

**CITY OF OLIVETTE**  
**June 13, 2023**

The Olivette City Council met on June 13, 2023 at 7:03 PM via videoconferencing, livestreaming and in person at the Olivette City Center, 1140 Dielman Road, Olivette, MO 63132. Mayor Weil called the meeting to order.

**Item #1 – Roll call**

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

Also, in attendance were Interim City Manager Darren Mann, City Attorney Paul Martin, Planning and Community Development Director Carlos Trejo, Parks and Recreation Director Beverly Tucker Knight, Police Chief Beth Andreski, Assistant Fire Chief Tim Fain, Acting City Clerk Denise Mandle, and Deputy City Clerk Jennifer Conrad.

**Item #2 – Communications**

There were no written communications. Interim City Manager Darren Mann introduced new Deputy City Clerk Jennifer Conrad to the Council.

**Item #3 – City Manager’s Report**

Interim City Manager Darren Mann addressed the Council regarding the Community Center, Olive Crossing, and Dielman Rd. construction.

**Upcoming Events**

- Juneteenth – 6/19 – City Offices Closed
- Olivette Night Out – 6/20 @ 6-8 p.m.
- Stacy Starry Nights – June 29 @ 8:30 p.m. – Stacy Park
- Independence Day – 7/4 – City Offices Closed
- Coffee with the Mayor – 7/12 @ 8:45 a.m. – City Center
- Coffee with a Cop – 7/20 @ 8 a.m. – McDonald’s
- Turkey Trot – 11/23 – Registration opens 8/1

**Upcoming Meetings**

- City Council – 6/27 @ 7 p.m.
- Work Session Canceled – 7/4
- Planning and Community Design Commission Canceled – 7/6
- City Council – 7/11 @ 7 p.m.
- Comprehensive Plan Committee – 7/13 @ 6 p.m.
- City Council – 7/25 @ 7 p.m.

**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 Carl stated he had nothing to report.

Chairman Pro-tem Waldman stated she had no real report, but that the Municipal League is beginning their summer sessions.

Mayor Weil stated she had nothing to report.

**Item #5 – Hearing from Citizens**

There were no comments from citizens.

**Item #6 – Resolution #2023-238 – A Resolution Appointing Jennifer Yackley As The City Manager For The City Of Olivette, Authorizing And Directing The Execution Of A Contract Regarding Same, And Authorizing City Staff To Resolve An Issue Concerning The Payment Deferred Compensation As Required By The Contract**

Acting City Clerk Mandle read Resolution #2023-238 - A Resolution Appointing Jennifer Yackley As The City Manager For The City Of Olivette, Authorizing And Directing The Execution Of A Contract Regarding Same, And Authorizing City Staff To Resolve An Issue Concerning The Payment Deferred Compensation As Required By The Contract, by title only.

Interim City Manager Mann presented the resolution and stated that Jennifer Yackley was present. Mayor Weil stated that after a series of interviews and rigorous search, they are excited to welcome Jennifer Yackley as City Manager. She also thanked Julie Stone of Stone Consulting.

Council Member Carl made a motion to approve Resolution 2023-238 - A Resolution Appointing Jennifer Yackley As The City Manager For The City Of Olivette, Authorizing And Directing The Execution Of A Contract Regarding Same, And Authorizing City Staff To Resolve An Issue Concerning The Payment Deferred Compensation As Required By The Contract. Motion seconded by Council Member Knox.

**POLL OF THE COUNCIL:**

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

Motion passed.

Jennifer Yackley thanked the Council and staff and stated that she will be starting on August 7.

**Item #7 – Bill #3002 – An Ordinance Authorizing A Special Permit To Agri-Genesis, LLC, To Operate A Marijuana Dispensary Facility To Be Known As Sunrise Dispensary On The Property Grounds Addressed As 9270 Olive Boulevard, Zoned “COR” Commercial/Office/Retail District. Second Reading and Public Hearing**

Acting City Clerk Mandle read Bill #3002 - An Ordinance Authorizing A Special Permit To Agri-Genesis, LLC, To Operate A Marijuana Dispensary Facility To Be Known As Sunrise Dispensary On The Property Grounds Addressed As 9270 Olive Boulevard, Zoned “COR” Commercial/Office/Retail District, for the second time, by title only.

