

**CITY OF OLIVETTE  
CITY COUNCIL MEETING MINUTES  
August 9, 2016**

The Olivette City Council met on August 9, 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, Public Works Director Bruce McGregor, and City Clerk Myra Bennett.

**Item #2 – Communications**

City Clerk Bennett noted that no written communications were submitted for the August 9, 2016 City Council meeting.

**Item #3 – City Manager's Report**

City Manager Sondag reported the following:

- Construction continues on the new city facility. Most of the interior framing is complete, and exterior masonry work is underway. The project remains under budget, with an anticipated move in date set for March 17, 2017. Weather conditions continue to be an issue regarding construction.
- Work continues on the Old Bonhomme Road project. With school starting on August 16<sup>th</sup>, it is important to note that there will be traffic delays, and ask that residents use extreme caution when driving through work zones. Public Works Director McGregor has been in contact with the Ladue bus system regarding traffic concerns. Traffic will remain westbound only, and the Police Department will be assisting with traffic. The Ladue School District will be sending out a communication to parents regarding the construction zone and traffic flow.
- Keat Properties has been chosen as the preferred developer for the I-170/Olive Boulevard redevelopment. Survey work is now complete, and they are in final preparation of the redevelopment plan. TIF members have been identified, but not yet appointed. Review of the redevelopment plan and completion of a blight study will be upcoming steps in the process, and *Development Strategies* will be involved in that process.
- The request for proposals for the current City Hall site redevelopment project was released two weeks ago. Deadline for submittal of proposals is August 31, 2016.
- The City of Olivette has been ranked #4 in the "2016 Best Suburbs to Live in St. Louis Metro Area" survey by the Business Journal. Additional information is available on the City website.
- There will be a "Party in the Park" event at Warson Park on September 23<sup>rd</sup>, with family activities beginning at 6:30 PM, and "DJ Reggie Dance Party" later that evening.
- "Coffee with the Mayor" will be held on August 24<sup>th</sup> at 8:45 AM at City Hall.
- "Turkey Trot" will be held on November 24<sup>th</sup> at 8:00 AM at Stacy Park.

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

Council Member Waldman stated that she has no report at this time. She thanked Chairman Pro-tem Carl for attending the PCDC meeting in her absence.

Chairman Pro-tem Carl noted that he attended the Planning and Community Design Commission (PCDC) meeting on August 4<sup>th</sup>. He noted that a property at 724 Mansfield was approved with a 2 ft. variance on the driveway, into the 5 ft. buffer. He also noted that he attended today's Pension Board meeting, in Mayor Springer's absence, and he stated that there is approximately \$19.6 million in the pension investments at this point. Chairman Pro-tem Carl reported that the next Pension Board meeting has been scheduled to be held on November 1, 2016 at 4:30 PM at City Hall.

Council Member Sewell and Council Member Weil both stated that they have no report at this time.

Council Member Springer thanked Chairman Pro-tem for attending today's Pension meeting, in her absence.

#### **Item #5 – July Monthly Financial Report**

Finance Director Mann gave a summary of revenues and expenditures for all funds for the period ending July 31, 2016. He noted that with one month complete (8.3%), total revenues for the general fund are below expectations at 7.33%, but are higher than last year by \$92,353. Expenditures ended July at 9.81% of budget and \$36,178 lower than last July. Mr. Mann stated that sales taxes are remaining strong with other revenue sources around the 8.3% expected with one month of reporting. He added that property taxes will pull on year to date percentages, until collection in December. He stated that Individual department expenditures are at expected levels.

#### **Item #6 – Bond Funds Quarterly Investment Report**

Finance Director Mann noted that a summary and statement, provided by 5/3 Securities for the Series 2014 GO Bond funds has been distributed to the City Council for review. He noted that \$4.7 million was transferred to the operating accounts since the last report for April. He stated that maturities are set to average \$1,000,000 per month to November, and are expected to meet cash needs, so maturities from here on out are planned to be pulled back for City Center costs. Mr. Mann reported that earnings to date on the bond funds are just shy of \$70,500.

#### **Item #7 – Hearing from Citizens (Part I)**

No speaker cards were submitted.

