

**CITY OF OLIVETTE
CITY COUNCIL MEETING MINUTES
February 23, 2016**

The Olivette City Council met on February 23, 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, Fire Chief Scott Avery, Finance Director Darren Mann, Planning & Community Development Director Carlos Trejo, Parks and Recreation Director Beverly Tucker-Knight, and City Clerk Myra Bennett.

Item #2 – Communications

City Clerk Bennett noted that the following written communication was submitted for the February 23, 2016 City Council meeting:

Letter from Fire Chief Kenneth Black, Creve Coeur Fire Protection District, to Olivette Fire Chief Scott Avery, thanking the Olivette Fire Department for their assistance, by moving up to their Engine House during a second alarm fire on January 27, 2016.

Item #3 – City Manager's Report

City Manager Sondag reported the following:

- Ground work continues at the site for the new municipal facility on Dielman.
- Staff attended 3 days of training for use of the new website last week. It is anticipated that the new website will "go live" on April 1st.
- Three employees have recently been hired by the City of Olivette: Firefighter/Paramedic Alex Fish, Police Officer Dane Lincoln, and Assistant Court Clerk Donna Tharp.
- Applications are currently being accepted for the 2016 Summertime Counselors, CIT's, and a Facility Attendant for the Community Center.
- Bids are currently being accepted for the following: 1) Concrete slab replacement (Harvest Court and Warson Pines), 2) Microsurfacing project in Indian Meadows subdivision, 3) Restorative seal project for the northeast quadrant, 4) Street striping/markings, and 4) Mowing services for the City.
- A "Social Hour with the Mayor" event will be held on March 30th at 5:30 PM at City Hall, 9473 Olive Boulevard.
- Applications are being accepted for the Citizen Police Academy, which will begin on March 1st.
- "Ground Breaking" ceremony for the new City Center will be held on March 19th at 9:00 AM.

City Manager Sondag also noted that she attended a groundbreaking event today for the new Science Center at Logos School.

Item #4 – City Council Reports

Council Member Sewell and Council Member Weil stated that they have nothing to report at this time.

Council Member Waldman noted that she attended a meeting of the Planning and Community Design Commission (PCDC) on February 18, 2016, and she gave a summary of the actions taken at that meeting. She reported that a very good discussion was held regarding water runoff and drainage issues. Council Member Waldman noted that the PCDC meeting scheduled to be held on May 19th will be moved to May 26th.

Chairman Pro-tem Carl stated that he attended the Zoning Board of Adjustment meeting on February 11th. He noted that, at that meeting, City Attorney Paul Martin gave a presentation to the Board members, reviewing the duties and responsibilities of the Board. Chairman Pro-tem Carl noted that, it is his understanding that one of the regular members of the Zoning Board of Adjustment will be resigning shortly. City Manager Sondag stated that staff will review the term expiration dates for members of this Board.

Chairman Pro-tem Carl also noted he attended the joint EDC/City Council meeting on February 16th, as well as an "Olivette Together" meeting last Thursday.

Mayor Springer noted that she has attended no meetings other than the joint meeting with the EDC on February 16th.

Item #5 – Finance Report for period ending January 31, 2016

Finance Director Mann gave a summary of revenues and expenditures for all funds for the period ending January 31, 2016.

Item #6 – Hearing from Citizens (Part I) – Three (3) Minutes Per Person, Ending Approximately at 8:00 PM

Morton Bertish, 8829 Chisholm Court, addressed the City Council stating that he recently attended a Zoning Board of Adjustment meeting. He stated that he feels the Commissioners should work with developers to resolve issues.

OLD BUSINESS

Item #7 – Bill #2798 – An Ordinance Amending Article I, Sections 125.010 and 125.040 of Chapter 125 of the Olivette City Code Pertaining to the Parks and Recreation Commission – Second Reading

City Clerk Bennett read Bill #2798 – An Ordinance Amending Article I, Sections 125.010 and 125.040 of Chapter 125 of the Olivette City Code Pertaining to the Parks and Recreation Commission, for the second time, by title only.

City Manager Sondag noted that the proposed ordinance will reduce the number of members of the Parks and Recreation Commission from five to seven, and will clarify the advisory nature of the Commission. It was noted that the first reading of this bill was held on February 9th.

Chairman Pro-tem Carl made a motion to approve Bill #2798 – An Ordinance Amending Article I, Sections 125.010 and 125.040 of Chapter 125 of the Olivette City Code Pertaining to the Parks and Recreation Commission. Motion seconded by 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. By action of the Olivette City Council, Bill #2798 becomes Ordinance #2572.

NEW BUSINESS

Item #8 – Bill #2799 – An Ordinance Amending Chapter 130 of the Olivette Municipal Code by Authorizing the City of Olivette to Perform Criminal Background Checks for Employees, Prospective Employees, Volunteers, Sports Officials and Coaches – First Reading

City Clerk Bennett read Bill #2799 – An Ordinance Amending Chapter 130 of the Olivette Municipal Code by Authorizing the City of Olivette to Perform Criminal Background Checks for Employees, Prospective Employees, Volunteers, Sports Officials and Coaches, for the first time, by title only.