Planning and Community Development Director Carlos Trejo addressed the Council requesting a public hearing.

Mayor opened the public hearing at approximately 7:18 PM

Trejo then gave a presentation that included the location and type of business, the proposed operations of the business, information about Chapter 450 of the Code, a review of the procedure for obtaining a special use permit, general conditions of the special permit, the January 19, 2023 PCDC presentation, February 2, 2023 PCDC presentation, April 20, 2023 PCDC presentation, and the PCDC recommendation.

Mr. Trejo entered the following items to the record:

- Amendment #2 as adopted on 11/8/2018 – Medical Marijuana
- Ordinance #2760 adopted 11/3/2022 – creating Chapter 450 – Medical Marijuana Facilities
- Amendment #3 as adopted on 11/6/2022 – Adult Use Recreational Marijuana
- Ordinance #2767 adopted 2/28/2023 amending Chapter 450 to include adult use recreational
- 2006 Comprehensive Plan
- 2012 Ordinance #2471 adopting Chapter 428 Community Design – Olive Boulevard Corridor
- 2014 Ordinance #2521 amending Chapter 400 COR District and Special Permit Uses
- 2016 Catalyst Strategy for the Economic Development of Olivette
- 2019 Olive Boulevard: Conceptual Master Plan
- 2021 Northeast Quadrant Transportation Sketch Planning Study
- 9270 Olive Blvd. Recreational Marijuana Dispensary Traffic Assessment prepared by the Lochmueller Group dated 4/13/2023
- Staff PCDC Presentations Dated 1/19, 2/2, 4/20, and 5/4/2023
- Staff memorandum dated May 4, 2023 to the PCDC including petition and supporting plans and documents
- Public hearing affidavit of publication on May 29, 2023 and addresses notified
- Olivette Municipal Code and Zoning Map
- Presentation before the City Council – 6/13/2023 and attachments.

Mayor Weil asked if anyone from the public would like to speak.

Acting City Clerk Mandle stated that two letters were received in advance of the meeting from Ishan Desai, 9318 Kenneth Place and Georgia Wilke, 9318 Kenneth Place.

Douglas Travis, 1031 Dolores Avenue, addressed the Council regarding his concerns with the dispensary regarding traffic issues and declining property values.

David Razafsky, 9311 Kenneth Place, read a letter from Ishan Desai, 9318 Kenneth regarding the requests from the neighborhood if the proposal is approved.

Jeff Schneider, 9324 Kenneth Place, addressed the Council regarding his concerns with the dispensary.

Christina Hundley, 9311 Kenneth Place, addressed the Council regarding her concerns with the dispensary regarding issues with traffic, including pedestrian traffic.

Bill Waltke, 9317 Tess St., addressed the Council regarding his concerns with the dispensary regarding traffic issues.

Sundos Schneider, 9324 Kenneth Place, addressed the Council regarding her concerns with the dispensary regarding a high-volume business at the location and the safety of neighborhood children.

Shengjun Liu, 8933 Iroquois Dr., addressed the Council regarding his concerns with the dispensary regarding traffic issues.

Kate Hellmann, 800 North Price Rd., addressed the Council in support of her neighbors and their concerns with the location of the dispensary.

Nestor DeSousa, 1004 Dolores Ave., addressed the Council regarding his concerns with the dispensary regarding the impact on the neighborhood and property values.

Hilary Davidson, 1029 Dolores Ave., addressed the Council regarding her concerns with the dispensary regarding traffic, parking, and light pollution.

Robin Park, 9326 Kenneth Place, addressed the Council requesting a wise decision regarding the dispensary.

Mayor Weil closed the public hearing at approximately 8:08 PM.

Mayor Weil asked Mr. Trejo about several topics brought up in the public statements including the potential for a drive through, closing the Olive entrance, masonry, screening, and parking.

