

CITY OF OLIVETTE
January 10, 2023

The Olivette City Council met on January 10, 2023 at 7:03 PM via videoconferencing, livestreaming and in person. Chairman Pro-tem Carl called the meeting to order.

Item #1 – Roll call

On roll call, the following persons were present: Chairman Pro-tem Greg Carl, Council Member Sidney Clark, Council Member Missy Waldman and Council Member Rick Knox. Mayor Maxine Weil was absent with excuse.

Also, in attendance were City Manager Barbara Sondag, City Attorney Paul Martin, Finance Director Darren Mann, Planning and Community Development Director Carlos Trejo, Parks & Recreation Director Beverly Tucker Knight, Public Works Director Bruce McGregor and Acting City Clerk Denise Mandle.

Item #2 – Communications

There were no written communications. Chairman Pro-tem Carl swore in new Police Officer, Andrew Potts.

Item #3 – City Manager’s Report

City Manager Sondag reported on the following:

- Parks Dashboard for January 2023
- Community Center/Warson Park Dashboard for January 2023
- Park Maintenance Building
- Great Rivers Greenway (GRG) trail
- Vacancy on Planning and Community Design Commission

UPCOMING EVENTS

City Offices will be closed on 1/16 in observance of Martin Luther King Day

City Council Worksession – 1/17 @ 7pm

Parks and Recreation Commission – 1/18 @ 7pm

Planning and Community Design Commission – 1/19 @ 7pm

Economic Development Commission – 1/23 @ 7pm

City Council Regular Meeting – 1/24 @ 7pm

Coffee with the Mayor – 2/08 @ 8:45am

Item #4 – City Council Reports

Council Member Clark stated he had nothing to report.

Council Member Knox stated he had nothing to report.

Council Member Waldman stated she attended the Planning and Community Design Commission meeting on December 15, 2022. She also discussed the Missouri Municipal League and its role in the use tax and the distribution of the taxes and the League’s February meeting which is being hosted by Olivette.

Chairman Pro-tem Carl stated he had nothing to report.

Item #5 – Monthly Financial Report – November 2022

Finance Director Darren Mann addressed the Council stating General Fund revenues are below expectations and expenditures are also below expectation for a net favorable variance. Overall, variations in revenues are starting to appear with utility taxes and permits behind in expectations for several months now. Personnel costs are below expectation due to vacancies and retirements. Major project costs are also behind in budget expectations.

Item #6 – Hearing From Citizens

There were no comments from citizens.

Item #7 – Bill #2990 – An Ordinance Imposing A Sales Tax At A Rate Of Three Percent On All Tangible Personal Property Retail Sales Of Adult Use Marijuana Sold Within The City Of Olivette, Missouri, Pursuant To Article XIV, Section 2.6 (5) Of The Missouri Constitution Subject To The Approval By The Voters Of The City At The General Municipal Election To Be Held On April 4, 2023; Designating The Form Of Ballot; And Directing The City Clerk To Provide Notice Of Said Election. First and Second reading

Acting City Clerk Mandle read Bill #2990 - An Ordinance Imposing A Sales Tax At A Rate Of Three Percent On All Tangible Personal Property Retail Sales Of Adult Use Marijuana Sold Within The City Of Olivette, Missouri, Pursuant To Article XIV, Section 2.6 (5) Of The Missouri Constitution Subject To The Approval By The Voters Of The City At The General Municipal Election To Be Held On April 4, 2023; Designating The Form Of Ballot; And Directing The City Clerk To Provide Notice Of Said Election, for the first time, by title only.

City Manager Sondag addressed the Council stating at the December 13, 2022 Council meeting, the Council discussed imposing a three percent retail sales tax on adult use marijuana sold in the City of Olivette and to submit the question to the voters at the April 4, 2023 election. The imposition of a local tax is allowed by Amendment 3 of the Missouri Constitution and voter approval is required by the same. Since the deadline to submit ballot questions is January 24, 2023, the Council is asked to read Bill #2990 for a first and second time and then vote on the bill.

Chairman Pro-tem Carl asked for a motion to aside regular rules and read Bill #2990 for a second time.

Council Member Waldman made a motion to set aside regular rules and read Bill #2990 for a second time. Motion seconded by Council Member Clark.

