

**CITY OF OLIVETTE  
CITY COUNCIL MEETING MINUTES  
January 12, 2016**

The Olivette City Council met on January 12, 2016 at 7:00 PM in the Council Chambers at Olivette City Hall located at 9473 Olive Boulevard, Olivette, Missouri. Mayor Ruth Springer called the meeting to order.

**Item #1 – Roll call**

On roll call, the following persons were present: Mayor Ruth Springer, Chairman Pro-tem J. Gregory Carl, Council Member Maxine Weil, Council Member Missy Waldman and Council Member Suzanne Sewell.

Also in attendance were City Manager Barbara Sondag, City Attorney Paul Martin, Police Chief Rick Knox, Finance Director Darren Mann, Public Works Director Bruce McGregor, Parks and Recreation Director Beverly Tucker-Knight, and City Clerk Myra Bennett.

**Item #2 – Communications**

City Clerk Bennett noted that no written communications were submitted for the January 12, 2016 City Council meeting.

**Item #3 – City Manager's Report**

City Manager Sondag noted that City Treasurer, Lynn Steele, passed away unexpectedly on Sunday, January 10<sup>th</sup>. The City Manager noted that Mr. Steele had served as City Treasurer since 2012, and also served as an alternate member of the Zoning Board of Adjustment since 2012 as well. She noted that Mr. Steele was very dedicated to the City, and he will be missed.

City Manager Sondag reported the following:

- A bid opening for construction bids for the new municipal facility was held today. There is no apparent low bidder for the project at this time; however, the bids are currently under review by Paric. Bids were received from the following companies: K&S Associates, United Construction, Hankins Construction, and ICS Construction Services. The bids came in under budget, and approximately \$260,000 separated the highest from lowest bids. It is anticipated that at least two of the companies will be interviewed next week, and possibly three.
- The Economic Development Commission has completed interviews of the four developers who had submitted proposals for the I-170/Olive redevelopment project. A recommendation will be forwarded to the City Council in the near future.
- Asbestos abatement at the Community Center will begin next week. Following abatement, new flooring will be placed in Room 6, and new boilers will be installed. Work continues on bid specifications for roof replacement at the Community Center. In addition, heaters in two of the rooms have stopped working, and will need to be replaced.
- Construction bids for the Old Bonhomme street improvement project are due this Thursday, January 14<sup>th</sup>, at 10:00 am.
- Work continues on the storm water infrastructure for the North Price NID project. The infrastructure work should be completed by the end of January, then the project will be placed on hold until the spring.
- There will be a "Coffee with the Mayor" event next Wednesday, January 20<sup>th</sup>, at 8:45 AM at City Hall. Finance Director, Darren Mann, will be the Mayor's guest at the event.

Chairman Pro-tem Carl thanked the City Manager and staff for their work on the plans for the municipal facility. Mayor Springer echoed those remarks. She also thanked the members of the Economic Development Commission (EDC) for taking time out of their schedules to conduct interviews with the developers for the I-170/Olive Boulevard project. Mayor Springer stated that she will attend the next meeting of the EDC to thank the members personally.

#### **Item #4 – City Council Reports**

Council Member Sewell stated that she has nothing to report at this time.

Council Member Weil stated that she has no report.

Council Member Waldman stated that she has attended two meetings of the Planning and Community Design Commission; however, she left her notes at home. She stated that she will give her report at the next meeting.

Chairman Pro-tem Carl noted that he attended meetings of the Economic Development Commission on January 4<sup>th</sup> and January 11<sup>th</sup>; however, these meetings were closed meetings, and therefore, he has nothing to report from those meetings. He thanked the members of the EDC for their time in conducting interviews with the developers. Chairman Pro-tem Carl also noted that he attended a meeting of the Olivette Community Coalition group. He gave a brief overview of this group, noting that this is an independent group, not a City sponsored commission.

Mayor Springer had nothing to report.

