



Agenda
Olivette City Council Meeting
August 2, 2016
7:00 PM
Council Chambers of City Hall
9473 Olive Boulevard
Olivette, MO 63132

1. Roll Call
2. City Council Handbook Review
The City Council will perform the annual review of the City Council Handbook.

Documents:

[COUNCIL HANDBOOK 2016.PDF](#)

3. Economic Development Objectives
The Council will continue its discussion of economic development objectives and priorities for the coming five years.
4. Adjournment

AGENDA ITEMS WILL NOT NECESSARILY BE DISCUSSED IN ORDER. IF YOU HAVE ANY QUESTIONS, PLEASE CALL CITY HALL AT (314) 993-0444

The City of Olivette hereby advises the public, employees and qualified job applicants that they are afforded an equal opportunity to participate in the programs and service of the City regardless of race, color, religion, veteran status, national origin, sex, age, sexual orientation, the existence of a physical or mental disability, or any other classification protected by law. If you are a person with a disability and have special needs, please call Barbara Sondag, City Manager at 314.993.0444 as soon as possible but no later than one day prior to the event or call 314.993.3610 VOICE TDD, 1.800.735.2466 RELAY MISSOURI. Thank you.

Please note that the City Council may adjourn to closed session pursuant to the Revised Statutes of the State of Missouri to discuss legal, confidential or privileged attorney-client matters pursuant to Section 610.021(1), real estate matters pursuant to Section 610.021(2), personnel matters pursuant to 610.021(3), audit matters pursuant to Section 610.021(17), or for any other reason allowed by Missouri law.

The news media may obtain copies of this notice by contacting:

Barbara Sondag
City Manager
9473 Olive Boulevard
Olivette, Missouri 63132
(314) 993-0444

Posted this 28th day of July, 2016 at 11:00 AM.

Myra G. Bennett

Mvra G. Bennett. CMC/MPCC

City Clerk
City of Olivette

Olivette City Council Handbook

Olivette

...in the center of it all

City of Olivette, Missouri

2016 Draft

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GENERAL INFORMATION

FORMS OF GOVERNMENT

The people of Missouri, speaking through the State Constitution and the General Assembly, provide the source of all authority for local government in Missouri. The State Legislature grants power to local government through the enactment of statutes. The Missouri Revised Statutes (RSMO) codifies state law related to cities and villages, including provisions relative to all municipalities, classification of cities, zoning and planning, budgeting, and finance.

The General Assembly has established four classifications of cities, town and villages, fourth class, third class, and charter. Olivette is a charter city with the Council-City Manager form of government. Under the Council-City Manager form of government, the elected governing body is responsible for the legislative function of the municipality such as establishing policy, passing local ordinances, voting appropriations, and developing an overall vision. The City Manager is similar to a corporate CEO, providing professional management – hiring staff and carrying out implementation of the policies and ordinances established by the Council.

Among the powers granted to cities are the rights to license, to levy taxes, to condemn, purchase, acquire, control, and dispose of property for parks, streets, and other municipal purposes, to adopt and enforce comprehensive plans for development, grant franchises, and furnish police protection.

In 1980, the State Constitution was amended by the so-called "Hancock Amendment", which sharply reduced the power of governments to impose new taxes. A major thrust of the amendment is to require voter approval before any new or increased "tax, license or fees" may be adopted. The State Supreme Court has ruled that user fees are not included within this requirement.

INCORPORATION

Olivette was first incorporated as a village in 1930. Voters approved the charter for the City of Olivette at an election on March 23, 1976. Olivette officially became a Charter City on July 4, 1976.

LOCATION AND POPULATION

Centrally located in the metropolitan St. Louis Region, Olivette is a suburban, residential community with a population of 7,767 residents.

Olivette encompasses 2.76 square miles of mixed land uses including manufacturing, light industrial, commercial, retail, and office.

Olive Boulevard is the main retail corridor of the City. Interstate 170 borders the City along its eastern edge, accessing Interstate 70 to the north and Interstate 64 to the south. Olivette is also conveniently located near the Lambert-St. Louis International Airport located approximately six miles north of the City.



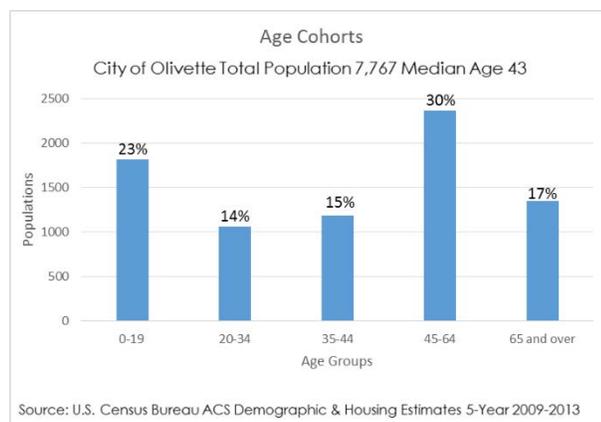
Demographics

Population. Olivette population has been consistent for the past 25-years. The 2010 Decennial Census was the first census since 1970 in which Olivette increased in population. The City peaked in 1970, with a population of 9,341.

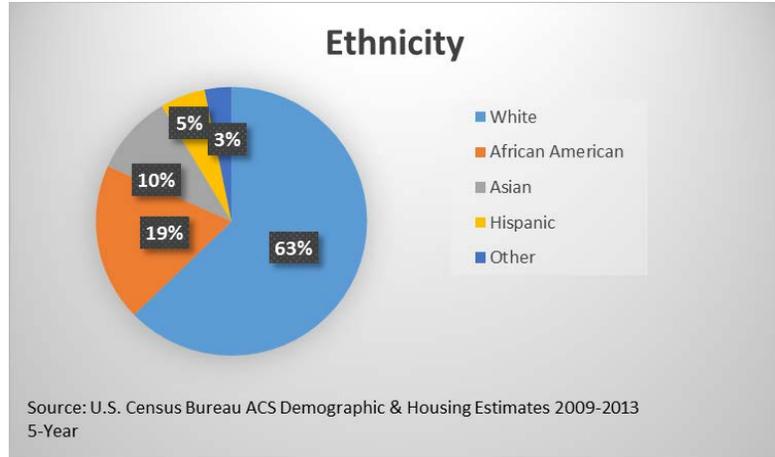
Year	Population
2013	7,767
2010	7,660
2000	7,438
1990	7,572

Source: U.S. Census Bureau ACS Data 5-Year 2009-2013. 1990 Population Estimate Program.

Age. Age Cohorts categorizes the ages of Olivette residents into five age groups. The prominent age cohort is 45-64, followed by the number of youth (19 years of age or less).



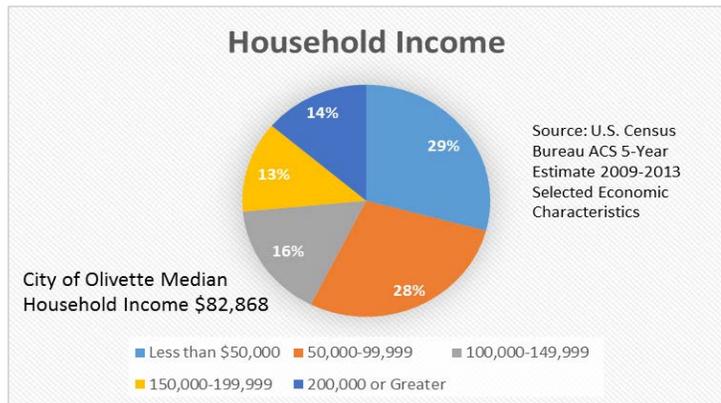
Ethnicity. Olivette is home to a diverse population. Olivette continues to become more diverse. In terms of population race characteristics, the US Census has detailed demographic data that breaks down into 7 primary race categories: White, Black or African American, American Indian and Alaska Native, Asian, Native Hawaiian or other Pacific Islander, Other, and Multiracial.