Police Chief Knox gave an overview of this issue. Lieutenant Dave Wolf gave an overview of current procedures and the ORI process. City Manager Sondag gave further explanation of the current process for background checks. Questions were posed regarding the information obtained through the background check, and who would be the recipient of that information. City Manager Sondag noted that the Human Resources Administrator would be the recipient of the results of the background checks, and information would only be shared with Department Heads on a "need to know" basis.

City Attorney Martin stated that he feels a slight modification in the wording of the ordinance is needed, and that revision will be submitted on March 8th, prior to second reading of the bill.

Item #9 – Bill #2800 – An Ordinance to amend Article XVI Accessory Structures and Uses and various definitions under Article II, being part of Chapter 400 Zoning Regulations of Title IV Land Use of the Olivette Municipal Code – First Reading

City Clerk Bennett read Bill #2800 – An Ordinance to amend Article XVI Accessory Structures and Uses and various definitions under Article II, being part of Chapter 400 Zoning Regulations of Title IV Land Use of the Olivette Municipal Code, for the first time, by title only.

Planning and Community Development Director Trejo noted that the proposed bill will amend Ordinance #2555, adopted on August 11, 2015. He stated that Ordinance #2555 established a new Article XVI, titled Accessory Structures and Uses, and on October 13, 2016, the City Council requested the Planning and Community Design Commission (Commission) review Ordinance 2555 and forward recommended changes to address the following: classification of existing accessory structures; placement of structures in the rear yard; overall height of accessory structures versus height of existing structures; and materials and design parameters for accessory structures. He noted that a department memo to the Commission, dated January 21, 2016, has been distributed to the City Council, and it provides an overview of the proposed changes, staff recommendations, and an edited copy of the recommended changes. Mr. Trejo noted that the Planning and Community Design Commission voted to recommend the enclosed draft ordinance to the City Council at their meeting January 21, 2016.

It was noted that a public hearing and second reading of Bill #2800 will be held at the March 8, 2016 City Council meeting.

Item #10 – Bill #2801 – An Ordinance to amend permitted uses under Article IV “SR” Single-Family Residential District, Article V “AR” Attached Single-Family Residential District, and Article VI “PASF” Planned Attached Single-Family District, being part of Chapter 400 Zoning Regulations of Title IV Land Use of the Olivette Municipal Code – First Reading

City Clerk Bennett read Bill #2801 – An Ordinance to amend permitted uses under Article IV “SR” Single-Family Residential District, Article V “AR” Attached Single-Family Residential District, and Article VI “PASF” Planned Attached Single-Family District, being part of Chapter 400 Zoning Regulations of Title IV Land Use of the Olivette Municipal Code, for the first time, by title only.

Planning and Community Development Director Trejo noted that Bill #2801 will amend the City’s three primary residential zoning districts, including Article IV “SR” Single-Family Residential District, Article V “AR” Attached Single-Family Residential District, and Article VI “PASF” Planned Attached Single-Family District, to: 1) revise references to Accessory Structures in each of the aforementioned residential districts to reflect the changes under Bill #2800 amending Article XVI Accessory Structures and Uses under consideration by the City Council, this includes the removal of home occupations under Permitted Uses in each Article, 2) remove references to Group Homes in each of the aforementioned residential districts given that Bill #2804 will contain revised regulations governing Group Homes under consideration by the City Council; 3) revise the review procedures of the “SR” District to minimize redundancies regarding review procedures; and 4) adjust fee references to reflect the proposed fee schedule under Bill #2802 under consideration by the City Council. Mr. Trejo stated that a department memo to the Commission, dated January 21, 2016, has been distributed to the City Council, and it provides an overview of the proposed changes, staff recommendations, and an edited copy of the recommended changes.

It was noted that a public hearing and second reading of Bill #2801 will be held at the March 8, 2016 City Council meeting.

Item #11 – Bill #2802 – An Ordinance to amend Title IV Land Use of the Olivette Municipal Code to establish a new schedule titled “Schedule I. Fee Schedule” and to amend various provisions to Title IV Land Use relating to fees and review procedures – First Reading

City Clerk Bennett read Bill #2802 – An Ordinance to amend Title IV Land Use of the Olivette Municipal Code to establish a new schedule titled “Schedule I. Fee Schedule” and to amend various provisions to Title IV Land Use relating to fees and review procedures, for the first time, by title only.

Planning and Community Development Director Trejo noted that Bill #2802 will establish a fee schedule for all referenced reviews under Title IV Land Use of the Olivette Municipal Code. He noted that Title IV Land Use contains all the City’s regulations regarding the development of land, including but not limited to the following Chapters: Chapter 400 Zoning Regulations, Chapter 405 Subdivision Regulations, Chapter 415 Sign Regulations, Chapter 422 Stormwater Management, Chapter 425 Community Design – General, and Chapter 435 Fences. Mr. Trejo noted that under each of these Chapters, there are references to various review criteria, mostly through the City’s Planning and Community Design Commission (Commission). He stated that other review procedures include the Board of Adjustment under Chapter 400. Bill

#2802 would amend various provisions in each Chapter regarding the type of review procedure, and extract all fees associated to each and place in a single Schedule.

