

THE MINUTES OF WORK SESSION
OF THE CITY COUNCIL OF THE CITY OF OVERLAND
HELD ON MONDAY, SEPTEMBER 26, 2016, AT 6:30 P.M.
IN THE COUNCIL CHAMBERS
AT 9119 LACKLAND ROAD, OVERLAND, MO

ROLL CALL

Dody	Owensby
Little	Shadley
Fetsch	Jones
Ridolfi	Dills

DISCUSSION –

Councilman Owensby made a motion to go into Executive Session for specification for competitive bidding, in accordance with RSMo 610.021(11), and sealed bids, in accordance with RSMo 610.021(12). Mayor Schneider polled the vote as follows: Dody – Yes; Little – Yes; Fetsch – Yes; Ridolfi – Yes; Owensby – Yes; Shadley – Yes; Jones – Yes; and Dills – Yes. Motion carried.

THE MINUTES OF THE 1526th
MEETING OF THE CITY COUNCIL
OF THE CITY OF OVERLAND, MISSOURI,
HELD ON SEPTEMBER 26th, 2016 AT 7:00 P.M.

CALL TO ORDER

Dody
Little
Fetsch
Ridolfi

Owensby
Shadley
Jones
Dills

PLEDGE OF ALLEGIANCE

REMEMBRANCE OF OUR SERVICE MEN AND WOMEN

PUBLIC HEARING

Please take notice that the City Council of the City of Overland, Missouri will conduct a Public Hearing on September 26, 2016 at 7:00 P.M. in the Council Chambers in the Overland City Hall located at 9119 Lackland Road, Overland, Missouri 63114, for the purpose of reviewing and receiving comments with respect to the following matters:

- 9731 Midland Blvd – Zoning Map Amendment – zoning change from “R-3” Single-Family Residential to “PD-MxD” Planned Development – Mixed
- Tree Preservation Ordinance – Proposed Amendment
- Cell Tower Ordinance – Proposed Amendment

Any interested parties may attend and be heard at the public hearing.

- 9731 Midland Boulevard – Zoning Map Amendment – R-3 to PD-MxD.
Shirlee Keitel – spoke against rezoning of the property.
Madonna Watermon – spoke against rezoning of the property.
Georgia Smith – spoke against rezoning of the property.
Councilman Jones – stated his understanding is residents do not believe the property will be improved.
Councilman Little – stated all concerns brought by residents before the Council were discussed and reviewed at by the Planning & Zoning Commission.
Councilman Dody – stated the property needs to be brought up to Code.

There being no further discussion, Mayor Schneider closed the public hearing for 9731 Midland Boulevard.

- Proposed Adoption of Tree Preservation Ordinance
City Administrator Jason McConachie explained this adoption is a requirement of MSD. It does not impact individual property owners who

need to take down a tree. It is for developers who require a grading permit. This is the most reasonable option to be in compliance with MSD regulations.

There being no further discussion, Mayor Schneider closed the public hearing on the proposed adoption of the Tree Preservation Ordinance.

- Proposed Adoption of Cell Tower Ordinance
City Administrator McConachie explained the amendments and the purpose of these amendments.

There being no further discussion, Mayor Schneider closed the public hearing on the proposed amendment of Cell Tower Ordinances.

RESIDENTS COMMENTS

Mayor Schneider announced the Neighborhood Watch organization has elected to disband, however, Elayne Sieckmann, 1912 Bryant, expressed an interest to lead the organization.

Tom Vitale – Leslie – indicated the Neighborhood Watch would like to go back to the Neighborhood Block Watch format.

APPROVAL OF MINUTES

September 12, 2016 City Council Work Session

Councilman Fetsch made a motion to approve the minutes as presented. Councilman Dody seconded the motion. Mayor Schneider polled the vote as follows: Dody – Yes; Little – Yes; Fetsch – Yes; Ridolfi – Yes; Owensby – Yes; Shadley – Yes; Jones – Yes; and Dills – Yes. Motion carried.

September 12, 2016 City Council Meeting

Councilman Fetsch made a motion to approve the minutes as presented. Councilman Shadley seconded the motion. Mayor Schneider polled the vote as follows: Dody – Yes; Little – Yes; Fetsch – Yes; Ridolfi – Yes; Owensby – Yes; Shadley – Yes; Jones – Yes; and Dills – Yes. Motion carried.