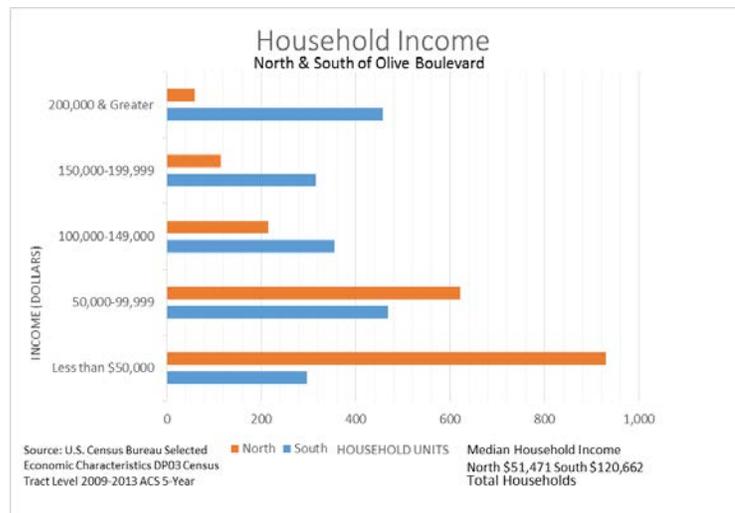
Using the data as provided by the US Census, the City of Olivette is predominately White. The 2010 Census showed that 61% of the City identified themselves as White. This, however, does reflect a drop of nearly 10% from the 2000 Census.

In comparison to the County as a whole, Olivette appears to be more diverse in every other identified Race group, especially as it relates to Asians, where Olivette is three times more diverse than the County.

Household Income. Olivette's household median income, \$82,868, well above the St. Louis County average.

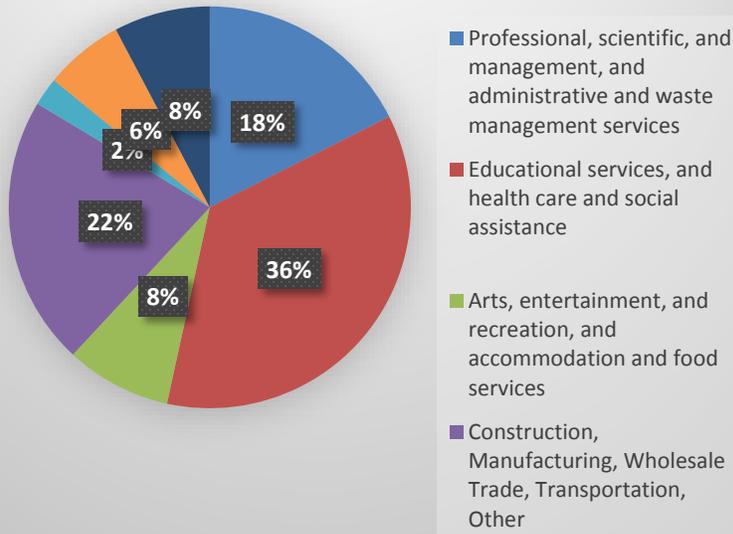


Income Disparities. Median income does not show spatial discrepancies that exist between households north and south of Olive Boulevard. According to these Census estimates, households south of Olive Boulevard earn more on average than those north. Median household incomes south of Olive Boulevard is \$120,662, while the median household income north of Olive Boulevard is \$51,471.



Industry by Occupation - Olivette Residents

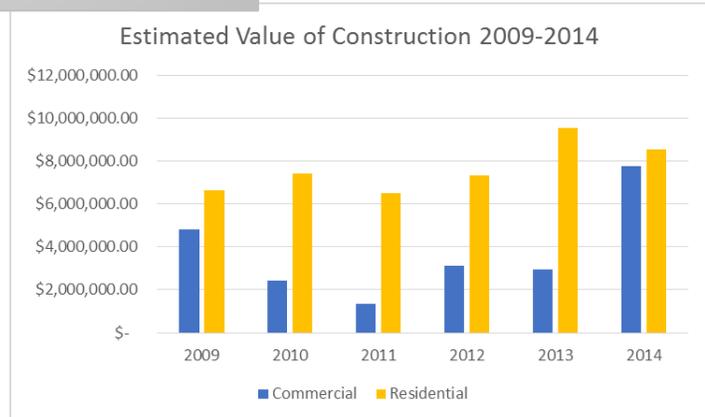
Total 3,778



As 29% of all households (1,226 households) earn less than \$50,000 per year. Seventy-six percent (76%), of those households are located north of Olive Boulevard.

A overwhelming majority of Olivette residents are employed in service industry position, primarily in information and finance, and professional and scientific.

Construction. The City of Olivette contains a robust housing market. Developmental activity favors residential uses as the average residential construction value per year is \$7,650,000 while commercial is \$3,733,000.

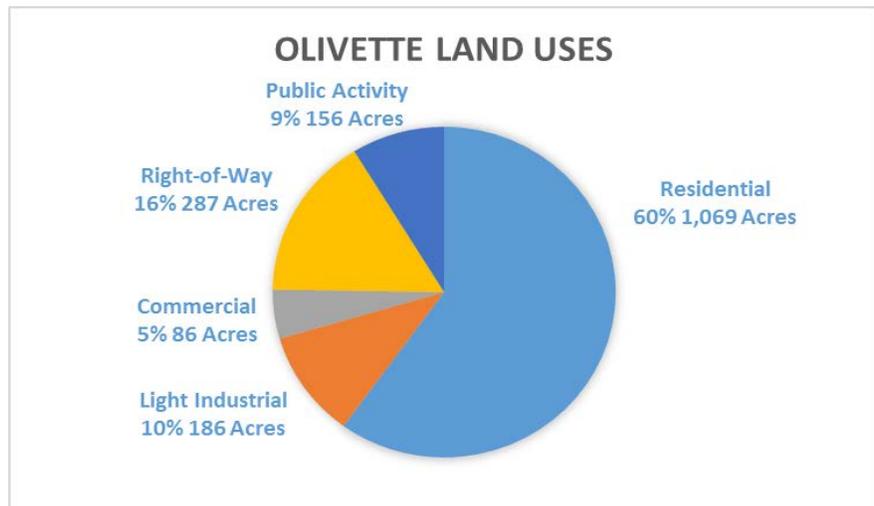


Approximately 13 new homes are built per year. Most of the commercial construction value is derived from renovations and interior remodels.

Type of Residential Use	Units
Single Family	2,736
Multiple Family	558
Total	3,294

Monthly Owner Costs	Column1
Housing Units With Mortgage	\$1,915
Housing Units Without Mortgage	\$651
Gross Rent	\$960

Land Use. The majority of land of the City’s 2.8 square miles is dedicate to residential uses. This includes single family and attached single family. Olivette Pointe and Eden Rock apartment complexes fall under commercial given the nature of their underlying zoning.

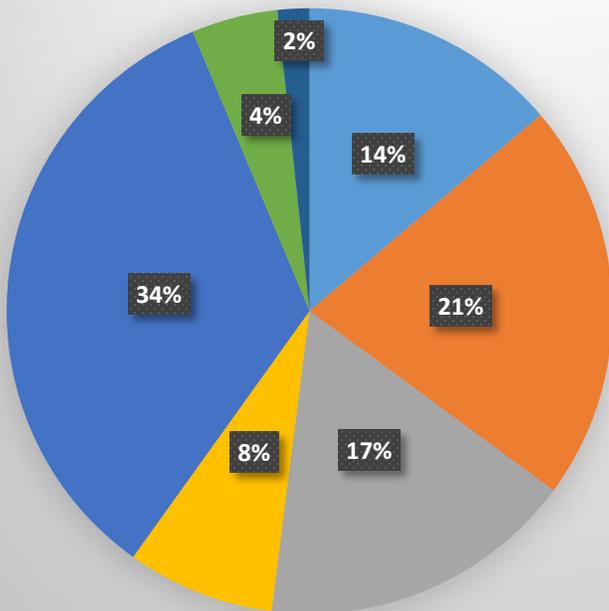


Economy. While predominately residential in land area, there are 272 acres of commercial and industrial land. Olivette has a diverse economy, with 350 businesses ranging from traditional retail establishments, to corporate offices and specialty manufacturing.

