

**CITY OF OLIVETTE**  
**February 28, 2023**

The Olivette City Council met on February 28, 2023 at 7:00 PM via videoconferencing, livestreaming and in person. 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 Greg Carl, Council Member Sidney Clark, Council Member Missy Waldman and Council Member Rick Knox.

Also, in attendance were City Attorney Paul Martin, Finance Director Darren Mann, Planning and Community Development Director Carlos Trejo, Parks & Recreation Director Beverly Tucker Knight, Police Chief Beth Andreski and Acting City Clerk Denise Mandle.

**Item #2 – Communications**

Written communications were received from Jason Murray, Ishan Desai, Nina Miller, Maureen Brodsky, Clean Air Olivette and Barry and Jean Brown regarding Bill #2995.

**Item #3 – City Manager’s Report**

Finance Director Darren Mann reported on the following:

- The onsite CALEA assessment for the Police Department
- The February Missouri Municipal League meeting on 02/23/2023, hosted by Olivette
- An update on Public Works projects
- Job openings available in the City

**UPCOMING MEETINGS**

Planning and Community Design Commission – 3/02 @ 7pm

Housing Authority – 3/07 @ noon

City Council Worksession – 3/07 @ 7pm

City Council Meeting – 3/14 @ 7pm

Parks & Recreation Commission – 3/15 @ 7pm

Planning and Community Design Commission – 3/16 @ 7pm

**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 had nothing to report.

Chairman Pro-tem Carl reported he attended the Economic Development Commission meeting, however, there was no quorum. The guest speaker was Tom Lancia, Executive Director of the Creve Coeur/Olivette Chamber of Commerce.

Mayor Weil reported she attended the Parks and Recreation meeting on February 15, 2023 and gave an overview of the items discussed.

**Item #5 – Monthly Financials Report – January 2023**

Finance Director Darren Mann addressed the Council stating General Fund Revenues are below expectation and General Fund Expenditures are below expectations for a net favorable variance. Sales tax collections are at expectations, property taxes have caught up with expectations and utility tax collections are still behind but trending toward normalizing.

**Item #6 - Hearing From Citizens**

Morton Bertish, 8829 Chisholm Ct., addressed the Council regarding a park for Hilltop.

Kristin Bengtson, 9355 Olive Blvd., addressed the Council regarding Bill #2995.

Stephanie Todd, 7 Heather Hill Ln., addressed the Council regarding Bill #2995.

Nina Miller, 36 Pricewoods Ln., addressed the Council regarding marijuana dispensaries.

Kate Hellman, 800 N. Price, addressed the Council regarding Bill #2995.

Jeff Schneider, 9324 Kenneth Pl., addressed the Council regarding dispensaries in residential areas.

Raphael Thomadsen, 809 New Castle Dr., addressed the Council regarding Bill #2995.

Jason Murray, 9328 Kenneth Pl., addressed the Council regarding Bill#2995.

Shengjun Liu, 8933 Iroquois, addressed the Council regarding Bill #2995.

**Item #7 – Bill #2995 – An Ordinance Amending The Olivette Municipal Code By Enacting A New Chapter 450 Regulating Marijuana Facilities.**

Acting City Clerk Mandle read Bill #2995 - An Ordinance Amending The Olivette Municipal Code By Enacting A New Chapter 450 Regulating Marijuana Facilities, by title only.

Mayor Weil stated a public hearing had already been held and tonight the Council would have a discussion of amendments to Chapter 450. City Attorney Martin explained the changes suggested for Chapter 450. Discussion was had regarding suggested amendments.

Council Member Waldman made a motion to amend Chapter 450, Section 450.040.D – Hours of Operation, to change the hours to 11:00 AM to 7:00 PM. 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	Yea

Motion passed.

Council Member Waldman made a motion to repeal the language in Section 450.030.B and replace it with the following language: Marijuana dispensary facilities may be permitted in any other non-residential zoning district, but no such facility shall be located within 1,000 feet of: (1) any then-existing elementary or secondary school, child day-care center, or church, or (2) any other marijuana facility. 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	Yea

Motion passed.

City Attorney Martin discussed an amendment to Chapter 450 Section 450.050.A to add the words "and the Olivette City Code" at the end of the first sentence.

Chairman Pro-tem Carl made a motion to add the words "and the Olivette City Code" to Chapter 450.050.A. 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	Yea

Motion passed.

Council Member Waldman made a motion to consider Bill #2995 as amended for final passage. Motion seconded by Chairman Pro-tem Carl.

POLL OF THE COUNCIL:

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

Motion passed.

Chairman Pro-tem Carl made a motion to approve Bill #2995 as amended - An Ordinance Amending The Olivette Municipal Code By Enacting A New Chapter 450 Regulating Marijuana Facilities. Motion seconded by Council Member Waldman.

POLL OF THE COUNCIL:

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

Motion passed. By Action of the Olivette City Council Bill #2995 becomes Ordinance #2767.

**Item #8 - Bill #2997 - An Ordinance Authorizing Certain Revisions To The Documents Approved By Ordinance #2727 Relating To The Issuance Of Taxable Industrial Revenue Bonds For A Project Located On The Irvington Court And Reyem Court In The City of Olivette. Second Reading**

Acting City Clerk Mandle read Bill #2997 – An Ordinance Authorizing Certain Revisions To The Documents Approved By Ordinance #2727 Relating To The Issuance Of Taxable Industrial Revenue Bonds For A Project Located On The Irvington Court And Reyem Court In The City of Olivette, for the second time, by title only.

