert Cooke, Head of School at Community School, stated that the proposal included a new two-story brick classroom addition, a new single-story garage, and two temporary classroom trailers (to be used during demolition and construction phases).

No one else came forward to speak.

Ms. Seele announced the public hearing notice, the application, Zoning and Planning file, the Code of Ordinances and Ordinance 1175 were available for viewing and part of the official record.

The public hearing was closed upon motion by Council Member Hensley and second by Council Member Brennan.

Council Member Hensley moved approval of the amendment to the Special Use Permit for new construction and lot consolidation for Community School located at 900 Lay Road, upon second by Council Member Brennan the motion passed unanimously.

PH2: The City Council will hold a public hearing regarding a request to extend the existing Special Use Permit amendment for Rock Hill Quarries to continue to operate a demolition landfill at 1200 N. Rock Hill Road. Property is located in the H Industrial Zoning District.

The public hearing was opened upon motion by Council Member Hensley and second by Council Member Kamps.

Mr. George Stock, applicant, stated that the owner of the quarry would like to extend the use of the site as a demolition landfill for another eight years, and is proposing the installation of a fence for screening. Mr. Stock provided a brief power point presentation that highlighted the changes to the landscaping, screening, and fencing.

Ms. Laurel Harrington, City's landscape consultant, provided feedback on the proposed plan and indicated that the applicant has made significant progress and has worked closely with the city in adopting many of their recommendations. Ms. Harrington encouraged that the trees be spaced so that they have room to grow and covered more of the exposed fence. Ms. Harrington shared that due to soil conditions it would be difficult for many trees to grow.

Mr. Jackson Otto, 9554 Park Lane, stated that following the clearing of the area by MSD Project Clear, that offered screening from the industrial zone, they are now unable to fully enjoy their property. Mr. Otto urged Council to create a plan that would require future property owners to adhere to the landscape plan that is proposed so that they can be ensured the screening will remain in place.

Ms. Seele informed Council and the audience that the special use permit is tied to the owner, however, the code of ordinances does have tree restriction in place that will uphold the barrier.

Mr. Nate Helms, 9552 Park Lane, expressed concern with the screening of the electrical substation, and the grounds maintenance between the proposed fence, and the fence currently on his property.

No one else came forward to speak.

Ms. Seele announced the public hearing notice, the application, Zoning and Planning file, the Code of Ordinances and Ordinance 1175 were available for viewing and part of the official record.

The public hearing was closed upon motion by Council Member Fox and second by Council Member Brennan.

Council Member Kamps moved to approve the extension of the special use permit amendment for Rock Hill Quarries with the following conditions:

1. The special use permit remains subject to all conditions and provisions of previously issued special use permits and amendments thereto, as applicable
2. A fence with a height of at least 9' shall be installed as shown on the plans with a revision date of 9/16/22 (proposed 8' will be elevated 12" above the ground resulting in a fence height of 9'.) Fence shall be a commercial reinforced vinyl fence.
3. High-quality evergreen trees, as approved by the City with the input from the City's landscape consultant, shall be planted between the fence and the residential area as proposed on the accepted plan. Trees shall be 8-10 feet in height at the time of planting. Trees and fence shall be maintained and replaced by the owner of the property where the fence is installed and where the vegetation is planted in order to maintain the screen as shown on the approved plan, as reasonably determined by the City Planner.
4. Trees shall be spaced as shown on the approved plan (with revision date of 9/16/22) to allow for the growth and health of the trees and to provide adequate screening, as approved by the City Planner, with input from the City's Landscape Consultant and/or City Arborist.
5. Any new fence or other improvements placed in the floodplain/floodway shall meet the City's floodplain development regulations and shall provide documentation that there will be no resulting increase in height or velocity of floodwater.
6. All improvements and activities on the site shall generally be in compliance with all applicable City of Ladue ordinances and regulations, including obtaining all applicable permits.

7. Fence shall be installed in an expedient manner based on availability of fence materials.

Upon second by Council Member Burroughs, the motion passed unanimously.

New Business:

Proposed Legislation:

Bill 2311: An ordinance to amend Article V, offenses against public health, of Chapter 62, offenses, and miscellaneous provisions, by adding a new section relating to obstruction of pedestrians and vehicles and amending Article XV, Pedestrians, of Chapter 98, Traffic, to amend Section 98-576 related to walking along roadways

Mayor Spewak read Bill No. 2311 followed by a second reading by Council Member Brennan.

Council Member Howell moved approval of Bill No. 2311. Upon second by Council Member Brennan the roll call vote thereupon was as follows:

| | |
|--------------------------|-------|
| Council Member Brennan | "Aye" |
| Council Member Burroughs | "Aye" |
| Council Member Fox | "Aye" |
| Council Member Howell | "Aye" |
| Council Member Kamps | "Aye" |

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

Bill 2312: An ordinance modifying Chapter 102, Article II removal and replacement of trees and woodlands and article v – beautification, open space, and tree advisory committee, of the Ladue code of ordinances.

Mayor Spewak read Bill No. 2312 followed by a second reading by Council Member Howell.

Council Member Burroughs moved approval of Bill No. 2312. Upon second by Council Member Kamps the roll call vote thereupon was as follows:

| | |
|--------------------------|-------|
| Council Member Burroughs | "Aye" |
| Council Member Fox | "Aye" |
| Council Member Howell | "Aye" |
| Council Member Kamps | "Aye" |
| Council Member Brennan | "Aye" |

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

Resolution 2022-26: A resolution authorizing the City Clerk to direct IT management firm, Zobrio LLC, to remove and destroy certain records in accordance with applicable retention schedules

Council Member Burroughs moved to adopt Resolution No. 2022-26, with second by Council Member Fox the motion passed unanimously.