Type of Businesses	
Total Number of Licensed Businesses*	350
Service	250
Merchants & Manufacturers	100
Businesses Within Both Categories	23
<i>*Businesses within both categories were not counted twice.</i>	

Rank	Top 10 Employers 2015	Employees
1	Enterprise Fleet Management, Inc.	577
2	US Bank	500
3	Intelligrated Systems	300
4	Home Delivery Incontinent Supplies	233
5	The Murphy Company	175
6	Medical West Respiratory Services, LLC	146
7	Lutheran Family and Children's Services of MO	85
8	BECS Technology	85
9	Allied Industrial Equipment	81
10	Classic Aire Care, Inc.	80

Industry By Occupation - Olivette Employees Total 6,094



- Information and finance and insurance, and real estate and rental and leasing
- Professional, scientific, and management, and administrative and waste management services
- Educational services, and health care and social assistance
- Retail trade
- Manufacturing, Wholesale Trade, Construction, Other
- Arts, entertainment, and recreation, and accommodation and food services
- Public administration

OLIVETTE CITY FACILITIES

City Hall, Fire Station, Police Station	9473 Olive Boulevard
Public Works Facility	1200 North Price Road
Stacy Park	9750 Old Bonhomme, 35 acres
Irv Zeid Park	9200 Old Bonhomme, 5 acres
Villa Park	9301 Villa, 5 acres
Warson Park	9723 Grandview, 18 acres
Indian Meadows Park	9600 Huron, 17 acres
Community Center	9723 Grandview Drive

CITY OF OLIVETTE SERVICES

The Olivette community provides many of its own services, but also receives municipal-type services from other governments and private firms. The following list describes municipal-type services in Olivette.

Police Services

Olivette Police Department

Fire and Ambulance Services

Olivette Fire Department

Parks and Recreation Services

Olivette Parks and Recreation Department

Road Maintenance

Olivette Public Works Department
Missouri Department of Transportation
Private Subdivisions

Permitting and Inspection Services

Olivette Planning and Community Development
St. Louis County

Educational Services

The entire City of Olivette is in the Ladue School District
Schools in the City of Olivette include:
Old Bonhomme School (Ladue), Logos School (Private), Immanuel Lutheran (Private), and
Epstein Hebrew Academy (Private)

Natural Gas

Laclede Gas

Sanitary Sewers/Waste Water Treatment/Storm Water Control

Metropolitan Sewer District – MSD

Waste Haulers

Republic Waste

Water Service

Missouri American Water Company

Electric Service

Ameren UE

Street lights are provided by Ameren under a City contract

Olivette Major Consultants

Legal:

Paul Martin, PC

St. Charles, MO

Auditing Firm:

Botz, Deal & Company

St. Charles, MO

Consulting Actuary:

Ekon Benefits

St. Louis, MO

City’s Banking Institution:

Enterprise Trust

Enterprise Trust is the bank of record for the City.

CITY DEPARTMENTS

Olivette's municipal organization consists of Police, Fire, Municipal Court, Public Works, Planning and Community Development, Parks and Recreation, Administrative, and Finance Departments. Each of these departments is responsible for several public services.

Administration

The City Manager is the Chief Administrative Officer of the City. The City Manager hires and fires all employees, except the City Judge, City Attorney, City Treasurer and all members of board and commissions who are appointed by City Council. She prepares the budget and capital program for Council approval, authorizes purchases, attends Council meetings, keeps the City Council informed of issues, handles the responsibility of economic development, is appointed by the City Council on the basis of professional and administrative qualifications, serves at the pleasure of the Council, sees that all laws are faithfully expected, and keeps the Council fully advised of the financial condition and future needs of the City.

The City Clerk shall keep journal of council proceedings, authenticate by signature all ordinances and resolutions, and maintain same as public records. The city clerk shall attest to all official acts of the city, administer oaths, and perform such other duties as may be required by law, by this charter, or by the council.

The Human Resource Manager oversees implementation of personnel policies, employee orientation, payroll services, and maintains all personnel files.

The Finance Department insures proper adherence to the legal, fiscal, and accounting requirements established by the State and nationally promulgated principles of governmental accounting. The department provides accounting, risk management, data systems management, central services (such as office supplies and insurance), and financial control for all departments.

Public Works

The Public Works Department is responsible for maintaining and repairing streets, curbs, gutters, and sidewalks and performs a wide variety of tasks including snow and ice control, pavement marking, traffic sign installation, asphalt and concrete street repairs, management of the city's storm water control program, and maintains all street maintenance vehicles. The Division is headed by the Public Works Director. Private subdivision associations are responsible for snow removal and street repairs and obtain these services through commercial enterprises or through the City, on a pay-for-service basis.

Planning and Community Development

The Planning and Community Development Department, headed by the Planning and Community Development Director enforces the property maintenance code, building code, landfill regulations and flood plain control regulations. The division is also responsible for supervising contracts with St. Louis County for inspections and enforcement of the plumbing, electrical and mechanical codes.

In addition the Planning and Community Development Department is responsible for the review of all proposed developments to insure compliance with the City's zoning regulations. The Department, in coordination with the Planning and Community Design Commission and Council, prepares land use ordinances, geographical information services, long-range land use plans, and the City comprehensive plan.

Parks and Recreation

The Parks and Recreation Department provides a wide range of leisure services including organized sport leagues, Community Center rental options, youth camps, and special events. The Department is responsible for maintaining public properties including all parks, green spaces, and City Hall. The Department is headed by the Parks and Recreations Director.

The City owns five (5) parks encompassing 68 acres and has a long-term lease from the City of St. Louis Water Department for Stacy Park that encompasses 26 acres. Recreational facilities include ball fields, playgrounds, picnic areas with pavilions and an all-weather path. The City owns a community center that includes a 8,200 square foot banquet hall, 8 (eight) meeting rooms, and stage.

Public Safety

The Police Department provides police protection throughout the corporate limits of the City. Services are provided by 23 Police Officers, 1 Police Records Clerk, and 1 Animal Control

Officer. The Police and Fire Department are dispatched by a multi-jurisdictional dispatch center called East Central Dispatch Center, (ECDC). The City Manager sits on the Board of Directors and the Police Chief and Fire Chief sit on the Executive Board. The Police Department offers public community service programs on crime prevention and has a bicycle patrol. The Department works to prevent and deter crime, apprehend offenders, recover and return stolen property, enforce traffic laws, investigate traffic accidents and investigate any crimes occurring within the City. The Department is also responsible for Disaster Planning and Emergency Management.

The Fire Department provides fire protection and ambulance service throughout the corporate limits of the City in addition to contract services to unincorporated St. Louis County in the Elmwood Park neighborhood. Services are provided by 23 uniformed fire-fighters/paramedics, an Assistant Fire Chief and Fire Chief. The Department is rated "4" by the Insurance Service Organization (on a scale from 1 to 10 with 1 as the best). This rating is based on several factors including the number of firefighters and their training, response time, firefighting equipment and fire prevention programs of the Department. As a community service, the Department sponsors fire prevention and safety programs.