Chairman Pro-tem Carl asked if there was any public comment. There were no public comments.

Chairman Pro-tem Carl asked the Clerk to read the Bill #2990 for a second time.

Acting City Clerk Mandle read Bill #2990 - An Ordinance Imposing A Sales Tax At A Rate Of Three Percent On All Tangible Personal Property Retail Sales Of Adult Use Marijuana Sold Within The City Of Olivette, Missouri, Pursuant To Article XIV, Section 2.6 (5) Of The Missouri Constitution Subject To The Approval By The Voters Of The City At The General Municipal Election To Be Held On April 4, 2023; Designating The Form Of Ballot; And Directing The City Clerk To Provide Notice Of Said Election, for the second time, by title only.

Chairman Pro-tem Carl asked for a motion on Bill #2990.

Council Member Waldman made a motion to approve Bill #2990 - An Ordinance Imposing A Sales Tax At A Rate Of Three Percent On All Tangible Personal Property Retail Sales Of Adult

Use Marijuana Sold Within The City Of Olivette, Missouri, Pursuant To Article XIV, Section 2.6 (5) Of The Missouri Constitution Subject To The Approval By The Voters Of The City At The General Municipal Election To Be Held On April 4, 2023; Designating The Form Of Ballot; And Directing The City Clerk To Provide Notice Of Said Election. Motion seconded by Council Member Clark.

POLL OF THE COUNCIL:

Council Member Clark	Yea
Council Member Knox	Yea
Council Member Waldman	Yea
Chairman Pro-tem Carl	Yea
Mayor Weil	Absent

Motion passed. By the action of the Olivette City Council Bill #2990 becomes Ordinance #2761.

Item #8 – Bill #2991 – An Ordinance Amending Article III Of Chapter 220 Of The Olivette City Code Pertaining To Smoking In Public Places. First Reading

Acting City Clerk Mandle read Bill #2991 - An Ordinance Amending Article III Of Chapter 220 Of The Olivette City Code Pertaining To Smoking In Public Places, for the first time, by title only.

City Manager Sondag addressed the Council stating at the December 6, 2022 Council worksession, the Council discussed amending Chapter 220 Smoking in Public given the passage of Amendment 3 of the Missouri Constitution which allows for the smoking of marijuana in public spaces. The Council gave City Attorney Martin direction on the changes to be made to Chapter 220. Bill #2991 is a result of those changes.

Item #9 – Bill #2992 – An Ordinance Amending Section 400.220 Permitted Uses, Being Part Of Article IV “SR” Single-Family Residential District Of Chapter 400 Zoning Regulation Of Title IV Land Use Of The Olivette Municipal Code To Reduce The Lot Width Noted Under Section 400.220 (A.3.a) First Reading

Acting City Clerk Mandle read Bill #2992 - An Ordinance Amending Section 400.220 Permitted Uses, Being Part Of Article IV “SR” Single-Family Residential District Of Chapter 400 Zoning Regulation Of Title IV Land Use Of The Olivette Municipal Code To Reduce The Lot Width Noted Under Section 400.220 (A.3.a) for the first time, by title only.

Planning and Community Development Director Carlos Trejo addressed the Council stating this bill will permit a reduction in the minimum lot width from the current fifty (50) feet to forty (40) feet, subject to all other procedures and regulations. There will be a public hearing and presentation on the bill at the January 24, 2023 Council meeting.

Item #10 – Bill #2993 – An Ordinance Repealing Section 240.070 Of Chapter 240 Of The Municipal Code And Enacting A New Section Relating To Hourly Rental Rates For The Community Center; And Enacting A New Section, 240.072, Establishing Community Center Membership Fees. First Reading

Acting City Clerk Mandle read Bill #2992 - An Ordinance Repealing Section 240.070 Of Chapter 240 Of The Municipal Code And Enacting A New Section Relating To Hourly Rental Rates For The Community Center; And Enacting A New Section, 240.072, Establishing Community Center Membership Fees, for the first time, by title only.

Parks and Recreation Director Beverly Tucker Knight addressed the Council stating this bill will set the annual membership use rates and hourly facility rental rates of the new Community

Center, Five Oaks on Warson. There will be a presentation at the January 24, 2023 Council meeting.