Council Member Carl made a motion to approve Bill #3002 - An Ordinance Authorizing A Special Permit To Agri-Genesis, LLC, To Operate A Marijuana Dispensary Facility To Be Known As Sunrise Dispensary On The Property Grounds Addressed As 9270 Olive Boulevard, Zoned "COR" Commercial/Office/Retail District. Motion seconded by Chairman Pro-tem Waldman.

**POLL OF THE COUNCIL:**

Council Member Clark	No
Council Member Knox	No
Council Member Carl	No
Chairman Pro-tem Waldman	Yea
Mayor Weil	No

Motion failed.

**Item #8 – Bill #3003 – An Ordinance Authorizing And Directing The Missouri American Water Company (MAW) To Install One (1) Fire Hydrant Proximal To The Oliver At 9473 Olive Blvd., Approximately 188 Feet North Of Olive Blvd. On The West Side Of Friese Drive And Approximately 44 Feet To The Northeast Corner Of The Building Located In The Island On The West Side Of Friese Drive, In The City Of Olivette, Missouri. First Reading**

Acting City Clerk Mandle read Bill #3003 - An Ordinance Authorizing And Directing The Missouri American Water Company (MAW) To Install One (1) Fire Hydrant Proximal To The Oliver At 9473 Olive Blvd., Approximately 188 Feet North Of Olive Blvd. On The West Side Of Friese Drive And Approximately 44 Feet To The Northeast Corner Of The Building Located In The Island On The West Side Of Friese Drive, In The City Of Olivette, Missouri, for the first time, by title only.

Assistant Fire Chief Tim Fain addressed the Council regarding the installation of a fire hydrant at the Oliver to maintain the proper distance for public safety. This hydrant will be paid for by Missouri American Water.

Council Member Waldman made a motion to approve Bill #3003 - An Ordinance Authorizing And Directing The Missouri American Water Company (MAW) To Install One (1) Fire Hydrant Proximal To The Oliver At 9473 Olive Blvd., Approximately 188 Feet North Of Olive Blvd. On The West Side Of Friese Drive And Approximately 44 Feet To The Northeast Corner Of The Building Located In The Island On The West Side Of Friese Drive, In The City Of Olivette, Missouri. Motion seconded by Council Member Carl.

**POLL OF THE COUNCIL:**

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

Motion passed. By Action of the Olivette City Council, Bill #3003 becomes Ordinance #2773.

**Item #9 – Bill #3004 – An Ordinance Making Appropriations For Current Expenses Of The City Government Of The City Of Olivette For The Fiscal Year Beginning July 1, 2023; Adopting A Certain Budget; And Adopting A Certain Salary Schedule – First Reading**

Acting City Clerk Mandle read Bill #3004 – An Ordinance Making Appropriations For Current Expenses Of The City Government Of The City Of Olivette For The Fiscal Year Beginning July 1, 2023; Adopting A Certain Budget; And Adopting A Certain Salary Schedule, for the first time, by title only.

Interim City Manager Mann addressed the Council and stated that there will be a presentation and public hearing at the June 27, 2023 meeting.

**Item #10 – Bill #3005 – An Ordinance Of The City Of Olivette, Missouri, Reaffirming The Gross Receipts Tax To Be Imposed Upon Water Companies Conducting Business Within The City And Matters Related Thereto – First Reading**

Acting City Clerk Mandle read Bill #3005 – An Ordinance Of The City Of Olivette, Missouri, Reaffirming The Gross Receipts Tax To Be Imposed Upon Water Companies Conducting Business Within The City And Matters Related Thereto, for the first time, by title only.

Interim City Manager Mann addressed the Council, stating that recent activity by the Public Service Commission triggered certain rollbacks, including the reduction of gross receipt taxes for one year. This ordinance maintains those tax rates at 10% despite the increase in Missouri American Water rates.

Discussion was had regarding a July 10 implementation deadline and whether other cities were aware of this date.