#### **Item #8 – A Catalyst Strategy for the Economic Enhancement of Olivette**

City Manager Sondag noted that in May of 2015, Development Strategies was hired to create a development strategy that would assist the City in planning the redevelopment of two areas – I-170/Olive and the current City Hall area. She stated that Development Strategies has completed their final report, "A Catalyst Strategy for the Economic Enhancement of Olivette", and Matt Wetli is in attendance at tonight's meeting to review that information with the City Council. Mr. Wetli gave a PowerPoint presentation, summarizing the information contained in the final report. Discussion held.

Mayor Springer commended Mr. Wetli on his presentation, and noted that the overall message of the report is that Olivette is a great community, with a plan for Economic Development, and the City will be able to achieve its goals.

**OLD BUSINESS – none.**

**NEW BUSINESS**

**Item #9 – Bill #2817 - An Ordinance Fixing the Annual Rate of Tax Levy for 2016 on all Property within the City of Olivette, Providing for the Extension of Said Taxes on the Books of the Collector by the County Clerk and Providing for the Collection Thereof - First Reading**

City Clerk Bennett read Bill #2817 - An Ordinance Fixing the Annual Rate of Tax Levy for 2016 on all Property within the City of Olivette, Providing for the Extension of Said Taxes on the Books of the Collector by the County Clerk and Providing for the Collection Thereof, for the first time, by title only.

Finance Director Mann gave an overview of this item, noting that a public hearing and second reading of the bill is scheduled to be held on September 13, 2016. City Manager Sondag stated that the City has noticed that some of the property values for commercial property in Olivette have been declining, and staff is reviewing this issue. Discussion held.

**Item #10 – Bill #2818 - An Ordinance to amend the title of Chapter 520 Excavations and Grading and adopt a new chapter title called Chapter 520 Rights of Way Usage and Grading and enact a new Article I titled Rights of Way Usage Code - First Reading**

City Clerk Bennett read Bill #2818 – An Ordinance to amend the title of Chapter 520 Excavations and Grading and adopt a new chapter title called Chapter 520 Rights of Way Usage and Grading and enact a new Article I titled Rights of Way Usage Code, for the first time, by title only.

Planning and Community Development Director Trejo gave an overview of this issue, noting that the proposed ordinance would 1) rename "Chapter 520 Excavations and Grading" to "Chapter 520 – Rights of Way Usage and Grading", 2) repeal "Article I – Excavations" of Chapter 520 in its entirety, and 3) adopt a new "Article I – Rights of Way Usage Code".

City Attorney Martin stated that 30-35 years ago, when many of the regulations were written, only large utility companies fell within rights of way; however, with the increase in technology, many other companies fall within these issues, and it is appropriate to revise regulations to take these into consideration. He noted that these amendments will bring the code into compliance with state law. Mr. Martin added that there may be an amendment to this bill, prior to second reading and final passage.

**Item #11 – Bill #2819 – An Ordinance of the City of Olivette, Missouri, to Establish a Procedure to Disclose Potential Conflicts of Interest and Substantial Interests for Certain Municipal Officials – First Reading**

City Clerk Bennett read Bill #2819 – An Ordinance of the City of Olivette, Missouri, to Establish a Procedure to Disclose Potential Conflicts of Interest and Substantial Interests for Certain Municipal Officials, for the first time, by title only.

City Clerk Bennett stated that, every two years, the Missouri Ethics Commission requires that political subdivisions adopt an ordinance to require that Financial Interest Statements for Political Subdivisions (short form) be filed by elected officials and key appointed officials. The City of Olivette last adopted this ordinance as Ordinance #2523 on August 12, 2014. She noted that the new ordinance, once approved, must be forwarded to the Missouri Ethics Commission, no later than September 15, 2016. Ms. Bennett noted that, if a municipality does not re-adopt the ordinance, all elected, appointed and decision-making personnel, as well as

candidates for public office, would be required to file a Personal Financial Disclosure Statement – long form.

It is anticipated that the second reading of this bill will be held at the August 23, 2016 City Council meeting.