Item #11 – Authorization To Apply For MODOT Cost Share And Congestion Mitigation And Air Quality Improvement (CMAQ) Funding In Conjunction With Two Intersection Improvements At Olive Blvd-North Price And Dielman Industrial.

City Manager Sondag and Public Works Director Bruce McGregor addressed the Council stating staff has been working on grant applications to help fund improvements at two intersections along Olive Blvd. – North Price and Dielman Industrial. Both intersections experience delays and backups due to a lack of dedicated right turn lanes.

Trekk Design Group has engineered preliminary design and gathered additional data at both intersections for the creation of applications for both the MODOT Cost-Share grant and the Congestion Mitigation and Air Quality Improvement (CMAQ) grant. Total projects costs are estimated at \$1.5M. The City will be requesting a 50% match for the MODOT Cost-Share grant. The CMAQ grant request will be for up to 20% of the remaining costs. Due to the grant submission dates, staff is asking council for authorization to apply for both the MODOT Cost-Share and the CMAQ funding.

Council Member Waldman made a motion to authorize applications for MODOT Cost Share And Congestion Mitigation And Air Quality Improvement (CMAQ) Funding In Conjunction With Two Intersection Improvements At Olive Blvd-North Price And Dielman Industrial. Motion seconded by Council Member Clark.

POLL OF THE COUNCIL:

Council Member Clark	Yea
Council Member Knox	Yea
Council Member Waldman	Yea
Chairman Pro-tem Carl	Yea
Mayor Weil	Absent

Motion passed.

Item #12 – Vehicle Surplus Declaration

Finance Director Darren Mann addressed the Council stating City staff has identified a vehicle that has served its useful life for City purposes and is requesting a surplus declaration. The vehicle will be disposed of through auction.

Council Member Waldman made a motion to approve Asset #11426, a 2015 Ford Explorer with VIN# ending in 0635, listed as surplus and to be disposed by auction. Motion seconded by Council Member Clark.

POLL OF THE COUNCIL:

Council Member Clark	Yea
Council Member Knox	Yea
Council Member Waldman	Yea
Chairman Pro-tem Carl	Yea
Mayor Weil	Absent

Motion passed.

Item #13 – Surplus Equipment Declaration

Parks and Recreation Director Beverly Tucker Knight addressed the Council stating the department is recommending the equipment listed be declared surplus and be disposed of prior to the demolition of the old Community Center at 9723 Grandview Dr. These assets are no longer used, have exceed their useful life and have little to no residual value.

Council Member Clark made a motion to declare itemized equipment surplus and authorize disposal. Motion seconded by Council Member Knox.

POLL OF THE COUNCIL:

Council Member Clark	Yea
Council Member Knox	Yea
Council Member Waldman	Yea
Chairman Pro-tem Carl	Yea
Mayor Weil	Absent

Motion passed.

Item #14 – Document Destruction

Finance Director Darren Mann addressed the Council stating he is requesting to securely destroy documents according to retention classifications adopted with Ordinance #2552.

Council Member Clark made a motion to approve secure destruction of documents as classified and described in memo date 1/04/2023. Motion seconded by Council Member Knox.

POLL OF THE COUNCIL:

Council Member Clark	Yea
Council Member Knox	Yea
Council Member Waldman	Yea
Chairman Pro-tem Carl	Yea
Mayor Weil	Absent

Motion passed.

Item #15 – Hearing From Citizens (Part 2)

Kate Hellmann, 800 N. Price, addressed the Council making a request for a copy of the full text of Amendment 3.

Item #16 – Review and Approval of Minutes

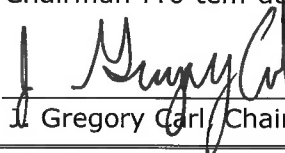
The December 13, 2022 minutes will be presented at the January 24, 2023 meeting.

Item #17 – City Attorney’s Report

City Attorney Martin addressed the Council stating he did not have a report and there would not be a closed session.

Item #1 – Adjournment

Being no further business, Council Member Clark made a motion to adjourn the meeting. Motion seconded by Council Member Waldman. Chairman Pro-tem adjourned the meeting at approximately 8:21 PM.



Gregory Carl, Chairman Pro-tem

ATTEST:

Denise M. Mandle

Denise M. Mandle
Acting City Clerk