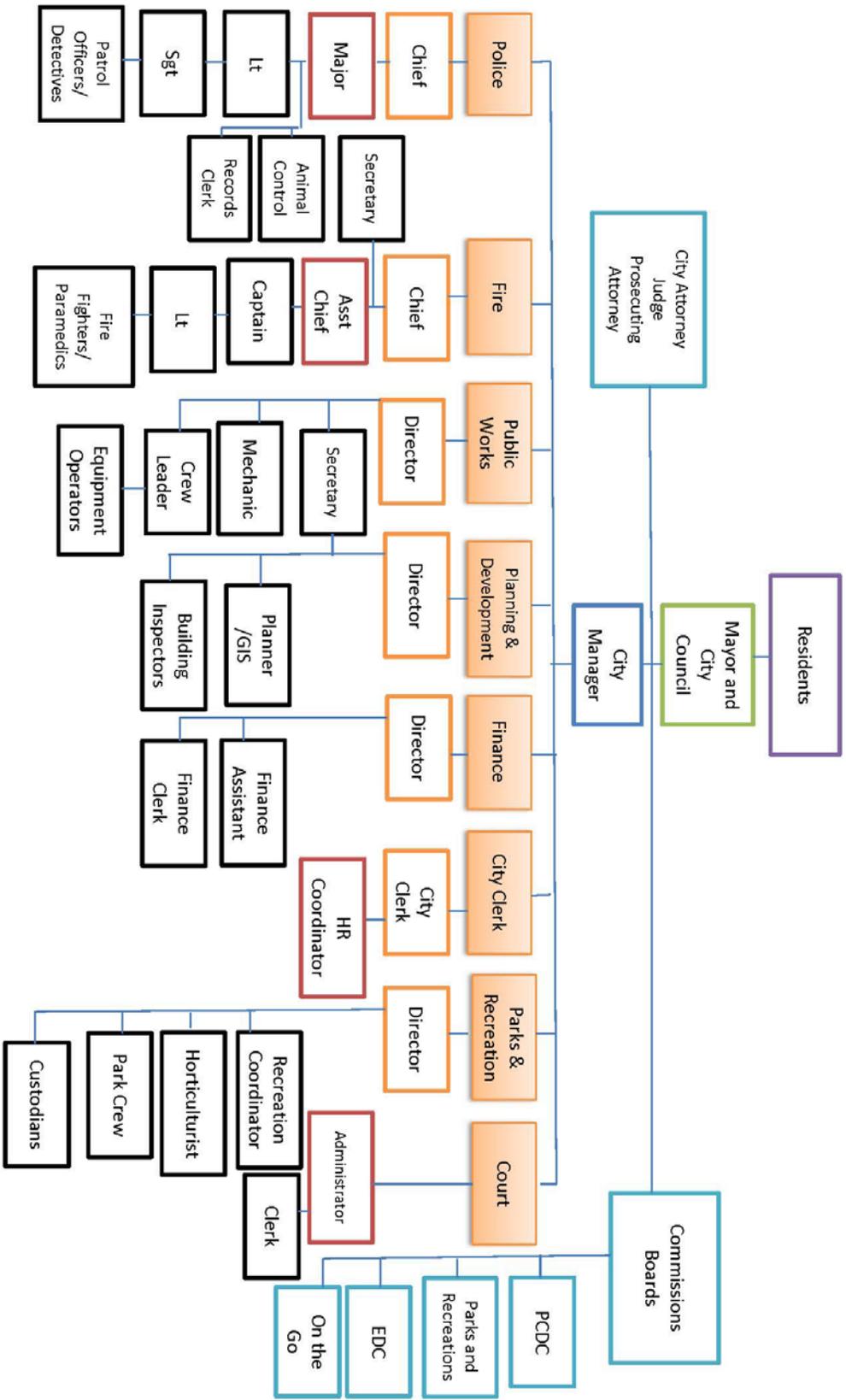
The Municipal Court is a branch of the 21st Circuit Court of Missouri. The Municipal Judge is appointed by the City Council. The Court handles violations of Olivette's City ordinances. The Court Administrator supervises the clerical operations of the Court and receives payment of locally issued traffic tickets.

Legal

The City Attorney is responsible for prosecution and defense of all suits to which the City is a party and provides legal advice to elected and appointed officials. All violations of the City's ordinances shall be prosecuted by the Prosecuting Attorney of the City (Ord. 1265). The City Attorney and City Prosecutor are appointed by the council and are not employees of the City.

Solid Waste Collection

The State of Missouri Solid Waste Management Law requires cities with a population over 500 to develop, adopt and implement a solid waste management plan to ensure that all solid waste in a community are stored, collected, transported and disposed of properly. The City pays for solid waste, recycling and yard waste collection services for roughly 2600 residences. Business and apartments located within the City arrange their own collection with private collectors. Republic Services is the City's current hauler.



COUNCIL RULES OF OPERATION

LEGISLATIVE BRANCH

The City Council is the legislative branch and governing body of the City. The Council's major function is to adopt policy, which generally take the form of ordinances, resolutions, proclamations, and the budget.

The City Council consists of five members, each of whom are elected at large and serve for a term of three years.

In compliance with the Olivette City Charter, after each April election, the City Council holds a reorganization meeting, whereby a Mayor and Chairman Pro-tem are elected.

The Olivette City Charter provides:

The council shall select from among its members a mayor and chairman pro tempore who shall serve for a term of one year, except when serving the remaining unexpired term of a mayor or chairman pro tempore who has vacated the office.

Although the Charter specifies that the mayor shall serve for a term of one year, this does not prohibit the City Council from appointing an individual to serve as mayor for one or more consecutive terms.

The mayor shall preside at all meetings of the Council, shall have the right to vote, and shall be recognized as the head of the city government for all legal and ceremonial purposes. The mayor shall have no administrative duties and shall have no veto power. During the absence of the mayor or the inability of the mayor to act for any reason, the chairman pro tempore shall perform the duties of the mayor during such absence.

DUTIES AND RESPONSIBILITIES

Legislative Duties

Approve new department or program initiatives
Approve/Amend the operating and capital project budgets
Approve/Enact ordinances and resolutions.
Approve grant applications and awards
Approve large contract for purchases and services
Approve zoning changes
Appoint Mayor

Administrative Duties

Adopt goals and objectives
Establish City priorities
Hire City Manager
Contract/Hire City Attorney, Judge, Prosecuting Attorney
Appoint Committee and Commission members

Ceremonial and Political Duties

Seek citizen input
Adoption of resolutions
Participation in regional and/or state boards
Discussions with State and Federal officials
Participation in regional and state organizations (Chamber of Commerce, St. Louis County or Missouri Municipal League)

COUNCIL RULES OF PROCEDURE

The following rules govern the conduct of meetings of the City Council. Rules, other than those prescribed by statute, may be suspended at any time by the consent of a majority of the Council present at any meeting.

Rule 1. *Parliamentary Procedure.* Generally speaking, the City Council operates under Robert's Rules of Order. However, special rules and procedures adopted by the Council always supersede Robert's Rules of Order.

Parliamentary procedure was developed not only to bring order to meetings but also to ensure that all members have equal rights during the process. The rights of the minority must be protected, but the majority vote decides after full and free discussion.

Rule 2. *Meeting Times* The Council has its Regular Meeting on the second and fourth Tuesday of each month at 7:00 p.m.. On the first Tuesday of each month the Council and staff generally meet together worksession meeting for goal setting, problem solving, or project review. Worksessions, while following a less formal structure, must meet the same statutory requirements as any Council gathering.