Resolution 2022-27: A resolution authorizing the Mayor to sign Work Order #2 with Lochmueller Group for landscape plan review services.

Council Member Burroughs moved to adopt Resolution No. 2022-27, with second by Council Member Brennan the motion passed.

Resolution 2022-28: A resolution authorizing the Mayor to execute a Work Order with CMT for topographic survey of Rodes Park

Council Member Howell moved to adopt Resolution No. 2022-28, with second by Council Member Brennan the motion passed.

Financial Matters:

The Mayor and Council reviewed the Vouchers for Payment for the month of August 2022. Council Member Brennan moved their approval, upon second by Council Member Howell the motion passed unanimously.

The Mayor and Council reviewed the Collector's Report for August 2022. The mayor ordered the report filed for information.

The Mayor and Council reviewed the Treasurer's Report for August 2022. The mayor ordered the report filed for information.

The Mayor and Council reviewed the Cash Flow Summary for August 2022. The mayor ordered the report filed for information.

The Mayor and Council reviewed the Delinquent Real Estate Tax Report for August 2022. The mayor ordered the report filed for information.

The Mayor and Council reviewed the Investments Report for August 2022. The mayor ordered the report filed for information.

Department Reports:

Fire Department: The Mayor and Council reviewed the Fire Department Activity Report for August 2022. The mayor ordered the report filed.

Chief Lynn stated that staff had recently evaluated inventory and have found some items that are no longer needed or warranted within the department and have little monetary value. Chief Lynn requested that the following items be declared as surplus and donated to a department with limited financial support:

- Six rescue air bags
- Two sets of air bag controllers

- Gas powered ventilation fan

Council Member Brennan moved to declare the items provided in Chief Lynn's memo dated September 19, 2022, as surplus and to authorize staff to donate the items to a department with limited financial resources, upon second by Council Member Burroughs the motion carried unanimously.

Police Department: Mayor and Council reviewed the Police Activity Report for the period January 1 – August 31, 2022. The mayor ordered the report filed.

Chief Andreski stated that in addition to the vehicle lost during the July 26th, 2022, flash flooding event, the Ford 150 vehicle that was ordered in January has been cancelled due to issues with production. Chief Andreski requested authorization to purchase two 2022 Ford Police Explorers with police equipment upfit from Lou Fusz. Chief Andreski added that the two vehicles are available now and currently being held for the department.

Council Member Brennan moved to authorize the purchase of two 2022 Ford Police Explorers with police equipment upfit, upon second by Council Member Howell the motion carried unanimously.

Public Works & Building: Mayor and Council reviewed the report of the Director of the Public Works Department for August 2022. The mayor ordered the report filed.

Ms. Lamitola stated that due to the longer than normal lead times in vehicle building, she is requesting authorization to order and purchase a 2024 Freightliner 2-ton truck from Truck Centers Inc. Ms. Lamitola added that this truck would be replacing the 2008 two-ton truck that is used for brush and leaf collection, snow removal and hauling.

Council Member Fox moved to authorize the Public Works Director to purchase one 2024 Freightliner 2-on truck from Truck Centers at a cost of \$94,329.00 after trade-in, upon second by Council Member Brennan the motion carried unanimously.

Ms. Lamitola stated that the facilities renovation project is substantially complete, however additional construction costs related to waterproofing and tuck-pointing have recently come up requiring a ratification to change order number 2, for a total of \$17,125.95.

Council Member Fox moved to ratify Change Order #2 for the Building and Public Works Facilities Renovation Project, upon second by Council Member Howell the motion carried unanimously.

Mr. Stewart distributed a memo to Council that outlined the Foxboro buyout procedures and the City's estimated financial share.

Municipal Court: Mayor and Council reviewed the report of the Municipal Court for August 2022. The mayor ordered the report filed.

City Attorney: Nothing to report currently.

Administration: Ms. Mann reminded Council that the December meeting has been moved to December 12th.

Closed Session: Mayor Spewak advised there were items for discussion in executive session to discuss matters relating to real estate pursuant to RSMO 610.021(2);

Council Member Fox moved to enter in to closed session to discuss matters relating to real estate pursuant to RSMO 610.021(2); upon second by Council Member Brennan the roll call vote there upon was as follows:

| | |
|--------------------------|-------|
| Council Member Burroughs | "Aye" |
| Council Member Fox | "Aye" |
| Council Member Howell | "Aye" |
| Council Member Kamps | "Aye" |
| Council Member Brennan | "Aye" |

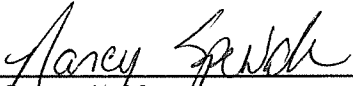
There being five aye votes and zero nay votes the motion passed unanimously.

Council went into closed session at 6:40p.m. with Stacey Mann, Erin Seele, and Anne Lamitola.

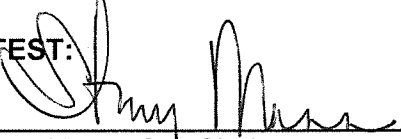
Council returned to open session at 6:46 p.m. with Stacey Mann, Erin Seele, and Anne Lamitola.

Adjournment: Council Member Brennan moved adjournment, with second by Council Member Kamps the motion passed unanimously. The meeting adjourned at 6:46 P.M.

APPROVED THIS 17th DAY OF OCTOBER 2022.



Nancy Spewak, Mayor

ATTEST: 

Stacey Mann, City Clerk