**Item #12 – Application for Liquor License for LuLu's Asian Kitchen, located at 9626 Olive Boulevard**

Planning and Community Development Director Trejo noted that LuLu's Asian Kitchen has applied for a "retail liquor by the drink" and a "Sunday by the drink" liquor license. He stated that the application has been reviewed by the Department of Planning and Community Development and the Chief of Police. Mr. Trejo stated that the Department of Planning and Community Development finds the applicant in good standing, and the Chief of Police has found no concerns from law enforcement. He stated that staff recommends approval of the application. Mr. Trejo also noted that the owners of LuLu's Asian Kitchen are in attendance at tonight's meeting, if there are any questions.

Chairman Pro-tem Carl made a motion to approve the authorization to issue a Liquor License for the 2016 calendar year to LuLu's Asian Kitchen, addressed as 9626 Olive Boulevard. 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 #13 - Consideration of 1989 John Deere Backhoe as Surplus**

Public Services Director McGregor stated that the 1989 John Deere backhoe (asset # 8853) serves as reserve equipment for winter salt loading or emergency operations. He noted that, after 27 years of use, the machine requires too much maintenance to be a cost effective component of the Public Works equipment inventory. Mr. McGregor stated that staff intends to replace this unit with a skid steer to diversify the Public Works equipment inventory, and recommends that this machine be declared surplus.

Council Member Weil made a motion to declare asset #8853 surplus. 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 #14 - Selection of City Center Washer-Extractor**

Finance Director Mann stated that a request for proposals was issued for a new Washer/ Extractor for Fire Department use in the new City Center, and 3 responses were received by August 1, 2016 bid opening deadline. Mr. Mann stated that staff recommends the purchase and installation of a new Pellerin Milnor MWR18X4 Gear Guardian from Loomis Brothers Equipment Company. He noted that bond funds would be used to cover this expenditure. Discussion held regarding the use of the washer/extractor, and it was explained that this equipment is used for cleaning the Fire Department turnout gear. Mayor Springer asked if staff is familiar with the proposed equipment and company, in order to ensure that this is a quality piece of equipment. Fire Chief Avery noted that he is familiar with this company and the equipment, due to the fact this is the same company used by the City of O’Fallon, when he worked for that city.

Council Member Weil made a motion to approve the purchase and installation of a new Pellerin Milnor MWR18X4 Gear Guardian from Loomis Brothers Equipment Company at a cost of \$7,225. 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 B. – Appointment of Shannon Hadley to the Olivette Pension Board of Trustees**

Mayor Springer stated that Ms. Shannon Hadley had originally expressed interest is serving on a different commission; however, other appointments were made to that committee. She stated that, after speaking with Ms. Hadley, it was determined that she met the qualifications to serve as a member of the Pension Board of Trustees, and she expressed interested in serving on this board.

Mayor Springer made a motion to appoint Ms. Shannon Hadley to serve as a member of the Olivette Pension Board of Trustees, with a term ending June 30, 2019. 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 #15 - Review and Approval of the Minutes of the July 26, 2016 City Council Meeting**

Mayor Springer asked if there were any corrections to be made to the minutes of the July 26, 2016 City Council meeting. Being none, Council Member Waldman made a motion to approve the July 26, 2016 City Council meeting minutes as written. Motion seconded by Council Member Sewell.

POLL OF THE COUNCIL:

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

Motion passed.

**Item #16 – Hearing from Citizens (Part 2)**

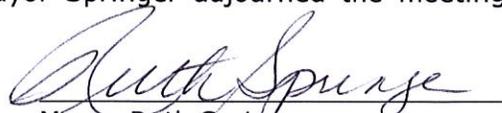
No speaker cards were submitted.

**Item #17 – City Attorney’s Report**

City Attorney Martin stated that the Missouri Supreme Court recently handed down a decision that could affect cities. In the past, an unsuccessful bidder was deemed to not have any standing to sue a City for not choosing them. Recently, the Court changed direction on this and ruled that an unsuccessful bidder has a legal right and constitutional process for filing suit. City Attorney Martin stated that this could mean more lawsuits for cities. City Manager Sondag noted that the City of Olivette has a formal bidding process, which it follows for all bidding, which greatly minimizes the chances of a successful lawsuit against the City. Discussion held.

**Item #18 – 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 8:30 PM.

  
 Mayor Ruth Springer

ATTEST:

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