Rule 3. *Agenda Setting*

Consideration of items to be reviewed by the Mayor and Chairman at the regular agenda setting meeting for inclusion in the regularly-scheduled Council meeting shall be done in the following manner:

- a. By prior agreement of a majority of three Council members at a previously-scheduled Council meeting.
- b. By written request of a Council member by 12pm the Wednesday prior to a scheduled meeting. The request would be addressed to the City Manager's Office.
- c. By written request of an Olivette citizen or group, by 12pm the Wednesday prior to the next scheduled Council meeting.
- d. At the request of the City Manager, by draft Agenda considered by the Mayor and Chairman at the Agenda-setting meeting.
- e. By any state or federal government entity, for items requiring Council authorization.
- f. In order for a request to be placed on the Council Agenda, the Mayor and Chairman or designee, must both agree on placement of a proposed Agenda item.

Should both the Mayor and Chairman agree that an item should not be on the Agenda, the item shall not be placed on the regular warned Agenda and other Council shall be notified. All Council members shall be given notice of items discussed or otherwise considered for inclusion on the agenda.

In the event that the Mayor and Chairman disagree regarding placement of an item on the Agenda, the item shall be forwarded to the Council for a vote as to placement on the Agenda.

If a majority of Council members vote to place an item on the Agenda, the item will be placed on the next regularly-scheduled Council Meeting for consideration. The item will not be discussed or considered at the meeting during which it was voted to be placed on the agenda. The item will be discussed on the Agenda for the meeting at which it was placed.

As with any item voted by a Council member, a proposal must have the affirmative vote of three Council members to constitute a positive vote. In the event of defeat of the item by a majority of Council members, the Council will not consider the agenda item.

Rule 4. *Agenda posting* The City Clerk shall make the agenda known to the Council, the press and public as far in advance of a meeting as may be practical, preferably two days in advance of such meeting. The agenda is posted at various locations including on the bulletin board at City Hall and on the City's website, www.olivettemo.com. Each Council agenda packet includes a brief summary of proposed legislation, staff recommendations as well as a calendar of upcoming events.

The published agenda may be altered or suspended by the Council present. Items shall be added or removed upon majority vote. Recommendations approved by the Planning and Community Design Commission for legislative action shall be placed on the agenda upon the receipt of said recommendation by the City Clerk.

Rule 5. The Mayor shall decide all questions or order, subject to appeal to a majority of the Council.

Rule 6. A member of Council discussing a question shall address his fellow members, and no member of Council has the floor until recognized by the Mayor, subject to appeal to a majority of the Council. For example, "Mayor, may I ask a question of the City Manager, City Attorney etc.?"

Rule 7. Roll call votes shall be taken and recorded for all actions of the City Council pursuant to Section 2.8 (c) of the City Charter.

Rule 8. No vote or action of the City Council shall be rescinded at any subsequent meeting unless there is present at such meeting as many members of the Council as were present when such vote or action was originally taken.

Rule 9. *Open Sessions* All meetings of the Council shall be open to the public, except portions of such meetings from which the Council may exclude the public as permitted under the Sunshine Law.

Rule 10. *Closed Session*. Any person in attendance at an executive session is honor-bound not to violate the confidentiality of the discussion taking place during the session, except as to any portions thereof which may clearly violate the Open Meetings Law.

Rule 11. *Committee Reports* The Chair of the various boards, commissions, and advisory committees established by statute or ordinance, may, upon the approval of a majority of the City Council, render an oral report. Reports may be received in written form and made part of the record.

Rule 12. *Hearing from Citizens Portion of Agenda* With regard to comments, suggestions, concerns and petitions from City residents, business persons, or other interested persons in the “Hearing from Citizens” portion of the regular meeting of the City Council agenda, the following procedures shall be observed:

- a. Persons wishing to speak on a particular matter including, but not limited to any bill appearing on the Council’s tentative agenda shall fill out a speaker card with the name and address of the speaker and the subject matter to be addressed. The individual shall submit the speaker card to the Chair. The chair shall call for submittal of all speaker cards prior to the “Hearing from Citizens” portion of the meeting. Any person who has indicated a desire to speak by the timely submittal of a speaker card shall be afforded a total of three (3) minutes to address the matters identified on the speaker card. All remarks shall be addressed to the Council as a body through the Chair, rather to any individual Councilmember or to the audience.
 1. The “Hearing from Citizens” portion of the meeting shall not be used as a question and answer period. Speakers wishing to receive information, however, may direct questions to the Council or to other City officials; *provided that* the question is directed to the Chair and not to an individual Councilmember or official. Questions may be answered at the discretion and direction of the Chair, but need not be answered during the “Hearing from Citizens” portion. The Council will attempt to respond to questions of general public interest in an expeditious manner.
 2. Individual Councilmembers who desire to respond to questions posed or issues raised during the “Hearing from Citizens” portion may do so at the time provided during the agenda for City Council Reports or, in the case of a matter identified on the agenda, may seek permission from the Chair to respond during the time the matter is considered by the Council. The Chair may, at the discretion of the Chair, permit a Councilmember’s response at times other than herein provided. No person shall enter into any discussion without obtaining the floor through recognition by the Chair.
 3. To afford additional time for Citizen questions of public interest, bills introduced on one Council agenda shall not be taken up for final action until the next succeeding agenda, except for those bills determined by the Council to require expedited action and so noted on the agenda; *provided that* failure to follow this procedure shall not invalidate any action of the Council. Residents, business persons and other interested parties are encouraged to submit written comments in advance to the Council on any pending matter.
- b. Citizen comments and questions shall be limited to the “Hearing from Citizens” portion of the agenda. Once the “Hearing from Citizens” portion is closed, the public portion of the Council meeting is complete, the business meeting of the Council begins and public comments and audience participation is concluded.

Rule 13. *Debates and Deliberations of the Council* With regard to the discussions, debates and deliberations among the City Council, the following rules of procedures shall be observed:

- a. Council members shall be allowed to speak only after having obtained recognition from the Chair to do so.
- b. Council members shall hold the floor for a maximum of five (5) minutes at any given time and shall be allowed to hold the floor no more than twice on any given issue.
- c. Council members refrain from engaging in repetitive debate and may forfeit the floor for doing so.
- d. Council members shall limit their discussions to the City business at hand and shall refrain from injecting new issues into the discussion. Personal and political comments are not appropriate.
- e. Debate on any matter under consideration by the Council and requiring a vote thereon may take place only after a motion is made by a member of the Council pertaining to the matter and a second is obtained from another Council member (See page 39, Parliamentary Procedure). After debate is exhausted, the Chair shall call the question, after which no further debate shall be allowed, and the Chair shall bring the motion at issue to a vote by the Council. After voting is completed, the City Clerk shall announce the vote and the Chair shall declare the motion as having passed or failed.

Rule 14. *General Rules of Decorum*. Members of the audience shall refrain from speaking, interrupting, or leaving a meeting while a person recognized by the Chair is speaking or the meeting is otherwise in progress. Protracted, repetitive, irrelevant or abusive remarks from the public may be closed off at any time by majority direction of the Council. The Chair will endeavor to allow for appropriate breaks in the proceedings to allow those members of the audience who desire to leave, to do so. Members of the audience should turn off or otherwise mute mobile phones, pagers, or other items that may cause a disruption of the proceedings. Violators will be asked to leave the meetings. Council members and staff will refrain from using mobile phones or other devices during the meeting.

Rule 15. *Rules governing out of order*. The chair shall use an escalating procedure to bring a meeting into order in the unfortunate situation that a Councilmember or member of general public is out of order. The procedure is as follows:

- a. Mayor shall ask the individual to come to order. If unsuccessful, step two;
- b. Mayor shall name the individual, asking the person, by name, to come to order e.g. Councilmember Jones, you are out of order. The name shall then appear in the minutes. If unsuccessful, step three;
- c. Mayor shall ask for a motion to adjourn the meeting and reconvene in fifteen minutes to allow the out of order person to cool-off. If the person continues inappropriate behavior, then step four;

- d. Mayor shall ask for a motion to rule the person is out of order and to have the person escorted from the meeting.

