

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

The Olivette City Council met on July 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 at approximately 7:10 PM. Mayor Springer asked for a moment of silence to remember all of the victims of the violence of this past week.

**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, and City Clerk Myra Bennett.

**Item #2 – Communications**

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

Mayor Springer performed a swearing in ceremony for Firefighter/Paramedic Timothy Steimel.

**Item #3 – City Manager's Report**

City Manager Sondag reported the following:

- Work continues on the new City Center. Sheet rock is being installed and the masonry work continues.
- Work continues on the Old Bonhomme Road project. The work will be moving the week of July 18<sup>th</sup> between Lynn and Olive. The crews will be starting at Lynn, moving westward and north. Traffic will continue to be westbound only.
- Auto Beauty Specialist is now open for business at 1223 North Price Road, and construction continues on the North Price NID project.
- New businesses in Olivette include the following:
  - Purvis, 1212 Dielman
  - Rezults Hair Salon, 9419 A Olive Boulevard
  - LuLu's Express, 9624 Olive Boulevard, (anticipated opening August/September)
- The Planning Commission continues to work on storm water management issues and review of application procedures.
- GIS Coordinator Jonathan Roper was reappointed to serve as a Board Member of the St. Louis Metro section of the American Planning Association.
- Upcoming events include:
  - Coffee with the Mayor, July 27<sup>th</sup> at 8:45 AM at City Hall
  - Family Overnight event, July 22<sup>nd</sup> at Stacy Park (For additional details regarding the event, please contact the Olivette Community Center.)

City Manager Sondag noted that an additional agenda item has come forward, and has been distributed to the City Council for review. She noted that the City Council may wish to amend tonight's agenda to include Resolution No. 2016-15 -- A Resolution Authorizing a Contract Addendum and a Third-Party Agreement Relative to the North Price Road Neighborhood Improvement District Project.

Chairman Pro-tem Carl made a motion to amend the agenda by adding an item titled: Resolution No. 2016-15 -- A Resolution Authorizing a Contract Addendum and a Third-Party Agreement Relative to the North Price Road Neighborhood Improvement District Project, immediately following Item Number 14. Motion seconded by Council Member Waldman.

POLL OF THE COUNCIL:

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

Motion passed.

**Item #4 – City Council Reports**

The Mayor and City Council Members noted that they had attended no additional meetings.

**Item #5 – 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, proposing that the City initiate a summer basketball program for teenagers.

Ellen Alton, 1 Marbrooke Lane, addressed the City Council, thanking them for the recent recycling and shredding event that was held at City Hall. She stated that she hopes the City continues to provide this type of event to citizens.

Susan Pittman, 7 High Acres, addressed the City Council with concerns of residents allowing their children and pets to play in the pond at Stacy Park. She asked that the City consider placing signs prohibiting this activity. She also expressed concerns regarding children climbing on limbs that are down in Stacy Park. Ms. Pittman asked the City policy regarding use of fireworks. Police Chief Knox noted that discharge of fireworks is prohibited. Ms. Pittman asked that this information be distributed to residents next year, prior to the fourth of July.

**OLD BUSINESS**

**Item #6 – Bill #2811 – An Ordinance Providing for the Repeal of Chapter 205.030 and 205.040, Fire Prevention and Protection of the Code of Ordinances of the City of Olivette, Missouri and the Enactment of one New Chapter 205.030 and 205.040 of the Municipal Code of the City of Olivette, Missouri on the Same Subject – Second Reading**

City Clerk Bennett read Bill #2811 – An Ordinance Providing for the Repeal of Chapter 205.030 and 205.040, Fire Prevention and Protection of the Code of Ordinances of the City of Olivette, Missouri and the Enactment of one New Chapter 205.030 and 205.040 of the Municipal Code of the City of Olivette, Missouri on the Same Subject, for the second time, by title only.

Fire Chief Avery stated that the current 2006 Fire Code has become out of date, and he stated that staff is recommending that the City Consider adoption of the 2015 ICC Fire Codes, with amendments. He noted that the proposed amendments to the Code were discussed at the City Council Work Session meeting in March. Chief Avery noted that the first reading of Bill #2811 was held at the June 28, 2016 City Council meeting and is now before the City Council for final passage.

Council Member Waldman posed questions regarding the "connections" noted on page 11 of the bill.