#### **Item #5 – Hearing from Citizens (Part I) – Three (3) Minutes Per Person, Ending Approximately at 8:00 PM**

Michael Costello, 356 Summerdale Lane, addressed the City Council regarding the proposed Dielman STP grant, asking that the City Council consider making improvements to the southern portion of Dielman a priority. He stated that he feels that the south portion of Dielman should be priority, due to the fact that there are no sidewalks on that portion of the road, which pose safety issues. He stated that the residents of this area are disconnected from the community due to lack of pedestrian walkways. He also noted concerns that there is no shoulder to the road, and children tend to walk and stand in the roadway when getting on and off the bus in the mornings and afternoons.

Roark Weil, 724 Gralee Lane, addressed the City Council regarding the proposed Dielman STP grant, asking that they consider making improvements to the northern portion of Dielman a priority, due to safety concerns of the potholes, and with this being the entrance to the bike trail.

#### **OLD BUSINESS**

#### **Item #6 – Bill #2797 – An Ordinance to amend Section 240.090 Park Facilities and Activities, A. 1. Pavilions, of the City of Olivette Municipal Code with revised Park Pavilion Rental Capacities, Park Pavilion Rental Schedule, Large Group and Special Event Fees and Refundable Deposit – Second Reading**

City Clerk Bennett read Bill #2797 – An Ordinance to amend Section 240.090 Park Facilities and Activities, A. 1. Pavilions, of the City of Olivette Municipal Code with revised Park Pavilion Rental Capacities, Park Pavilion Rental Schedule, Large Group and Special Event Fees and Refundable Deposit, for the second time, by title only.

Parks and Recreation Director Beverly Tucker-Knight gave a PowerPoint presentation regarding park fees. Discussion held regarding the "closing date" for smaller parks, the definition of "special events", and problems with "under reporting" the number of attendees at events. Chairman Pro-tem Carl thanked the Parks & Recreation Commission and staff for their work reviewing these issues.

Council Member Waldman made a motion to approve Bill #2797 – An Ordinance to amend Section 240.090 Park Facilities and Activities, A. 1. Pavilions, of the City of Olivette Municipal Code with revised Park Pavilion Rental Capacities, Park Pavilion Rental Schedule, Large Group and Special Event Fees and Refundable Deposit. Motion seconded by Council Member Weil.

**POLL OF THE COUNCIL:**

Council Member Waldman	Yea
Council Member Weil	Yea
Council Member Sewell	Yea
Chairman Pro-tem Carl	Yea
Mayor Springer	Yea

Motion passed. By action of the Olivette City Council, Bill #2797 becomes Ordinance #2571.

**NEW BUSINESS**

**Item #7 – Appointment of Member to the Olivette Housing Authority**

City Manager Sondag noted that there is currently a vacant position on the Olivette Housing Authority. She stated that two tenants had expressed an interest in serving on the Board, and both residents were contacted. The City Council scheduled interviews with the two candidates to be held at the January 5, 2016 work session meeting; however, only one of the two candidates was in attendance for the interview.

Mayor Springer made a motion to appoint Shunda Nichols to serve as the tenant member of the Olivette Housing Authority, with a term expiration date of June 30, 2017. Motion seconded by Chairman Pro-tem Carl.

**POLL OF THE COUNCIL:**

Mayor Springer	Yea
Chairman Pro-tem Carl	Yea
Council Member Sewell	Yea
Council Member Waldman	Yea
Council Member Weil	Yea

Motion passed.

**Item #8 – Approval to Purchase Three (3) Panasonic Toughbook 31 Laptops And Associated Warranties**

Police Chief Knox stated that the Operating Budget for Fiscal Year 2015-16 included authorization for the purchase of three (3) Panasonic Toughbook 31 laptops for the Olivette Police Department's patrol vehicle fleet. He noted that the purchase includes the laptops and associated extended warranties. Chief Knox recommended that the computers be purchased from Mooring Tech, Inc., due to the fact that their proposal is lower in cost than the state bid.