Rule 16. *Rules Governing; Suspension of Rules.* Except where provided otherwise by the governing body, all meeting of City councils, boards, or committees shall be governed by Robert's Rules of Order, Newly Revised, 10th Edition. The Council may only suspend its rules of procedure by motion duly passed. However, failure to follow these procedures shall not invalidate any action taken by the Council.

Rule 17. *Approval of Ordinances at one Meeting* Normally new and amended bills must be read twice with a public hearing held at the second reading. The process is as outlined below:

First meeting:

- a. The Chair request that the Bill be read for a first time by title only (or in its entirety).
- b. Council members may ask questions regarding the bill, however there shall not be debate on the bill.

Second meeting:

- a. The Mayor then opens the public hearing
- b. Public speaks to the bill and upon completion the Mayor closes the public hearing.
- c. The Chair request that the Bill be read for a second time by title
- d. A motion is made, seconded and carried to approve the Bill for final passage. A Roll call vote is taken.
- e. If approved the Clerk declares, "Bill number _____ becomes Ordinances Number _____"

However there are times when it is necessary to expedite the process and have both readings and public hearing held at one meeting. The process is as outlined below:

- a. Mayor calls for first reading of the bill. (No motion)
- b. A motion is made, seconded and carried for the Council to suspend their ordinary rules and read Bill _____ for a second time by title only (or in its entirety) and consider it for final passage. Roll call vote is taken
- c. Mayor opens the Public Hearing. (No motion)
- d. Public speaks to the bill and upon completion the Mayor closes the public hearing. (No motion)
- e. Mayor calls for the Bill to be read a second time. (No motion)
- f. A motion is made, seconded and carried to approve the Bill _____ for final passage. Roll call vote is taken
- g. If approved the Clerk declares, "Bill _____ becomes Ordinance Number _____"

Rule 18. *Council Liaison.* Councilmembers may be assigned the role of Council Liaison to a Committee or Commission. With the exception of PCDC (which has statutory requirements of the Councilmember) this role is similar no matter what committee or commission the liaison might be serving.

The Council Liaison should provide insight and perspective to the Committee, without being directive. Council Liaisons should participate in Committee discussions, without dominating those discussions. Committee members are citizen volunteering their time, talent and treasure to the City, but for many participants this might be their first entry into the public sector. Council liaisons should discuss committee concerns/issues with the staff liaison or the City Manager. Committee Liaisons report orally to the Council at regular Council meetings.

Rule 19. *Media (News, Social, etc.)*

The Mayor is the primary point of contact for communication with the Media. When time allows, the Mayor will review with the full Council media communication.

DRAFT LANGUAGE FOR CONSIDERATION

Rule 20. Committee/Commission Appointments

The following process will be used to fill the annual vacancies that occur June 30 of each year.

No later than forty-five days prior to the appointment date, the City Clerk will email committee members whose terms are expiring. The communication will inform the member of the expiring term, how to reapply for the committee, and a close date for accepting applications.

No later than thirty days prior to the appointment date, the City Clerk will publicize the need for volunteers to fill City committee/commission vacancies. At a minimum, information will include the names of the committees, the number of vacancies, and the close date for accepting applications.

The application process will occur through the City's website, using a standardize application form. All applicants will utilize the on-line form.

Following the close date, the City Clerk will download the applications from the website and distribute to Council and the City Manager.

The City Council will determine the need for interviewing applicants and if necessary a date and time will be set for applicant interviews.

At a regular meeting the Council will appoint the committee/commission members by nomination and a vote of the majority. Following the appointments, the City Clerk will notify applicants of the status of their application. The City Clerk will also email to all staff and Council liaisons the list of committee members with contact information. Staff Liaisons will contact new members to schedule a committee/commission orientation.

CONFLICT OF INTEREST

Whenever you have a financial interest in a measure or decision or question before you in your official capacity, there may be a conflict in exercising a true and independent decision of that issue. Conflict of interest can be described as bribery, corruption, misuse or misapplication of

funds or conversion of funds. Individuals occupying a public position may inappropriately use the trust from his/her position to further personal gain.

Municipal officials should always be aware that the appearance of impropriety may be as embarrassing and politically damaging as an actual violation of the conflict of interest law. Although some municipal officials may now legally do business with the city, municipal officials are encouraged to carefully analyze the probable public perception of such activities.

Olivette's Municipal Code [Article III Conflicts](#) outlines the MO Ethics Commission's expectations for public officials. Each year Council Members are required to complete and submit Financial Disclosure Statements. Submission must be made to both the Ethics Commission and the City Clerk.

While some conflicts are easily identifiable, it can at times be difficult to determine whether a conflict exists. Officials are encouraged to ask their fellow councilmembers and/or the City Attorney for advice.

SUNSHINE LAW

The intent of the [Missouri Sunshine Law](#) is to bring transparency and fairness to government. The law states, "It is the public policy of this state that meetings, records, votes, actions and deliberations of public governmental bodies be open to the public unless otherwise provided by law. Sections 610.010 to 610.200 shall be liberally construed and their exceptions strictly construed to promote this public policy."

The final sentence above is very important, as it requires that councils ask not if their actions are within the law, but whether their actions are following the "intent" of the law. Public meetings, including those conducted by phone or electronically, should be held at a reasonably convenient time and accessible to the public. In addition the public must receive notice any meetings a minimum of 24 hours prior to the meeting. The City Clerk is responsible record retention, meeting notices, and the release of public information. Any request for records must be given to the City Clerk for processing. Questions regarding public records, the sunshine law or record request should be directed to the City Clerk with notice given to the City Manager.

PRACTICAL MATTERS

Compensation

Members of the City Council receive \$1200 per year (\$100 per month). Payment is made quarterly.

Direct Deposit

Elected officials may have their quarterly check deposited directly into an account. Contact the Finance Department to make the necessary arrangements.

Email Addresses

Each Council member will receive an email address that should be used for all City business. When emailing a majority of the Council, a member should also copy publicrecords@olivettemo.com. This address will place a copy of the email in the public records folder maintained by the City Clerk.

Council members should keep in mind that email discussions should be limited to administrative purposes (meeting arrangements, information updates, etc). Discussion of City business via email can result in a violation of the Missouri Sunshine Law.

Voicemail

Councilmember are assigned a voicemail account that can be checked remotely. In addition the system has been setup so that emails are automatically sent to your email address.

Business Cards

Business cards are provided to each elected official for the conduct of official city business. The City Clerk handles these items.

Memberships, Travel and Training

The City is a member of the Creve Coeur/Olivette Chamber of Commerce, the St. Louis County Municipal League, the Missouri Municipal League, and the National League of Cities. These organizations provide cities with information about current events and updates.

Prior to expending any City funds, Councilmembers should first ensure that all expenditures are authorized by the Mayor and City Manager.

Personnel

As the City of Olivette Charter indicates, neither the council nor any of its members shall in any manner dictate the appointment or removal of any city administrative officers or employees whom the manager or any of his subordinates are empowered to appoint. The council may express its views and discuss any personnel matters with the manager. Except for investigations and inquiries into city affairs and the conducts of city administration, the council and its members shall deal with city officers and employees, who are subject to the direction and supervision on the manager, solely through the manager. Neither the council nor its members shall give orders to any such officer or employee, either publicly or privately.

OTHER INFORMATION

CITY BOARDS AND COMMISSIONS

The City Council appoints citizens to boards and commissions who have responsibility for certain governmental functions Missouri State law requires each city to have certain boards, such as the Planning and Community Design Commission. Other boards, not required by State law, are established by ordinance. Members are appointed by the Council and serve without compensation. Boards may be advisory or independent. Advisory boards make recommendations to the Council. Independent boards have varying levels of independence granted either by statutes or ordinance.