Being no other discussion, Chairman Pro-tem Carl made a motion to approve Bill #2811 – An Ordinance Providing for the Repeal of Chapter 205.030 and 205.040, Fire Prevention and Protection of the Code of Ordinances of the City of Olivette, Missouri and the Enactment of one New Chapter 205.030 and 205.040 of the Municipal Code of the City of Olivette, Missouri on the Same Subject. Motion seconded by Council Member Weil.

POLL OF THE COUNCIL:

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

Motion passed. By action of the Olivette City Council, Bill #2811 becomes Ordinance #2585.

**Item #7 – Bill #2812 – An Ordinance amending Section 600.080 of the Municipal Code of the City of Olivette by Enacting an Exception to the Requirement of Obtaining a Criminal Background Check for the Issuance of a Liquor License - Second Reading**

City Clerk Bennett read Bill #2812 – An Ordinance amending Section 600.080 of the Municipal Code of the City of Olivette by Enacting an Exception to the Requirement of Obtaining a Criminal Background Check for the Issuance of a Liquor License, for the second time, by title only.

City Manager Sondag stated that the proposed amendment clarifies that background checks on persons currently holding a liquor license, and who are requesting a special event or tasting license, will be at the discretion of the Police Chief. It was noted that the first reading of this bill was held at the June 28<sup>th</sup> City Council meeting, and the bill is now before the City Council for second reading and final approval.

Council Member Waldman made a motion to approve Bill #2812 – An Ordinance amending Section 600.080 of the Municipal Code of the City of Olivette by Enacting an Exception to the Requirement of Obtaining a Criminal Background Check for the Issuance of a Liquor License. Motion seconded by Council Member Weil.

POLL OF THE COUNCIL:

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

Motion passed. By action of the Olivette City Council, Bill #2812 becomes Ordinance #2586.

**NEW BUSINESS**

**Item #8 – Bill #2813 – An Ordinance to approve a Final Subdivision Plat titled "Olivette Heights-Orchard Drive Boundary Adjustment Plat" – First Reading**

City Clerk Bennett read Bill #2813 – An Ordinance to approve a Final Subdivision Plat titled "Olivette Heights-Orchard Drive Boundary Adjustment Plat", for the first time, by title only.

Planning and Community Development Director Trejo stated that, in the process of recording all necessary documents regarding the North Price Road Neighborhood Improvement District (NID), it was necessary to establish ownership of a "paper street" known as Orchard Drive. He stated that the City, along with the adjacent property owners, appealed to St. Louis County Court to vest title of the "paper street" to the adjacent 3-property owners, a portion of which was vested to the City of Olivette, and the Court granted title as requested. Mr. Trejo stated that, in order to ensure compliance, the City Attorney has advised the City to prepare a boundary adjustment plat for the referenced three (3) properties, as part of a Court Order clarifying ownership. He noted that the Planning and Community Design Commission unanimously approved the preliminary subdivision plat on June 16, 2016, and subsequently unanimously approved the final subdivision plat the same day.

City Attorney Martin clarified the process involved with this issue. Planning and Community Development Director Trejo noted that it is anticipated that the city will hold a second reading and final approval of Bill #2813 at the July 26, 2016 City Council meeting.

**Item #9 – Bill #2814 – An Ordinance to approve a Final Subdivision Plat titled "Sleepy Hollow Addition" – First Reading**

City Clerk Bennett read Bill #2814 – An Ordinance to approve a Final Subdivision Plat titled "Sleepy Hollow Addition", for the first time, by title only.

Planning and Community Development Director Trejo stated that the proposed ordinance would authorize approval to record a 3-lot subdivision of the property currently addressed as 9335 Old Bonhomme Road. He noted that the property is zoned SR Single Family Residential District, and the proposed three lots would conform to the minimum lot dimensions of the SR District, under Section 400.235. The name of the new 3-lot subdivision would be known as "Sleepy Hollow Addition". Mr. Trejo stated that the Planning and Community Design Commission unanimously approved the preliminary subdivision plat on March 10, 2016, and unanimously approved the final subdivision plat on June 16, 2016. He also noted that it is anticipated that the city will hold a second reading and final approval of Bill #2814 at the July 26, 2016 City Council meeting.

City Attorney Martin stated that that there may be a minor revision to the ordinance, prior to second reading; however, the revision should not require that the Bill be substituted.