Mr. Trejo stated that a department memo to the Commission, dated February 4, 2016, has been distributed to the City Council, and it provides an overview of the proposed changes, staff recommendations, and an edited copy of the recommended changes.

It was noted that a public hearing and second reading of Bill #2801 will be held at the March 8, 2016 City Council meeting.

Item #12 – Bill #2803 – An Ordinance to amend Article XVII Board of Adjustment of Chapter 400 Zoning Regulations being part of Title IV Land Use of the Olivette Municipal Code – First Reading

City Clerk Bennett read Bill #2803 – An Ordinance to amend Article XVII Board of Adjustment of Chapter 400 Zoning Regulations being part of Title IV Land Use of the Olivette Municipal Code, for the first time, by title only.

Planning and Community Development Director Trejo noted that Bill 2803 would modify the review standards for the Board of Adjustment regarding variances. He stated that a Department Memorandum to the Commission has been provided to the City Council, which provides an overview of the proposed changes, staff recommendations, and an edited copy of the recommended changes. Mr. Trejo also noted that the Planning and Community Design Commission reviewed the proposed ordinance at the February 18, 2016 Meeting and, by unanimous vote, recommended approval to forward the ordinance to the City Council.

Chairman Pro-tem Carl noted that he believes that a correction is needed on page 3 of the proposed ordinance. He noted that under "Section 400.1650 Variances", A. 5., there is a reference to "Subsection 400.1640.C.". He stated that the correct subsection would be "400.1650.C." Planning and Community Development Director Trejo agreed, and he stated that the correction will be made to the bill, prior to the public hearing and second reading on March 8, 2016.

Item # 13 – Bill #2804 – An Ordinance amending certain provisions of the Olivette Municipal Code relating to group homes – First Reading

City Clerk Bennett read Bill #2804 – An Ordinance amending certain provisions of the Olivette Municipal Code relating to group homes, for the first time, by title only.

Planning and Community Development Director Trejo noted that the purpose of Bill #2804 is to address concerns regarding the permitted distance between group homes, which was forwarded to the City Attorney by the U.S. Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity, Fair Housing Enforcement Division. He noted that the bill is before the City Council tonight for first reading, and it is anticipated that a public hearing, second reading and final approval will be held at the meeting on March 8, 2016.

Item #14 – Quarterly Investment Report – Bond Proceeds

Finance Director Mann gave a summary of the status of bond proceeds for the City of Olivette. He noted that, taking into account accrued interest included in cost basis as purchase, anticipated earnings on the portfolio are expected to be in the range of \$65,000-\$70,000.

Item #15 – Review and Approval of the Minutes of the January 26, 2016 and February 9, 2016 City Council Meetings

Mayor Springer asked if there were any corrections to be made to the minutes of the January 26, 2016 and February 9, 2016 City Council meetings.

Being none, Council Member Weil made a motion to approve the minutes of the January 26, 2016 and February 9, 2016 City Council meetings as submitted. Motion seconded by Council Member Waldman.

POLL OF THE COUNCIL:

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

Motion passed.

Item #16 – Hearing from Citizens (Part 2) – Three (3) Minutes per Person

Paul Wilson, 1163 Crockett, posed questions regarding Bill #2797, asking if the process of performing background checks will apply to Board and Commission members. City Manager Sondag noted that, although the bill is written in a broad context, the City must have a “reason” to fingerprint and background check. It would not apply to every Board or Commission member. Discussion held regarding the current process for background checks, cost, and reimbursement policy.

Item #17 – City Attorney’s Report

City Attorney Martin noted that the City of Bridgeton has joined in the litigation against St. Louis County regarding the Police Standards legislation. He noted that all plaintiffs have filed for summary judgment, and today, St Louis County filed a cross motion for summary judgment. The Courts have scheduled an argument date of April 15, 2016 to hear all summary judgment motions.

City Attorney Martin recommended that the City Council hold an executive session at the end of tonight’s meeting, pursuant to the Revised Statutes of the State of Missouri, Section 610.021.1, Section 610.021.3, Section 610.021.9 and Section 610.021.12 for attorney-client privileged communications, personnel matters, negotiations with employee groups, and negotiated agreements.

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, Section 610.021.3, Section 610.021.9 and Section 610.021.12 for attorney-client privileged communications, personnel matters, negotiations with employee groups, and negotiated agreements. 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 8:29 PM.

The City Council reconvened to the regular meeting at approximately 9:26 PM. It was noted that no reportable votes were taken.

Item #18 – Adjournment

Being no further business, Council Member Weil made a motion to adjourn the meeting. Motion seconded by Chairman Pro-tem Carl. Mayor Springer adjourned the meeting at approximately 9:28 PM.



Mayor Ruth Springer

ATTEST:



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