

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

The Olivette City Council met on August 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 at approximately 7:05 PM.

Item #1 – Roll call

On roll call, the following persons were present: Mayor Ruth Springer, Chairman Pro-tem J. Gregory Carl, and Council Member Missy Waldman. Mayor Springer stated that Council Member Maxine Weil will be arriving shortly, and Council Member Suzanne Sewell is absent, with excuse.

Also in attendance were City Manager Barbara Sondag, City Attorney Paul Martin, Police Chief Rick Knox, Fire Chief Scott Avery, Planning & Community Development Director Carlos Trejo, Public Works Director Bruce McGregor, Parks & 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 August 23, 2016 City Council meeting.

Item #3 – City Manager's Report

City Manager Sondag reported the following:

- Progress continues on the new City Center. Exterior walls have been placed, and the building is "buttoned up".
- A CodeRed update was sent out today regarding the Old Bonhomme Road project to let residents know that the eastbound lane of Old Bonhomme Road between Dielman Road and Olive Boulevard will be closed beginning Wednesday, August 24th, 2016. Traffic flow will be one-way westbound from Dielman to Olive. Construction will begin on the south side of Old Bonhomme at Dielman and work westward. Sidewalk construction along Stacy Park will continue once AT&T and Ameren UE complete underground cable relocations. It was also noted that the project is slightly behind schedule, primarily due to the recent weather. The project was originally scheduled to be completed by the end of October; however, the project should be complete in November. No major backups have been reported with the start of school.
- The North Price Road improvement project is basically completed, with the exception of some landscaping.
- Several areas of the website have been updated, to make the site more user friendly for residents.
- The St. Louis Post Dispatch has had several articles regarding a Consolidated Administrative and Support Program for fire services, which is being reviewed by five cities, including Clayton, Brentwood, Richmond Heights, Rock Hill and Maplewood. The primary reason for the study was to determine if shared services could reduce costs for cities. The City of Olivette is not involved in this process at this time; however, will continue to keep an eye on the process to see if this is something to consider in the future.

(City Council Member Maxine Weil entered the meeting at approximately 7:19 PM.)

- The Planning and Community Development status report contains an inventory of the Warson-Baur Industrial Park area. The Planning and Community Development Department will continue to work with Finance Director Mann to prepare additional inventories of the other industrial areas within the city.
- The Public Works Department status report notes that they have been working on pavement replacement at White Rose; in addition, they have striped Dielman Industrial Drive.
- The Parks and Recreation Department status report notes that over 400 children attended the various city summer camps. In addition, it notes improvements to the Community Center, including creation of a "lecture room".
- Upcoming events include the following:
 - Party in Park, September 23rd at Warson Park
 - Coffee with the Mayor, tomorrow morning, 8:45 AM at City Hall
 - Turkey Trot, November 24th, 8:00 AM at Stacy Park

Chairman Pro-tem Carl stated that he drove by the new City Center and the North Price project.

Council Member Weil commended Parks and Recreation Director Tucker-Knight for the attendance at the various summer camp programs.

Mayor Springer noted that the deadline for the Request for Proposals (RFP) for redevelopment of the old city hall site is August 31st at 2:00 PM.

Council Member Waldman thanked the City Manager and staff for improvements to the way in which updates and information are being communicated to the public.

Item #4 – City Council Reports

Council Member Waldman stated that she attended the Planning and Community Design Commission meeting on August 18th. Actions taken included the following:

- Approved a Petition for new home at 701 Payson Drive and residential addition at 817 New Castle Drive.
- Deferred a petition for a residential addition at 1115 Magnet Drive; there was no one present representing the petition.
- Approved a petition to amend the ordinance authorizing the Special Permit Use for 9626 Olive Boulevard, to permit operations for LuLu's Asian Kitchen and allow outdoor seating. Requested a landscape plan layout of the seating area be brought back for Commission review.
- Approved a petition for exterior improvements at 9334 Dielman Industrial Drive, Charter Communications.
- Deferred discussion on a draft ordinance amending Chapter 440 Communications Towers, and review procedures outlined throughout Title IV Land Use Code.

Council Member Weil and Chairman Pro-tem Carl both indicated that they have no reports at this time.

Mayor Springer noted that she attended a legislative committee meeting for the St. Louis Metro Municipal League. She stated that they are discussing items they would like to see addressed during this legislative session. In addition, they are preparing a policy statement, which is currently in draft form. Mayor Springer stated that the committee plans to meet two to three more times to finalize the policy statement, and she will share this policy with the City Council, once it is completed.

Item #5 – Hearing from Citizens (Part I)

Morton Bertish, 8829 Chisholm Court, asked if the redevelopment area for the old City Hall site includes the "Ponderosa" property and the property owned by 5/3 Bank. Mayor Springer indicated that the redevelopment area does not include these two properties.