APPROVAL OF BILLS

Councilman Fetsch made a motion to approve the bills as presented. Councilman Dills seconded the motion. Mayor Schneider polled the vote as follows: Dody – Yes; Little – Yes; Fetsch – Yes; Ridolfi – Yes; Owensby – No; Shadley – Yes; Jones – Yes; and Dills – Yes. Motion carried.

REPORT OF THE CITY CLERK

REPORT OF CITY ATTORNEY

Resolutions

- R2016-65 – Amend FY16/17 CIF Budget – Community Center Dividers

Councilman Owensby made a motion to approve R2016-65 as presented. Councilwoman Ridolfi seconded the motion. Mayor Schneider polled the vote as follows: Dody – Yes; Little – Yes; Fetsch – Yes; Ridolfi – Yes; Owensby – Yes; Shadley – Yes; Jones – Yes; and Dills – Yes. Motion carried.

- **R2016-66 – Purchase: Tablet Computers – Field Inspections**

Councilman Fetsch made a motion to approve R2016-66 as presented. Councilwoman Ridolfi seconded the motion. Mayor Schneider polled the vote as follows: Dody – Yes; Little – Yes; Fetsch – Yes; Ridolfi – Yes; Owensby – Yes; Shadley – Yes; Jones – Yes; and Dills – Yes. Motion carried.

Ordinance

- **Bill 18-2016 – Zoning Amendment – 9731 Midland Blvd (R-3 to PD-MxD)**

City Attorney Bob Herman read Bill 18-2016 in the short form.

Councilman Little made a motion to read Bill 18-2016 a second time in the short form. Councilman Fetsch seconded. Mayor Schneider polled the vote as follows: Dody – Yes; Little – Yes; Fetsch – Yes; Ridolfi – Yes; Owensby – No; Shadley – Yes; Jones – Yes; and Dills – Yes. Motion carried.

City Attorney Herman read Bill 18-2016 in the short form.

Councilman Dody made a motion to adopt Bill 18-2016, “*An Ordinance By The City Council Of The City Of Overland, Missouri, Amending Chapter 400, The Zoning Code Of The City Of Overland, By Amending The Official Zoning Map To Rezone The Property Located At 9731 Midland Boulevard From R-3 (Single Family Residential) To Pd-Mxd (Planned Development - Mixed)*” as Ordinance #2016-16. Councilman Little seconded. Mayor Schneider polled the vote as follows: Dody – No; Little – Yes; Fetsch – No; Ridolfi – No; Owensby – No; Shadley – No; Jones – No; and Dills – No. Motion failed.

- **Bill 19-2016 – Adopt Tree Preservation Ordinance**

City Attorney Bob Herman read Bill 19-2016 in the short form.

Councilman Owensby made a motion to read Bill 19-2016 a second time in the short form. Councilman Dody seconded. Mayor Schneider polled the vote as follows: Dody – Yes; Little – Yes; Fetsch – Yes; Ridolfi – Yes; Owensby – Yes; Shadley – Yes; Jones – Yes; and Dills – Yes. Motion carried.

City Attorney Herman read Bill 19-2016 in the short form.

Councilman Dody made a motion to adopt Bill 19-2016, “*An Ordinance Adopting Chapter 420 Of The Municipal Code Of The City Of Overland Relating To Tree Preservation And Restoration*” as Ordinance #2016-17. Councilwoman Ridolfi seconded. Mayor

Schneider polled the vote as follows: Dody – Yes; Little – Yes; Fetsch – Yes; Ridolfi – Yes; Owensby – Yes; Shadley – Yes; Jones – Yes; and Dills – Yes. Motion carried.

Ordinance 2016-17 – An Ordinance Adopting Chapter 420 Of The Municipal Code Of The City Of Overland Relating To Tree Preservation And Restoration

- **Bill 20-2016 – Cell Tower Ordinance**

City Attorney Bob Herman read Bill 20-2016 in the short form.

Councilman Owensby made a motion to read Bill 20-2016 a second time in the short form. Councilman Dody seconded. Mayor Schneider polled the vote as follows: Dody – Yes; Little – Yes; Fetsch – Yes; Ridolfi – Yes; Owensby – Yes; Shadley – Yes; Jones – Yes; and Dills – Yes. Motion carried.

City Attorney Herman read Bill 20-2016 in the short form.

