

**CITY OF OLIVETTE  
CITY COUNCIL MEETING MINUTES  
September 27, 2016**

The Olivette City Council met on September 27, 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 Attorney Paul Martin, Police Chief Rick Knox, Fire Chief Scott Avery, Finance Director Darren Mann, Parks and Recreation Director Beverly Tucker Knight, and City Clerk Myra Bennett. City Manager Barbara Sondag was absent with excuse.

**Item #2 – Communications**

City Clerk Bennett noted that no written communications were submitted for the September 27, 2016 City Council meeting; however, there is a presentation to be made by the Olivette Fire Department.

Fire Chief Avery noted that the Fire Department employees have collected donations within the department, as a donation to the USO. Firefighter/Paramedic Jim Rujawitz presented a donation in the amount of \$1000 to Susan Hansen, representative for the USO.

**Item #3 – City Manager's Report**

Finance Director Mann gave the following report, in the City Manager's absence:

- Work continues on the Old Bonhomme Road Improvement Project. Despite the City's efforts, the utility companies continue to delay the work that needs to be performed along Old Bonhomme, which may affect the completion date of the project.
- With the North Price NID nearing completion, the process will begin to transfer ownership of the roadway to the City. Final financing numbers for the project should be completed shortly.
- Progress continues on the new facility. The City Council will begin planning for a ribbon cutting and open house for the new facility in the near future.
- The "Party in the Park" event, held last week at Warson Park, was a success. Congratulations to the Parks and Recreation Department for their work on the event.
- "Boo Bash" will be held on October 22<sup>nd</sup>, from 5:00 PM – 8:00 PM at Warson Park.
- "Turkey Trot" 5K walk/run will be held on November 24<sup>th</sup> at 8:00 AM at Stacy Park. Registration is now open. This year, "chip timing" will be used to track placement of runners in the race.
- The regular City Council meeting, scheduled to be held on October 11<sup>th</sup>, has been cancelled in observance of Yom Kippur.
- A "Social Hour with the Mayor" event was held last week. Mr. Greg Yawitz, Keat Properties, was the Mayor's guest.

**Item #4 – City Council Reports**

Council Member Sewell and Council Member Weil both stated that they have attended no additional meetings.

Council Member Waldman stated that the Planning and Community Design Commission (PCDC) meeting scheduled for September 15<sup>th</sup>, was rescheduled to September 29<sup>th</sup>; therefore, she has no report at this time.

Chairman Pro-tem Carl noted that he attended the joint meeting with the Economic Development Commission (EDC) meeting on September 21<sup>st</sup>; however, since the other Council Members were in attendance, he has nothing to report.

Mayor Springer stated that a "Social Hour with the Mayor" event was held on September 21<sup>st</sup>. She noted that the guest speaker was Greg Yawitz, Keat Properties, and he gave a report on his work thus far on the I-170/Olive Boulevard redevelopment project. She stated that Mr. Yawitz presented preliminary plans; however, he noted that there have been no negotiations, due to the fact that he is not far enough along in the process at this point.

Mayor Springer reported that she attended the Olivette Housing Authority meeting this afternoon. She stated that the St. Louis County Housing Authority does a great job in managing these properties. She noted that the occupancy rate for the Olivette units is 100%, and the housing units are in great shape.

Mayor Springer noted that she attended a Municipal League meeting, which included a presentation by Great Rivers Greenway regarding the Riverfront Project. She stated that she is hoping that she can schedule Great Rivers Greenway to attend a meeting with the Olivette City Council regarding their ongoing projects.

#### **Item #5 – August Financial Report**

Finance Director Mann gave a summary of revenues and expenditures for all funds for the City of Olivette, for the period ending August 31, 2016. He noted that total revenues remain below expectations at 12.71% of total budget, but are higher than last year by \$39,441. He reported that expenditures are at 16.06% of budget, and they are \$30,668 lower than last year.

#### **Item #6 – Hearing from Citizens (Part I)**

Mark Biernacki, 31 Kentom Drive, addressed the City Council stating that he is proud of Olivette's Police and Fire Department personnel for their community spirit. He also noted that, although he missed the Party in the Park event, he has heard from several people that the event was "awesome". Mr. Biernacki thanked Parks and Recreation Director Tucker-Knight for her work and the changes that she has made within the department.