OLD BUSINESS

Item #6 – Bill #2816 - An Ordinance Repealing Chapter 240 Section 240.070 Of The City Of Olivette Municipal Code And Enacting A New Chapter In Lieu Thereof Relating To Community Center Rental Fees - Second Reading

City Clerk Bennett read Bill #2816 - An Ordinance Repealing Chapter 240 Section 240.070 Of The City Of Olivette Municipal Code And Enacting A New Chapter In Lieu Thereof Relating To Community Center Rental Fees for the second time, by title only.

Parks and Recreation Director Tucker-Knight gave an overview of this issue and a PowerPoint presentation summarizing the usage of the Community Center, current rental rates, and proposed rates. Council discussion held regarding event sponsors and how often the rental rates will be reviewed. Ms. Tucker-Knight indicated that the usage and rates will be reviewed annually in conjunction with the budget process.

Council Member Waldman made a motion to approve Bill #2816 - An Ordinance Repealing Chapter 240 Section 240.070 Of The City Of Olivette Municipal Code And Enacting A New Chapter In Lieu Thereof Relating To Community Center Rental Fees. 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	Absent
Mayor Springer	Yea

Motion passed. By action of the Olivette City Council, Bill #2816 becomes Ordinance #2590.

Item #7 – 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 - Second 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 second time, by title only.

Planning and Community Development Director Trejo gave a brief overview of this issue, noting that the version of Bill #2818 that is before the City Council for consideration has been revised by the City Attorney since the first reading. City Attorney Martin stated that there have been two major revisions to the bill since the first reading, along with some minor revisions. He noted that the major revisions included the following: 1) Revision noting that Federal and State deadlines may differ. The revision places the responsibility on the applicant, if they wish the Federal deadlines to apply. 2) Revision noting that Chapter 440 regulations may be applied at the discretion of the Planning and Community Development Director. Council discussion held.

Council Member Carl made a motion to substitute the revised Bill #2818 as presented at tonight's meeting, in place of Bill #2818, as read for the first time at the previous meeting. Motion seconded by Council Member Waldman.

POLL OF THE COUNCIL:

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

Motion passed.

Council Member Weil made a motion to approve 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, as amended. Motion seconded by Carl.

POLL OF THE COUNCIL:

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

Motion passed. By action of the Olivette City Council, Bill #2818 becomes Ordinance #2591.

Item #8 – 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 – Second 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 second time, by title only.

City Clerk Bennett stated that, as noted at the first reading, every two years, the Missouri Ethics Commission requires that political subdivisions adopt an ordinance to require Financial Interest Statements for Political Subdivisions (short form) to be filed by elected officials and key appointed officials. She noted that the City of Olivette last adopted this type of ordinance in August 2014. The new ordinance, once approved, must be forwarded to the Missouri Ethics Commission, no later than September 15, 2016. Council Member Waldman asked if this ordinance would change any of the current requirements. City Clerk Bennett stated that the requirements would remain the same.

Chairman Pro-tem Carl made a motion to approve 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. Motion seconded by Council Member Waldman.

POLL OF THE COUNCIL:

Chairman Pro-tem Carl	Yea
Council Member Waldman	Yea
Council Member Sewell	Absent

Council Member Weil Yea
Mayor Springer Yea

Motion passed. By action of the Olivette City Council, Bill #2819 becomes Ordinance #2592.

NEW BUSINESS

Item #9 – Bill #2820 - An Ordinance Repealing Chapter 125, Article VI Olivette on the Go Committee, in its Entirety - First Reading

City Clerk Bennett read Bill #2820 - An Ordinance Repealing Chapter 125, Article VI Olivette on the Go Committee, in its Entirety for the first time, by title only.

City Manager Sondag stated that, over the past several years, it has become increasingly difficult to recruit and retain the number of volunteers necessary to serve on the Olivette On the Go Committee. She noted that, after much discussion and debate, the Council is being asked to consider an ordinance that would eliminate the committee. She added that the Park and Recreation Commission has been asked to investigate alternative community festivals and/or activities and to bring their recommendations back to the City Council. It is anticipated that the second reading of this bill will be held at the September 13th meeting.

Item #10 - Resolution 2016-18: A Resolution Authorizing the Execution of Change Orders #12 and 13 of the Contract between the City of Olivette and United Construction for Construction of the City Center

City Manager Sondag stated that the City Council is being asked to approve a resolution authorizing the execution of two change orders in the contract between the City of Olivette and United Construction for construction of the new City Center. She noted that change orders over \$10,000 require City Council approval. City Manager Sondag informed the City Council that Change Order #12, in the amount of \$16,983, includes costs associated with increasing the height of the masonry wall around the generator and increasing the size of the generator pad. Change Order #13, in the amount of \$12,234, includes cost for the import of needed soil material for fill onsite. City Manager Sondag noted that, to date, there have been seventeen change orders totaling \$114,917. This represents 1.3% of the \$8.8M construction costs. Several of the change orders included unit pricing, and thus were anticipated.