Council Member Weil made a motion to approve the purchase of three (3) Panasonic Toughbook 31 laptops and associated warranties from Mooring Tech, Inc. not to exceed \$9,925.00. Motion seconded by Council Member Sewell.

POLL OF THE COUNCIL:

Council Member Weil	Yea
Council Member Sewell	Yea
Council Member Waldman	Yea
Chairman Pro-tem Carl	Yea
Mayor Springer	Yea

Motion passed.

**Item #9 – Consideration of Declaration of Two Surplus Vehicles**

Public Services Director McGregor stated that the City currently has two Chevrolet Impalas, asset number 1206 (77,769 miles) and number 4994 (84,094 miles), that are no longer needing to be stored at Public Works. Mr. McGregor recommended that the City Council declare vehicles #1206 and #4994 surplus to be sold at public auction.

Chairman Pro-tem Carl made a motion to declare vehicle #1206 and #4994 surplus and to be sold at public auction. Motion seconded by Council Member Sewell.

POLL OF THE COUNCIL:

Chairman Pro-tem Carl	Yea
Council Member Sewell	Yea
Council Member Waldman	Yea
Council Member Weil	Yea
Mayor Springer	Yea

Motion passed.

**Item #10 – North Price NID Change Order #5**

City Manager Sondag stated that the City Council is being asked to ratify Change Order #5 of the North Price Road NID contract with Gershenson Construction. She noted that the change order, in the amount of \$9,017, contains figures for additional direct cost increased incurred by the Gershenson as a direct result of delays in the construction of the project. The change order also includes reductions in reinforced concrete piping and the elimination of finish sand from roadway concrete design mix. It was noted that the proposed changes have been reviewed by the Director of Public Works. City Manager Sondag stated that the change order was signed in December, so as not to present any further delays to the project; however, the change order is being submitted to the City Council for ratification, to ensure that the Council is aware of the changes.

City Manager Sondag noted that the North Price NID is over budget, due to several factors. She noted that unanticipated costs for relocation of utilities, due to a ruling by the Supreme Court, increased the costs. In addition, a redesign of the project was done in order to decrease the need for relocation of some utilities, which increased the costs as well. She noted that the project is approximately \$150,000.00 over budget at this time.

Chairman Pro-tem Carl made a motion to ratify Change Order #5, in the amount of \$9,017, of the Contract between the City of Olivette and Gershenson Construction Company for work being performed on the North Price NID project. Motion seconded by Council Member Sewell.

POLL OF THE COUNCIL:

Chairman Pro-tem Carl	Yea
Council Member Sewell	Yea
Council Member Waldman	Yea
Council Member Weil	Yea
Mayor Springer	Yea

Motion passed.

**Item #11 – Dielman Road STP Grant Application**

City Manager Sondag stated that the City Council is being asked to discuss the anticipated order in which the two proposed grants associated with the Dielman Road improvements will be submitted for STP funding. She noted that three options are available:

- 1) To reaffirm the agreement with Cochran Engineering for grant writing services for preparation of an STP grant application for road and sidewalk improvements on Dielman Road from Olive Boulevard to Fairwinds Court
- 2) To amend the Agreement with Cochran Engineering for grant writing services for preparation of an STP grant application for road and sidewalk improvements on Dielman Road from Olive Boulevard to Fairwinds, by applying for road and sidewalk improvements on Dielman Road from Fairwinds Court to Tamarack, or
- 3) Submit two grants, one for each of the projects previously noted.

City Council discussion held regarding options and time frame for construction.

Council Member Waldman made a motion to amend the Agreement with Cochran Engineering for grant writing services for preparation of an STP grant application for road and sidewalk improvements on Dielman Road from Olive Boulevard to Fairwinds, by applying for road and sidewalk improvements on Dielman Road from Fairwinds Court to Tamarack. Motion seconded by Chairman Pro-tem Carl.