Councilman Owensby made a motion to adopt Bill 20-2016, “*An Ordinance Amending Chapters 100 And 500 Of The Municipal Code Of The City Of Overland Relating To Enforcement And Preemption By Or Changes In Federal Or State Law And To Enact Non-Preempted Building Code Regulations To Address Recent Changes In Federal And State Laws*” as Ordinance #2016-18. Councilwoman Ridolfi seconded. Mayor Schneider polled the vote as follows: Dody – Yes; Little – Yes; Fetsch – Yes; Ridolfi – Yes; Owensby – Yes; Shadley – Yes; Jones – Yes; and Dills – Yes. Motion carried.

Ordinance 2016-18 – An Ordinance Amending Chapters 100 And 500 Of The Municipal Code Of The City Of Overland Relating To Enforcement And Preemption By Or Changes In Federal Or State Law And To Enact Non-Preempted Building Code Regulations To Address Recent Changes In Federal And State Laws

- **Bill 21-2016 – 2016 Property Tax (General Levy)**

City Attorney Bob Herman read Bill 21 -2016 in the short form.

Councilman Owensby made a motion to read Bill 21-2016 a second time in the short form. Councilman Fetsch seconded. Mayor Schneider polled the vote as follows: Dody – Yes; Little – Yes; Fetsch – Yes; Ridolfi – Yes; Owensby – Yes; Shadley – Yes; Jones – Yes; and Dills – Yes. Motion carried.

City Attorney Herman read Bill 21-2016 in the short form.

Councilman Fetsch made a motion to adopt Bill 21-2016, “*An Ordinance Establishing The Annual Rate Of Tax Levy For The Year 2016 On All Property In*

The City Of Overland, Providing For The Extension Of Said Taxes On The Books Of The Collection Of The County Clerk” as Ordinance #2016-19. Councilwoman Ridolfi seconded. Mayor Schneider polled the vote as follows: Dody – Yes; Little – Yes; Fetsch – Yes; Ridolfi – Yes; Owensby – Yes; Shadley – Yes; Jones – Yes; and Dills – Yes. Motion carried.

Ordinance 2016-19 – An Ordinance Establishing The Annual Rate Of Tax Levy For The Year 2016 On All Property In The City Of Overland, Providing For The Extension Of Said Taxes On The Books Of The Collection Of The County Clerk

- **Bill 22-2016 – 2016 Property Tax (Police Retirement Levy)**
City Attorney Bob Herman read Bill 22 -2016 in the short form.

Councilman Fetsch made a motion to read Bill 22-2016 a second time in the short form. Councilwoman Ridolfi seconded. Mayor Schneider polled the vote as follows: Dody – Yes; Little – Yes; Fetsch – Yes; Ridolfi – Yes; Owensby – Yes; Shadley – Yes; Jones – Yes; and Dills – Yes. Motion carried.

City Attorney Herman read Bill 22-2016 in the short form.

Councilman Fetsch made a motion to adopt Bill 22-2016, “*An Ordinance Providing For The Levy Of A Tax To Provide The Share Of The Police Retirement Fund To Be Supplied By The City Of Overland, Missouri, For The Year 2016*” as Ordinance #2016-20. Councilman Shadley seconded. Mayor Schneider polled the vote as follows: Dody – No; Little – Yes; Fetsch – Yes; Ridolfi – Yes; Owensby – Yes; Shadley – Yes; Jones – Yes; and Dills – Yes. Motion carried.

Ordinance 2016-20 – An Ordinance Providing For The Levy Of A Tax To Provide The Share Of The Police Retirement Fund To Be Supplied By The City Of Overland, Missouri, For The Year 2016

STAFF REPORTS

Beautification

Councilman Jones made a motion to approve the appointment of Joe Mannisi and Ann Stover to the Beautification Commission. Councilwoman Ridolfi seconded. Mayor Schneider polled the vote as 8 “yes,” 0 “no,” and 0 “abstain” votes. Motion carried.

Parks & Recreation

Councilman Jones made a motion to provide the use of Wild Acres Gymnasium at no cost to the Kiwanis Club of Ritenour on April 22, 2017, for a fundraiser. Councilwoman Ridolfi seconded the motion. Mayor Schneider polled the vote as 8 “yes,” 0 “no,” and 0 “abstain” votes. Motion carried.

REPORT OF THE COUNCIL

REPORT OF THE MAYOR

ADJOURNMENT

There being no further discussion, Councilman Fetsch made a motion to adjourn. Councilwoman Ridolfi seconded. Mayor Schneider polled the vote as follows: Dody – Yes; Little – Yes; Fetsch – Yes; Ridolfi – Yes; Owensby – Yes; Shadley – Yes; Jones – Yes; and Dills – Yes. Motion carried.



MAYOR

ATTEST:



CITY CLERK