Chairman Pro-tem Carl made a motion to approve Resolution 2016-18: A Resolution Authorizing the Execution of Change Orders #12 and 13 of the Contract between the City of Olivette and United Construction for Construction of the City Center. Motion seconded by Council Member Weil.

POLL OF THE COUNCIL:

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

Motion passed.

Item #11 - 2016 Council Rules of Procedure

City Manager Sondag noted that each year, the City Council reviews its Rules of Procedure, and this year's annual review occurred at the Council Retreat, held on July 23rd. She stated that, this year, the Council added a section on Committee/Commission Appointments.

Council Member Weil made a motion to approve the 2016 City Council Rules of Procedure. Motion seconded by Council Member Waldman.

POLL OF THE COUNCIL:

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

Motion passed.

Item #12 – Consideration of Proposal to Replace Concrete Slabs on Harvest Court and Warson Pines

Public Works Director McGregor stated that the Public Works Department released a bid package to replace deteriorated concrete pavement on Harvest Ct. and Warson Pines earlier this year, noting that the quantity of concrete that needs to be replaced is more than City staff can perform. He stated that the City received bids from Spencer Contracting and Byrne and Jones, both of whom have had a positive history with Olivette and are qualified to complete the project. He stated that Byrne and Jones is the low bidder and has availability to complete the project this fall. Council Member Waldman asked who owns these streets. Mr. McGregor stated that these are City streets, which were acquired through the Neighborhood Improvement District (NID) process.

Council Member Waldman made a motion to authorize the City Manager to enter into an agreement not to exceed \$64,221.00 with Byrne and Jones, per the bid opening March 9, 2016. Motion seconded by Council Member Weil.

POLL OF THE COUNCIL:

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

Motion passed.

Item #13 - Consideration of Skid Steer Purchase Proposal

Public Works Director McGregor stated that the Public Works department currently has 2 backhoes (1989 and 2004 model years) to use for various construction and maintenance projects, and the 1989 backhoe was declared surplus during the August 9, 2016 City Council Meeting. He stated that staff believes that a skid steer will better diversify equipment resources for staff to respond to municipal needs. Mr. McGregor noted that a proposal has been submitted for Council review, extended off of MODOT Contract # 3-130326RW, by Bobcat of St. Louis for a S650 skid steer with enclosed cab and combination bucket. It includes a trade-in of \$9,000.00 for the 1989 backhoe, and feels this is a fair price based on evaluation by Kane Auctioneers. Discussion held.

Council Member Waldman made a motion to authorize the City Manager to approve a purchase order to Bobcat Company, Government Sales in the amount of \$33,362.84 to purchase (1) S650 skid steer with combination bucket. Motion seconded by Chairman Pro-tem Carl.

POLL OF THE COUNCIL:

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

Motion passed.

Item #14 - Request to Dispose/Donate Outdated Police & Fire Department Electronic Equipment

Lieutenant Dave Wolf stated that both the Police and Fire Departments have outdated electronic equipment, including walkie-talkies, vehicle radios, vehicle laptops, and vehicle cameras that are no longer in use since the change from analog radios to digital ones. He stated that these items could be disposed of or donated to the Missouri Department of Public Safety (DPS); this agency contacts smaller agencies and rural communities that may be able to utilize the equipment for their operations. Lieutenant Wolf stated that the Police and Fire Departments are asking for authorization to dispose of or donate these items.

Council Member Weil made a motion to authorize the Police and Fire Departments to dispose of or donate outdated electronic equipment. Motion seconded by Chairman Pro-tem Carl.

POLL OF THE COUNCIL:

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

Motion passed.

Item #15 - Review and Approval of the Minutes of the August 9, 2016 City Council Meeting

Mayor Springer asked if there were any corrections to be made to the minutes of the August 9, 2016 City Council meeting. Being none, Chairman Pro-tem Carl made a motion to approve the August 9, 2016 City Council meeting minutes as written. Motion seconded by Council Member Waldman.

POLL OF THE COUNCIL:

Council Member Waldman	Yea
Council Member Sewell	Absent
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 St. Louis County’s brief regarding the Police Standards case, should be filed on either August 26th or August 29th, and the cities will have 30 days to respond. St. Louis County will have 15 days afterwards to respond back.

City Manager Sondag noted that there will be no City Council meeting on October 11th, due to Yom Kippur. She also noted that she will be out of town on September 6th, which would be the next Work Session meeting date; therefore, it was decided that September Work Session would be moved to September 20th.

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 8:40 PM.


Mayor Ruth Springer

ATTEST:


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