Olivette City Council Special Meeting
March 18, 2020
5:30 PM
Council Chambers
Olivette City Center
1140 Dielman Road

1. Roll Call

2. Bill #2922 An Ordinance To Amend Sections 140.010 And 140.030 To Extend Videoconferencing To The Planning And Community Design Commission

Documents:

2922 AN ORDINANCE AMENDING SECTIONS 140.010 AND 140.030 TO EXTEND VIDEOCONFERRING TO PCDC.PDF

3. Adjournment

AGENDA ITEMS WILL NOT NECESSARILY BE DISCUSSED IN ORDER. IF YOU HAVE ANY QUESTIONS, PLEASE CALL CITY HALL AT (314) 993-0444

Individuals wishing to speak at the meeting are asked to complete a speaker card, available the table as you enter the Chambers. Speakers will be called on to speak during the "Hearing from Citizens" portion of the meeting. Speakers are asked to hold comments to three (3) minutes.

The City of Olivette acknowledges its responsibility to comply with the Americans with Disabilities Act of 1990. If you require special services (i.e. sign interpretative services, alternative audio/video device) for participation in or access to the City of Olivette sponsored public programs, services, and/or meetings please call Barbara Sondag, City Manager at 314.993.0444 as soon as possible but no later than 48 hours prior to the event or call 314.993.3610 VOICE TDD, 1.800.735.2466 RELAY MISSOURI. Thank you.

Please note that the City Council may adjourn to closed session pursuant to the Revised Statutes of the State of Missouri to discuss legal, confidential or privileged attorney-client matters pursuant to Section 610.021(1), real estate matters pursuant to Section 610.021(2), personnel matters pursuant to 610.021(3), audit matters pursuant to Section 610.021(17), or for any other reason allowed by Missouri law.

Posted this day, March 17, 2020 4:00PM
Agenda Item:
BILL #2922- AN ORDINANCE AMENDING THE OLIVETTE MUNICIPAL CODE BY AMENDING SECTIONS 140.010 AND 140.030 TO EXTEND VIDEOCONFERENCING TO THE PLANNING AND COMMUNITY DESIGN COMMISSION

First and Second Reading

Description:
Given the current State of Emergency in relation to the COVID-19 pandemic, the Council is asked to hold a first and second meeting that would allow the Planning and Community Design Commission to hold meetings via videoconferencing. Currently the City Council has this authority and has successfully implemented videoconferencing.

Recommended Action:
To Approve Bill #2922- AN ORDINANCE AMENDING THE OLIVETTE MUNICIPAL CODE BY AMENDING SECTIONS 140.010 AND 140.030 TO EXTEND VIDEOCONFERENCING TO THE PLANNING AND COMMUNITY DESIGN COMMISSION

Attachments:
Bill #2922

Submitted by:
Barbara Sondag
CITY MANAGER
AN ORDINANCE AMENDING THE OLIVETTE MUNICIPAL CODE BY AMENDING SECTIONS 140.010 AND 140.030 TO EXTEND VIDEOCONFERENCING TO THE PLANNING AND COMMUNITY DESIGN COMMISSION

WHEREAS, Missouri Law allows public body members to participate and vote in meetings via video conferencing; and

WHEREAS, the Olivette City Council believes that the development of public policy is enhanced by the full participation of all members and that members should make all effort to physically attend meetings; and

WHEREAS, physical attendance is not always possible, and participation via video conferencing is a viable option allowing for continuity of discussion and decisions; and

WHEREAS, on September 25, 2018, the City Council amended Chapter 140 Open Meetings and Records Policy to allow for the use of video conferencing by the City Council; and

WHEREAS, the City Council has determined that the use of video conferencing has been successful, and the use should be extended to the Planning and Community Design Commission

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OLIVETTE, AS FOLLOWS:

Section One. Section 140.010, Definitions (substantive change italicized):

VIDEOCONFERENCING
A means by which the City Council and Planning and Community Design Commission may hold a public meeting, provided that a quorum of the Council is physically present at the meeting place and all Council members participating in the videoconferenced meeting, and all members of the public in attendance at the meeting place, are able to see hear and communicate with each other through personal interaction and live video and audio streaming.

Section Two. Section 140.030(H), Public Meetings and Notices; Meetings Using Videoconferencing (substantive change italicized)

1. It is the policy of the City that members of the City Council and Planning and Community Design Commission should be physically present for Council and Planning and Community Design Commission meetings to best serve their constituents, but when a member is unable to be physically present, for what otherwise would be an excused absence, the member may attend and participate by videoconference. A member desiring to do so shall notify the City Manager and Mayor, in writing, as early as possible prior to the meeting.
2. Member of the public may participate in a public meeting that is using videoconferencing to the same extent as a meeting that is not using videoconferencing.

3. If at any time during a videoconferenced meeting the videoconferencing feed, whether audio, video, or both, is disrupted so that participants are unable to see, hear, or fully communicate with the videoconferencing participant, the participant shall be deemed absent from the meeting for the duration of the disruption. The meeting may continue with the quorum of the Council physically present, and the absence of the videoconference participant, or the duration of the absence should the disruption be resolved, shall be reflected in the minutes.

4. A City Council or Planning and Community Design Commission Member attending a meeting via video conference may vote on all matters to the same extent as members who are physically present.

5. The City Council or Planning and Community Design Commission may use videoconferencing to hold a closed meeting as permitted by Missouri Statute or this Chapter. A City Council or Planning and Community Design Commission Member participating in a closed City Council meeting by videoconferencing shall ensure that there are no other persons present at their location to see, hear, or communicate with during the closed session, unless such other person has been authorized to participate by a majority of the City Council or Planning and Community Design Commission. All reasonable precautions must be taken to guard against interception of communication by others.

6. The minutes of any meeting using videoconferencing shall identify the member participating via video conference.

7. Videoconferencing Should Be Used Sparingly. The Council may limit or terminate the privilege of videoconferencing for any Council Member found to have abused the privilege.

8. No person shall preside over any meeting at which he or she is participating via videoconferencing.

Section Five. This Ordinance shall be effective after its passage and adoption.

PASSED AND ADOPTED THIS 18th DAY OF MARCH, 2020.

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Missy Waldman, Mayor

ATTEST:

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Denise Mandle, Acting City Clerk