#### **OLD BUSINESS – None.**

#### **NEW BUSINESS**

#### **Item #7 – Bill #2821 - An Ordinance Amending Certain Provisions of the Olivette Municipal Code to Comply with Missouri Senate Bill No. 572 Relating to Nuisances and Municipal Court Fines - First and Second Readings**

City Clerk Bennett read Bill #2821 - An Ordinance Amending Certain Provisions of the Olivette Municipal Code to Comply with Missouri Senate Bill No. 572 Relating to Nuisances and Municipal Court Fines, for the first time, by title only.

City Clerk Bennett noted that there has been a request that a second reading and approval of this bill be held at tonight's meeting.

Council member Chairman Pro-tem Carl made a motion to set aside ordinary rules and read Bill #2821 for a second time at tonight's meeting. 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.

Mayor Springer closed the regular meeting at approximately 7:28 PM, and opened the floor for a public hearing regarding this matter.

City Attorney Martin reported that Senate Bill 572 approved amendments to Senate Bill 5, pertaining to Municipal Court fines and nuisances, and that the proposed Bill #2821 would incorporate those amendments into the City Code and bring the City Code into compliance with State law. City Attorney Martin noted that parts of Senate Bill 5 have been found unconstitutional by the courts. He noted that amendments to Senate Bill 5 include an amended definition for "minor traffic violations" and adds the definition of "municipal ordinance violations". He noted that the bill also amends the general penalties for violations by decreasing the fine from \$300 to \$225. Council discussion held regarding the amendments.

Mayor Springer asked if there is anyone in the audience who wished to address the City Council regarding this issue. Being none, Mayor Springer closed the public hearing at approximately 7:37 PM, and reconvened to the regular meeting.

City Attorney Martin noted that the amendments made by Senate Bill 572 went into effect on August 26<sup>th</sup>, and this is the reason that the City is requesting that the City Council hold a second reading and approve the proposed bill at tonight's meeting.

Mayor Springer asked the City Clerk to read Bill #2821 for the second time. City Clerk Bennett read Bill #2821 - An Ordinance Amending Certain Provisions of the Olivette Municipal Code to Comply with Missouri Senate Bill No. 572 Relating to Nuisances and Municipal Court Fines, for the second time, by title only.

Chairman Pro-tem Carl made a motion to approve Bill #2821 - An Ordinance Amending Certain Provisions of the Olivette Municipal Code to Comply with Missouri Senate Bill No. 572 Relating to Nuisances and Municipal Court Fines. 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. By action of the City Council, Bill #2821 becomes Ordinance #2595.

**Item #8 - Review and Approval of the Minutes of the September 1, 2016 Special Meeting, September 13, 2016 Regular City Council Meeting, and September 21, 2016 Special Meeting.**

Mayor Springer asked if there were any corrections to be made to the minutes of the September 1, 2016 Special Meeting, September 13, 2016 Regular City Council Meeting, and September 21, 2016 Special Meeting.

Being none, Council Member Waldman made a motion to approve the September 1, 2016 Special Meeting, September 13, 2016 Regular City Council Meeting, and September 21, 2016 Special Meeting 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 #9 – Hearing from Citizens (Part 2)**

No speaker cards were submitted.

**Item #10 – City Attorney’s Report**

City Attorney Martin stated that the Cities’ brief was filed on Monday, regarding the Police Standards case. St. Louis County will have 15 days to respond, and a decision should be made within three to six months.

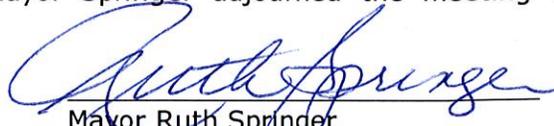
City Attorney Martin noted that the Planning and Community Design Commission (PCDC) will be discussing the location of telecom services at their meeting this Thursday. A recommendation will be coming forward to the City Council shortly.

Council Member Waldman asked if the City Attorney had seen the article regarding AT&T wanting all poles to be “hot spots”, and asked if this is related to the PCDC discussion to be held on Thursday. City Attorney Martin stated that he has seen the article, and it is related to the discussion on Thursday.

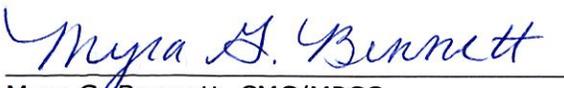
Council Member Waldman asked who will be doing the oral argument for the Cities in the Police Standards case. City Attorney Martin stated that he is unsure at this point; however, Attorney Bob Jones did the oral arguments before the trial courts.

**Item #11 – Adjournment**

Being no further business, Council Member Weil made a motion to adjourn the meeting. Motion seconded by Council Member Sewell. Mayor Springer adjourned the meeting at approximately 7:45 PM.

  
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Mayor Ruth Springer

ATTEST:

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