**Item #10 - Bill #2815 – An Ordinance to Repeal a Certain Section of Personnel Ordinances and Regulations – First Reading**

City Clerk Bennett read Bill #2815 – An Ordinance to Repeal a Certain Section of Personnel Ordinances and Regulations, for the first time, by title only.

City Manager Sondag noted that the City Council agreed to incorporate longevity pay into the salary scales for all employees, during discussions regarding the Fiscal Year 2016-2017 budget. She stated that the proposed ordinance would repeal Section 5.5 "Longevity Pay" of the 2015 City of Olivette Personnel and Rules and Regulations, now that the pay scales have been adjusted. She stated that it is anticipated that the city will hold a second reading and final approval of Bill #2815 at the July 26, 2016 City Council meeting.

**Item #11 - Committee Appointments**

Mayor Springer asked each City Council Member who is serving as a liaison to a board or commission to make their recommendations for appointment. Recommendations were as follows:

Chairman Pro-tem Carl stated he recommends appointing Rod Patershuk to serve as a member of the Economic Development Commission, with a term expiring June 30, 2019.

Council Member Waldman stated that she recommends appointing Nathan Gould and Brad Abel to serve as members of the Planning and Community Design Commission, with both terms expiring June 30, 2020.

Chairman Pro-tem Carl stated he recommends appointing Christopher Lust and Larry Gerstein to serve as members of the Zoning Board of Adjustment, with Mr. Lust's term expiring June 30, 2018 and Mr. Gerstein's term expiring June 30, 2021.

Council Member Sewell stated she recommends appointing Kisha Lee and Robin LeVan to serve as members of the Park and Recreation Commission, with both terms expiring June 30, 2019.

Mayor Springer stated that she recommends appointing Dona Turpin to serve as a member of the Olivette Housing Authority, with a term expiring June 30, 2020, and also recommends appointing Susan Pittman to serve as a member of the Personnel Board of Appeals, with a term expiring June 30, 2019.

Council Member Weil made a motion to approve the slate of board and commission appointees, as noted by the liaisons. 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 #12 - Snow Removal Price Increase**

Finance Director Mann stated that the City currently provides snow removal services for thirty-nine subdivisions throughout the City at a rate of \$190 per hour. Snow removal of private streets by the City has occurred for many years, with the latest round of contract updates occurring in 2008. Mr. Mann noted that, in 2010, the City Council established Chapter 540 of the City Code which includes provisions for maintenance and repair of private streets including "seasonal snow plowing and salting services". He reported that labor, material, and machinery costs have increased over time, and these items merit an increase in the associated rates charged for removal. Finance Director Mann stated that Chapter 540 allows all costs to be recovered with regard to activities on private streets, and calculations support costs of \$225 per hour, which excludes allowed administrations costs. He noted that no City Council action is required; however, this item is being brought before City Council as an update of rates that will be charged to residents for this service.

**Item #13 - Approval to Purchase One (1) Replacement Vehicle for the Olivette Police Department to be Utilized by the Patrol Division**

Police Chief Knox stated that the recently adopted Operating Budget for Fiscal Year 2016-17 included authorization for replacement of two vehicles for the Olivette Police Department from the Capital Improvement Fund. He noted that the original budget request including funding for two Ford Police Interceptor Sedans; however, Don Brown Chevrolet has a 2016 Chevrolet Impala available for immediate purchase. Chief Knox reported that purchasing this vehicle,

instead of a 2017 Ford Police Interceptor Sedan, will result in a budgetary savings of \$6,486.00. It was noted that the vehicle will be acquired under standard law enforcement vehicle pricing for the State of Missouri.

Council Member Weil made a motion to approve the purchase of one (1) Patrol vehicle from Don Brown Chevrolet not to exceed \$19,697.00. 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 #14 - Request for Document Destruction - Fire Department**

Fire Chief Avery stated that the Fire Department has been reviewing documents currently housed in the Fire Department in anticipation of the move to the new facility next year, and has determined that there are documents that are no longer needed under the current retention schedule. He requested approval from the City Council that the following documents be securely destroyed under the following document retention classifications adopted with Ordinance #2552:

| <u>Classification</u> | <u>Description</u>       | <u>Dates</u>     |
|-----------------------|--------------------------|------------------|
| GS 007                | Accounts Payable Records | 1998 and earlier |

GS 099 Building Plans and Drawings

*Also Called:* Blueprint and Specification File

*Function:* Construction designs presented to local government for zoning/building approval