Board of Adjustment

Membership: 5 members/5-year term; 3 alternates – volunteers

Board Type: Independent

Staff: Planning and Community Development Director

Major Duties: The board of adjustment is an independent body that acts as the municipality's zoning court. The function of the board is to hear appeals from the administrative decisions made by the zoning administrator or zoning enforcement officer. In addition, the board has the authority to grant exceptions or variances from the zoning ordinance.

Parks and Recreation Commission

Membership: 5/members/3-year term – resident volunteers

Board Type: Advisory

Staff: Parks and Recreation Director

Major Duties: The Parks and Recreation Commission ensures that the City of Olivette has safe and engaging parks and recreation programs for its residents and patrons.

Planning and Community Design Commission

Membership: 9 resident volunteer members/3-year term

Board Type: Advisory

Staff: Planning and Community Development Director

Major Duties: Prescribed under Missouri law, the Commission performs all duties of a Zoning or Planning Commission, including making reports and providing recommendations to the plan and development of the City. The Commission oversees the implementation and updates to the City's Comprehensive Plan and Land Use Codes, including the Zoning Map, Zoning Regulations, Subdivision Ordinance, Floodplain Management, Sign Regulations, Stream Buffer Protection Regulations, Stormwater Management Plan, Community Design, Redevelopment, Fences, and Communication Towers.

The Commission also serves as the Board of Building Appeals. As the Board, the Commission shall interpret and hear the implementation or appeal of regulations regarding the City's Building Codes, including the 2006 International Building Code, the 2006 International Residential Code for one and two family dwellings, and the 2006 International Property Maintenance Code.

Olivette Housing Authority

Membership: 5 member/3-year term

Board Type: Advisory

Staff: City Manager

Major Duties: This board oversees that HUD homes are properly maintained and sold.

Board of Trustees For Retirement Plan For Salaried Employees

Membership: 7 residents including City Manager and employee volunteer/3-year term

Board Type: Advisory

Staff: City Manager

Major Duties: This board manages the assets of the City's pension plan and recommends changes in the pension document as required by changes in law.

Economic Development Commission

Membership: 5 residents/2 businesses/

Board Type: Advisory

Staff: Planning and Community Development Director

Major Duties: EDC works to retain and enhance the economic base of the City and articulate a vision of economic development with clearly defined goals and objectives for the City during a rolling five (5) year horizon.

The Commission shall make recommendations for the economic development of the City pursuant the City's [strategic plan](#), the progressive pursuit of establishing new business in the City with the intent of creating jobs and employment opportunities and the recommendation of appropriate development incentives to insure projects that come to the city are economically viable.

Personnel Board of Appeals

Membership: 5 member/3-year term

Board Type: Independent

Staff: City Attorney

Major Duties: This board meets as needed to hear employee appeals relating to dismissal, suspension, disciplining or other actions penalizing employees.

Olivette on the Go

Membership: minimum of 7 member/3-year term

Board Type: Advisory

Staff: Park and Recreation Director

Major Duties: This board is responsible for planning and executing the annual Olivette On the Go festival.

BUDGETING

The budget is the City's most important written communication prepared during the year. The budget expresses in dollar amount the City's work programs for the fiscal year. When adopted, it becomes a major source of direction for the department directors for the operation of the various functions and activities. The City operates on a fiscal year which begins July 1st and ends June 30th the following calendar year (the "Fiscal Year").

By statute, the budget is to be adopted by affirmative vote of a majority of the members of the Council no later than three days prior to the end of the fiscal year, June 30. Should the Council fail to adopt the budget, amounts appropriated for current operations for the current fiscal year are deemed adopted for the ensuing fiscal year on the pro-rated month- to-month basis until the Council adopts a budget. The Council, by ordinance, makes supplemental appropriations if the manager certifies that funds are available for such expenditures.

If during the fiscal year it becomes apparent insufficient funds have been budgeted in a certain area, the shortfall is reported to the City Manager. After reviewing the total budget, recommendations are made to the City Council and the budget is amended by City ordinance.

The Finance Director prepares Monthly Financial Statements, which are reviewed by the City Council and City Manager, so that the economic and fiscal picture of the city may be presented to the community for monitoring.

The City Council annually engages an independent certified public accountant for the purpose of the performing an audit of the books of account, financial records, and transactions of the City. The audits are performed according to Generally Accepted Auditing Standards with financial statement presentation according to standards established by the Governmental Accounting Standards Board (GASB).

City Finances

The accounts of the City are organized into self-balancing sets of accounts called funds. Each fund generally has their own unique revenue sources and identifiable expenditures in addition to assets, liabilities, and deferred resources while attempting to maintain a health fund balance. The number of funds has varied over the years with a policy to only separate funds when required by debt documents, state statute, or actions of the Council. The following list represents the 11 funds currently used:

Fund 01	General Fund	Fund 20	Fire Operations
Fund 02	Grants	Fund 25	Equip. Replacement
Fund 05	Capital Imp.	Fund 26	GO Bonds
Fund 11	Dielman NID	Fund 30	Stormwater/Parks
Fund 13	N Price NID	Fund 35	Perf. Bond Escrow
Fund 15	Pension	Fund 40	Sewer Lateral

All funds of the City, except the Pension Fund and Performance Bond Escrow Fund which are considered Agency Funds, are accounted for using the modified accrual basis of accounting.

Under the modified accrual basis of accounting, revenues are recognized when they become measurable and available and expenditures are recognized when the related fund liability is incurred. General fixed assets are recorded as expenditures at the time of purchase.

The General Fund

The largest fund is the General Fund, this fund accounts for all revenues not specifically allocated by law or contractual agreement to be accounted for in another fund. As a general rule, the unassigned (formerly called unrestricted) fund balance in the general fund can be viewed as a “reserve”. For FY14, Property, Sales, and Utility taxes constituted 74% of general fund revenues.

Budget Process

The City Manager begins preparing an annual budget for the ensuing fiscal year in February. The budget is based upon information provided by the various City departments and employees. After a proposed budget is prepared, it is submitted to the City Council for review. The City Council may revise, alter, increase or decrease the items contained in the proposed budget, provided that total authorized expenditures from any fund do not exceed the estimated revenues to be received plus any unencumbered balance or less any deficient estimated for the beginning of the budget year. The budget is legally enacted by ordinance following public hearing on the proposed budget.

Pursuant to the Missouri Statutes, the annual budget must set forth a complete financial plan for the ensuing fiscal year, and must include at least the following information:

- (1) A budget message describing the important features of the budget and major changes from the preceding year;
- (2) Estimated revenues to be received from all sources for the budget year, with a comparative statement of actual or estimated revenues for the two years next preceding, itemized by year, fund and source;
- (3) Proposed expenditures for each department, office, commission, and other classifications for the budget year, together with a comparative statement of actual or estimated expenditures for the two years next preceding, itemized by year, fund, activity and object;
- (4) The amount required for the payment of interest, amortization and redemptions charges on debt; and
- (5) A general budget summary.

Within a Fiscal Year, the City Manager may transfer all or any part of any unencumbered appropriation balance among programs within a department. The City Council may by ordinance transfer part or all of an unencumbered appropriation balance from one department to another.

CAPITAL BUDGETING

Each year as part of the budgeting process, the Council appropriates funds to cover the expenditures for the capital improvement. The City prioritizes the improvements according to need and extends these improvements over a period of years.

PURCHASING

The City Council approves the City of Olivette's Purchasing Policies.

INVESTMENT POLICY

In 2015 the City Council updated the [City's Investment Policies](#). The policy is largely dictated by state statutes but the overall goal of the investment policy is to provide for the current cash needs of the city and once that is provided for, capital preservation.