**Item #11 – Resolution #2023-239 – A Resolution Authorizing The Interim City Manager To Enter Into An Agreement With Navigate Building Solutions For Additional Project Management Services At An Amount Not To Exceed \$65,100**

Acting City Clerk Mandle read Resolution #2023-239 – A Resolution Authorizing The Interim City Manager To Enter Into An Agreement With Navigate Building Solutions For Additional Project Management Services At An Amount Not To Exceed \$65,100.

Interim City Manager Mann addressed the Council regarding the Community Center and Warson Park improvements stating that an additional three-month extension is anticipated to retain owners representative services until project completion.

Council Member Clark made a motion to approve Resolution #2023-239 - A Resolution Authorizing The Interim City Manager To Enter Into An Agreement With Navigate Building Solutions For Additional Project Management Services At An Amount Not To Exceed \$65,100. Motion seconded by Council Member Carl.

**POLL OF THE COUNCIL:**

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

Motion passed.

**Item #12 - Resolution #2023-240 - A Resolution Authorizing And Directing The Execution Of A Contract With Piro Signs, Inc For The Construction And Installation Of Signage And Wayfinding At City Parks Not To Exceed \$113,751**

Acting City Clerk Mandle read Resolution #2023-240 – A Resolution Authorizing And Directing The Execution Of A Contract With Piro Signs, Inc For The Construction And Installation Of Signage And Wayfinding At City Parks Not To Exceed \$113,751.

Parks and Recreation Director Beverly Tucker Knight addressed the Council regarding the wayfinding master plan and the specifics of this phase of implementation. Bids have been solicited with four firms responding. Piro Signs emerged as the lowest qualified bidder. Staff recommends awarding the contract to Piro Signs.

Council Member Carl made a motion to approve Resolution #2023-240 - A Resolution Authorizing And Directing The Execution Of A Contract With Piro Signs, Inc For The Construction And Installation Of Signage And Wayfinding At City Parks Not To Exceed \$113,751. Motion seconded by Council Member Knox.

**POLL OF THE COUNCIL:**

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

Motion passed.

**Item #13 – Approval Of Change Order Totaling \$68,880 To The Contract With Wright Construction For Community Center Project Construction**

Interim City Manager Darren Mann addressed the Council, regarding the change order. The cost associated is to reconstruct and repave the dilapidated driveway from Warson Road to the building site. Portions were contracted to be milled and overlaid, however reconstruction is the best option for the entire driveline. A credit is being extended for the mill and overlay work that was originally contracted.

Council Member Carl made a motion to approve Wright Construction proposed change order 104 totaling \$68,880 for the Community Center Project. Motion seconded by Council Member Clark.

**POLL OF THE COUNCIL:**

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

Motion passed.

**Item #14 – Hearing From Citizens (Part 2)**

There were no comments from citizens.

**Item #15 - Review and Approval of Minutes**

Mayor Weil asked if there were any corrections to be made to the Council meeting minutes from May 23, 2023 and the June 6, 2023 Council Worksession. Council Member Carl made a motion

to approve the Council meeting minutes from May 23, 2023 and the June 6, 2023 Worksession as presented. Motion seconded by Council Member Clark.

POLL OF THE COUNCIL:

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

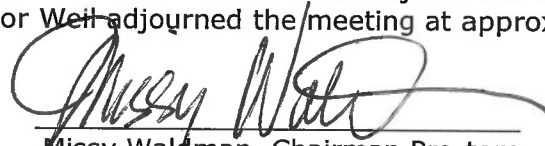
Motion passed.

**Item #16 - City Attorney's Report**

City Attorney Martin addressed the Council reminding them that he will not be in attendance at the next meeting on June 27, 2023. Ross Davis, City Prosecutor will be present.

**Item #17 - Adjournment**

Being no further business, Chairman Pro-tem Waldman made a motion to adjourn the meeting. Motion seconded by Council Member Carl. Mayor Weil adjourned the meeting at approximately 8:58 PM.

  
Missy Waldman, Chairman Pro-tem

ATTEST:  
  
Jennifer Conrad  
Deputy City Clerk