*Content:* Drawings and designs of proposed structures, may include specifications and construction documents

*Minimum Retention:* Commercial structures, 10 years after certificate of occupancy; Residential Structures, 5 years after certificate of occupancy; other structures, 1-year

*Disposition:* Destroy

*Note:* Local jurisdictions are encouraged to review plans for historical, legal, or administrative significance before destroying. "Other" plans include sheds, outbuildings, decks or other structures that do not fall under the categories of "Commercial" or "Residential". Please note, for government building plans/specifications, see GS 023 Capital Improvement Projects File

Council Member Sewell made a motion to authorize the destruction of documents as defined in the attached memo from the Fire Chief dated July 5, 2016. (Also noted above.) Motion seconded by Chairman Pro-tem Carl.

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 #15 – Resolution No. 2016-15: A Resolution Authorizing a Contract Addendum and a Third-Party Agreement Relative to the North Price Road Neighborhood Improvement District Project**

City Clerk Bennett read Resolution No. 2016-15: A Resolution Authorizing a Contract Addendum and a Third-Party Agreement Relative to the North Price Road Neighborhood Improvement District Project, by title only.

City Manager Sondag noted that, while the City has been working on the North Price Neighborhood Improvement District (NID) project, it was noted that 1220 North Price was having significant storm water issues. The City had arrived at a solution for the problem; however, when speaking to the property owner, it was determined that there is a better solution, which would involve creation of a private storm water system for that property. City Manager Sondag stated that, in order to avoid disruption of the NID project at a later date and to expedite the improvements, the property owner, Property Partnership, Inc. (PPI), has proposed that Gershenson perform the work. She noted that this work will not be a part of the NID project, and would be a separate addendum with Gershenson for the additional work. City Manager Sondag noted that the cost of the project, (approximately \$27,000) will be paid upfront to the City by PPI, prior to the City authorizing the additional construction. She reiterated that this will be no additional cost to the NID project, and will result in a better solution for the storm water problems, for both the City and the property owner. She stated that staff is asking the City Council to approve a resolution authorizing the City Manager to execute an Addendum to the City’s construction contract with Gershenson and a Third-Party Agreement with PPI, in substantial conformity with the terms and conditions provided in the attached Exhibits A and B. City Council discussion held.

Chairman Pro-tem Carl made a motion to approve Resolution No. 2016-15: A Resolution Authorizing a Contract Addendum and a Third-Party Agreement Relative to the North Price Road Neighborhood Improvement District 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 #16 - Review and Approval of the Minutes of the June 28, 2016 City Council Meeting**

Mayor Springer asked if there were any corrections to be made to the minutes of the June 28, 2016 City Council meeting. Being none, Council Member Weil made a motion to approve the June 28, 2016 City Council meeting as submitted. 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 #17 – Hearing from Citizens (Part 2)**

Ben Lavine, 4 Sleepy Hollow, addressed the City Council with questions regarding the numbering of the new Sleepy Hollow addition. Planning and Community Development Director Trejo noted that St. Louis County oversees the numbering system; Fire Chief Avery stated that the numbers must run concurrent.

**Item #18 – City Attorney’s Report**

City Attorney Martin stated that, with regard to the Police Standards litigation, a record on appeal was filed last week. He noted that St. Louis County will file a brief within the next few weeks, and it is anticipated that there will be a decision on the case by the end of the year.

City Attorney Martin recommended that the City Council hold an Executive Session at the end of tonight’s meeting for attorney-client privileged communications and to discuss real estate matters pursuant to the Revised Statutes of the State of Missouri, Section 610.021.1 and Section 610.021.2.

**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 610.021.2 for attorney-client privileged communications and to discuss real estate 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 8:15 PM.

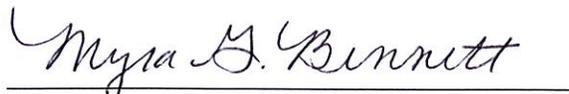
The City Council reconvened to the regular meeting at approximately 8:40 PM. It was noted that no reportable votes were taken.

**Item #19 – Adjournment**

Being no further business, Chairman Pro-tem Carl made a motion to adjourn the meeting. Motion seconded by Council Member Sewell. Mayor Springer adjourned the meeting at approximately 8:42 PM.

  
Mayor Ruth Springer

ATTEST:

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