REVENUE AND TAX STRUCTURE

Economy

Olivette is a residential community with a variety of manufacturing, commercial enterprises, small shops, and support services. In 2015 the City issued business licenses, representing 350 single businesses establishments, including approximately 20 manufacturing and warehouses enterprises located in 2 light industrial parks.

Property Taxes

Taxes are levied on all taxable real and personal property owned as of January 1st in each year. Certain properties, such as those used for charitable, education, and religious purposes, are excluded from ad valorem taxes on both real and personal property.

Real property within the City is assessed by the County Assessor. The County Assessor is responsible for preparing the tax rolls each year and for submitting tax rolls to the County Board of Equalization. The Board of Equalization has the authority to question and determine the proper value of property and then adjust and equalize individual properties appearing on the tax rolls.

Not later than September 30th of each year, the City Council sets the tax rate for the City and files the tax rate with St. Louis County (the "County") by October 1st. The State Auditor is responsible for reviewing and the rate of tax to insure that it does not exceed constitutional rate limits and provide annual certifications to that effect.

Payment of taxes on real property is due by December 31st of that year. After that date, they become delinquent and accrue a penalty.

The St. Louis County property tax rate, 7.8615/\$100 for most Olivette citizens, that is directed back to the City of Olivette is 1.334 per \$100 of assessed valuation in 2014. .67/\$100 of the levy is for general fund which constitutes roughly 29% of the total general fund revenue (Fund 01). Another .244/\$100 is for the employer portion of pension contributions (Fund 15). The remaining .42 is a new tax approved by the voters in August of 2014 for repayment of General Obligation bonds (Fund 26). The maximum levy approved by voters for the general fund is

.83/\$100 and .25/\$100 for the pension. The total assessed valuations for the City of Olivette for Tax Year 2014 were \$231,566,472. While valuations have recovered from their low point in 2013, assessed valuations have struggled over the past 5 years and are currently down 4.2% from their high in 2009.

Hancock Amendment

On November 4, 1980, Missouri voters approved an amendment to the Missouri Constitution to limit taxation and government spending.

The Amendment, popularly known as the Hancock Amendment, requires political subdivisions of the State of Missouri to obtain voter approval to impose or to increase any "tax, license or fee." The Missouri Supreme Court, in Keller V. Marion County Ambulance District has interpreted this phrase to include only general taxes and licenses or fees that, in substance, are taxes.

The Amendment also limits the rate of increase and the total amount of taxes on property, which may be imposed in any year without voter approval. If the assessed valuation of property, excluding the value of new construction and improvements, increases by a larger percentage than the increase in general price level from the previous year, the maximum authorized current levy applied in each political subdivision must be reduced to yield the same gross revenue from existing property. This must be adjusted for changes in the general price level, as it could have been collected at the existing authorized levy on the prior assessed value.

The Hancock Amendment does not apply to taxes imposed for the payment of principal and interest on general obligation bonds or other indebtedness authorized by a City-wide referendum. Therefore, the provision does not apply to bonds. Limits on debt service rates are set by the State Auditor as part of the rate certification process.

Sales Taxes

The City of Olivette levies a total local sales tax of 1.5% on all sales within city limits which is made up of:

<u>Rate</u>	<u>Description</u>	<u>Date</u> <u>Approved</u>	<u>Fund</u>
0.25%	Local Option Tax	Nov-93	01
0.50%	Capital Improvement	Nov-95	05
0.25%	Fire Operations	Nov-01	20
0.50%	Stormwater/Parks	Apr-02	30
<u>1.50%</u>			

In addition to the local sales taxes, the City gets a representative share of the distribution of the county wide 1% sales tax as an "A" (Pooled) city where the City is currently slight contributor to the pool. When added to state and county taxes, the combined sales tax rate is 8.613%. At the local level, the City has approved all sales taxes allowed under current state statutes with the exception of a ¼% dedicated economic development sales tax.

Utility Taxes

In FY14, public utility taxes are expected to provide the largest percent of general fund revenue at 38.8%. The City charges 10% on the gross receipts of electric, gas, land line and cell phone telecommunications, water companies and 5% on cable television gross receipts. Individual collectors of the tax remit them to us as dictated by ordinance which is generally monthly. 10% is the maximum gross receipts tax allowed under current state statutes.

HELPFUL WEBSITES

City of Olivette: www.olivettemo.com
Olivette Ordinances <http://ecode360.com/OL3384>
Olivette Charter <http://ecode360.com/27629094>
St. Louis County Municipal League: www.stlmuni.org
Missouri Municipal League: www.mocities.com
Creve Coeur Olivette Chamber of Commerce: www.cochamber.com

STATE REPRESENTATIVES

State Senatorial District 24
State House of Representatives District 88

State Senator: Jill Schupp Jill.Schupp@senate.mo.gov (573) 751-9762
State Representative Tracey McCreery Tracy.McCreery@house.mo.gov (573) 751-7535

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Senator Roy Blunt (R)

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Senator Claire McCaskill (D)

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DEFINITIONS OF COMMONLY USED ABBREVIATIONS

ADA Americans With Disabilities Act – The federal law which regulates public accessibility to facilities, services and employment.

APA American Planning Association – A national organization, which disseminates information in the field of urban planning and provides certification of professional planners.

APWA American Public Works Association – A national organization, which disseminates information and provided technical assistance in all aspects of public works services and facilities.

CDBG Community Development Block Grant – A federal program which provides funds to local communities to carry out federal policies related to housing and community development.

DNR Department of Natural Resources – A state agency, which provides a broad range of ecological services and is specifically concerned with waste water and sewage treatment.

EW GATEWAY East-West Gateway – The Metropolitan Planning Organization, which approves major transportation funding including interchange reconstruction and Metrolink extensions.

FEMA Federal Emergency Management Agency – The federal agency responsible for planning for and responding to natural disasters and for civil defense in the event of war; also administers national flood insurance program.

FICA Federal Insurance Contribution Act – Old age and survivors health and disability insurance; social security taxes paid by employer and employees.

FLSA Fair Labor Standards Act – The federal law which specifies certain hours of work, minimum wage, overtime and other conditions.

FTE Full-Time Equivalent – Used in reference to the size of the work force, totaling the number of hours worked by all employees and dividing that figure by the standard number of hours worked by full-time employees (40 hours).

GFOA Government Finance Officers Association – A national organization, which disseminates information in the field of government finance. It issues certificates of achievement for Municipal budgets and audits.

G.O. BOND General Obligation Bond - A bond which is based upon the full faith and credit of the community and is secured by property tax revenues.

IACP International Association of Chiefs of Police – A national organization, which disseminates information on the field of law enforcement and provides technical assistance in the recruitment and training of police officers.

ICMA International City/County Management Association – A national organization which disseminates information in the field of municipal management, provides training materials for administrators and sponsors the Retirement Corporation which provides retirement and deferred compensation programs to public agencies.

IDA Industrial Development Authority – A private corporation sponsored by a municipality to promote economic development and to approve the issuance of industrial revenue bonds.

MML Missouri Municipal League – The League is the educational, service, and legislative contact organization for all cities in the state. The League is headquartered in Jefferson City.

MoDOT Missouri Department of Transportation – The State of Missouri Department responsible for traffic flow, state road construction and repair. Both Olive Boulevard and I-170 are state roads.

NCL National League of Cities – The League is a national coalition of local governments providing educational, legislative and member services. The League is headquartered in Washington, D.C.

RSMO Revised Statutes of Missouri – The code of state statutes; the book of state laws.

RFP Request for Proposal – Utilized on major construction, engineering or architectural projects to secure professional services in a competitive way.

TIF Tax Increment Financing – A state authorized method of financing public improvements by dedicating revenues from new developments to the retirement of bonds.