POLL OF THE COUNCIL:

Council Member Waldman	Yea
Chairman Pro-tem Carl	Yea
Council Member Sewell	Yea
Council Member Weil	Yea
Mayor Springer	Yea

Motion passed.

**Item #12 - Review and Approval of the Minutes of the December 15, 2015 City Council Meeting**

Mayor Springer asked if there were any corrections to be made to the minutes of the December 15, 2015 City Council meeting. Being none, Council Member Waldman made a motion to approve the December 15, 2015 City Council meeting as submitted. Motion seconded by Chairman Pro-tem Carl.

POLL OF THE COUNCIL:

Council Member Waldman	Yea
Chairman Pro-tem Carl	Yea
Council Member Sewell	Yea
Council Member Weil	Yea
Mayor Springer	Yea

Motion passed.

**Item #13 – Hearing from Citizens (Part 2) – Three (3) Minutes per Person**

Michael Costello, 356 Summerdale Lane, addressed the City Council with questions regarding the proposed Dielman STP grant, and placement of the roadway. Mayor Springer noted that there are a number of steps involved in this type of project. She stated that filing the grant application is the first step, and issues such as design of the project will not be addressed until much later in the process.

**Item #14 – City Attorney’s Report**

City Attorney Martin recommended that the City Council hold an executive session meeting at the end of tonight’s meeting for attorney-client communications and to discuss personnel matters, pursuant to the Revised Statutes of the State of Missouri, Section 610.021.1 and Section 610.021.3.

City Attorney Martin noted that a request for summary judgment on the “Police Standards” lawsuit was filed in December, and he had hoped that it would be heard by March. He noted that there are currently two lawsuits filed by various municipalities regarding this matter, and there is discussion of consolidating the two suits. City Attorney Martin stated that he is still hopeful that the summary judgment would be heard by the end of March, even if the consolidation occurs. Discussion was held regarding the request for “temporary relief” and the Municipal League’s involvement in the lawsuit. City Attorney Martin noted that a letter has been received from St. Louis County, indicating that there will be no action from the County within 180 days from the passage of the Ordinance; therefore, the request for “temporary relief” is not necessary. Mr. Martin noted that the Municipal League will be joining the lawsuit as a plaintiff, and has pledged \$20,000 for attorney fees. He added that he is aware of 2 additional municipalities who are considering joining the lawsuit, and it is his understanding that they should be making that decision by January 20<sup>th</sup>.

Council Member Waldman noted that State Senator Jill Schupp has introduced a bill which would prohibit texting while driving, no matter the age of the driver.

**Executive Session**

Council Member Waldman made a motion to move into Executive Session, pursuant to the Revised Statutes of the State of Missouri, Section 610.021.1 and Section 610.021.3 for attorney-client privileged communications and to discuss personnel matters. Motion was seconded by Chairman Pro-tem Carl.

POLL OF THE COUNCIL:

Council Member Waldman	Yea
Chairman Pro-tem Carl	Yea

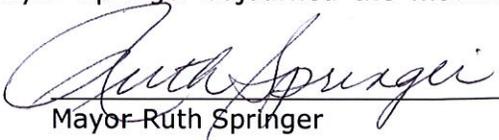
Council Member Sewell                      Yea  
Council Member Weil                        Yea  
Mayor Springer                                Yea

Motion passed. City Council moved to Executive Session at approximately 8:55 PM.

The City Council reconvened to the regular meeting at approximately 9:20 PM. It was noted that a vote was taken regarding a personnel matter, pursuant to the Sunshine Law.

**Item #15 – Adjournment**

Being no further business, Chairman Pro-tem Carl made a motion to adjourn the meeting. Motion seconded by Council Member Waldman. Mayor Springer adjourned the meeting at approximately 9:22 PM.

  
\_\_\_\_\_  
Mayor Ruth Springer

ATTEST:

  
\_\_\_\_\_  
Myra G. Bennett, CMC/MPCC  
City Clerk  
City of Olivette