Finance Director Darren Mann addressed the Council stating OPUS wants to assign its rights to Olivette ODC BREP I, LLC, an affiliate of Balboa Real Estate Partners. The change in ownership does not impact the project design or other site improvements.

Council Member Waldman made a motion to approve Bill #2997 - An Ordinance Authorizing Certain Revisions To The Documents Approved By Ordinance #2727 Relating To The Issuance Of Taxable Industrial Revenue Bonds For A Project Located On The Irvington Court And Reyem Court in the City of Olivette. 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	Yea

Motion passed. By Action of the Olivette City Council Bill #2997 becomes Ordinance #2768.

**Item #9 – Bill #2998 – An Ordinance Authorizing A Special Permit To Honig Management, LLC To Operate A Private Dog Club And Dog Run Facility On The Property Grounds Addressed As 1160 Walters Way Lane, Zoned “LID” Light Industrial District. First Reading**

Acting City Clerk Mandle read Bill #2998 - An Ordinance Authorizing A Special Permit To Honig Management, LLC To Operate A Private Dog Club And Dog Run Facility On The Property Grounds Addressed As 1160 Walters Way Lane, Zoned “LID” Light Industrial District, for the first time, by title only.

Planning and Community Development Director Carlos Trejo addressed the Council stating this bill would authorize a special permit to Honig Management, LLC to construct and operate a “private” dog club and dog run facility at the vacant and undeveloped property addressed as 1160 Walters Way Lane. There will be a second reading and public hearing on March 14, 2023.

**Item #10 – Authorization To Purchase Parks Utility Vehicle**

Parks and Recreation Director Beverly Tucker Knight addressed the Council stating this new utility vehicle (UTV) will replace the original UTV which was purchased in 1999. The new UTV will clear the park pathways and the new Great Rivers Greenway paths, in addition to standard park duties. The vehicle on the Missouri state bid meets the criteria and is available for purchase from S&H Farm Supply in Lebanon, MO. The purchase price of \$37,035 is within the amount authorized in the FY22-23 Capital Improvement Plan.

Chairman Pro-tem Carl made a motion to authorize purchase of park utility vehicle and delivery not to exceed \$37,035. Motion seconded by Council Member Waldman.

POLL OF THE COUNCIL:

Council Member Clark	Yea
Council Member Knox	Yea
Council Member Waldman	Yea

Chairman Pro-tem Carl                    Yea  
Mayor Weil                                    Yea

Motion passed.

**Item #11 – Authorize The Participation In The Missouri Highway Safety Program And Approval Of The Grant Funding Request From The Missouri Department Of Transportation**

Police Chief Beth Andreski addressed the Council stating this grant funding request included a total of \$8,000 on overtime pay for traffic enforcement, as well as grant funding to cover the cost of two (2) electronic radar speed signs. These electronic radar speed signs will also collect traffic data. The electronic radar speed sign requested is the Radarsign TC-400 and was chosen based on cost efficiency, portability and data collection which would meet the Department’s needs.

Council Member Knox made a motion to authorize the participation in the Missouri Highway Safety Program and approval of the grant funding request from the Missouri Department of Transportation. Motion seconded by Chairman Pro-tem Carl.

POLL OF THE COUNCIL:

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

Motion passed.

**Item #12 - Update of Great Rivers Greenway Centennial Greenway Projects Within Olivette**

This item was continued to the March 14, 2023 meeting.

**Item #13 – Approval of Holi Festival Picnic Liquor License**

Parks and Recreation Director Beverly Tucker Knight addressed the Council stating the Council is asked to approve a picnic liquor license for the Holi Festival of Colors event at Stacy Park on March 4, 2023. The non-profit organization Himalayan Family Healthcare Project (HFHP) is the organization requesting the license and responsible for alcohol sales at the event. Age will be verified and persons 21 years and older will be given a wrist bracelet. HFHP has completed the City’s license application and provided verification of their tax-exempt status. Approval will be contingent upon the Police Department’s background check.

Council Member Clark made a motion to approve a Holi Festival picnic liquor license for March 4, 2023 at Stacy park, contingent upon the Police Department’s background check. Motion seconded by Chairman Pro-tem Carl.

POLL OF THE COUNCIL:

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

Motion passed.

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

Kate Hellman, 800 N. Price Rd., addressed the Council regarding passage of Bill #2995.

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

Mayor Weil asked if there were any corrections to be made to the Council meeting minutes from February 14, 2023. Chairman Pro-tem Carl made a motion to approve the Council meeting minutes from February 14, 2023 as presented. 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	Yea

Motion passed.

**Item #16 – City Attorney’s Report**

City Attorney Martin addressed the Council stating he did not have a report however, he recommended that the City Council hold an Executive Session, pursuant to the Revised Statutes of the State of Missouri, Section 610.021.1 and Section 610.021.3 for attorney-client privileged communications and personnel matters.

Council Member Waldman made a motion to hold an Executive Session, pursuant to the Revised Statutes of the State of Missouri, Section 610.021.1 and Section 610.021.3 for attorney-client privileged communications and personnel matters. Motion seconded by Chairman Pro-tem Carl.

POLL OF THE COUNCIL:

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

Motion passed. City Council moved to Executive Session at approximately 9:05 PM.

The City Council reconvened to the regular meeting at approximately 9:34 PM.

**Item #17 – Adjournment**

Being no further business, Chairman Pro-tem Carl made a motion to adjourn the meeting. Motion seconded by Council Member Waldman. Mayor Weil adjourned the meeting at approximately 9:35 PM.

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Maxine Weil, Mayor

ATTEST:

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Denise M. Mandle  
Acting City Clerk