

*City of Olivette, MO  
Friday, January 3, 2025*

## Chapter C. The Charter

### Article I. Incorporation, Form of Government and Powers

#### Section 1.1. Incorporation.

The inhabitants of the City of Olivette, Missouri, within the corporate limits as now established or as hereafter established in the manner provided by law, shall continue to be a municipal body politic and corporate in perpetuity, under the name of the City of Olivette.

#### Section 1.2. Form of Government.

The municipal government of the City shall be a Council-Manager government. Except as otherwise provided by law or this Charter, powers of the City shall be vested in the Council.

#### Section 1.3. Powers.

The City shall have all powers which the General Assembly of the State of Missouri has authority to confer upon any City, provided such powers are consistent with the Constitution of the State of Missouri and are not limited or denied either by this Charter or by Statute. In addition to its home rule powers, the City shall have all powers conferred by law.

The powers of the City shall be liberally construed in favor of the City. The specific mention of particular powers in this Charter or any law shall not be construed as limiting in any way the powers of the City.

## Article II. City Council

### Section 2.1. Composition, Term and Qualifications.

- (a) The Council shall consist of five (5) members, each of whom shall be elected at large for a term of three (3) years by the qualified voters of the City. Each Council Member shall serve until a successor has been duly elected and qualified, except as otherwise provided herein.
- (b) A Council Member shall be a resident of the State of Missouri for one (1) year prior to election or appointment to the Council and a resident and registered voter in the City of Olivette at the time of filing for election or appointment to the Council. No Council Member shall hold any other City

of Olivette employment during the term for which the member was elected or appointed to the Council.

## Section 2.2. Compensation and Expenses.

[Ord. No. 1188 § 2.2, 8-24-1976]

Council Members, including the Mayor, shall be compensated at the rate of \$20.00 per month, unless such compensation is altered by ordinance. Any change in compensation shall not become effective during the term of office being served at the time the change is adopted. Council Members shall be entitled to reimbursement by the City for reasonable expenses incurred in the performance of their duties of office.

- [1] *Editor's Note—Ord. no. 2326, passed 9-26-06, changed compensation of council to \$100.00/month and changed city treasurer compensation to \$50.00/month.*
- [2] *Editor's Note—Ord. no. 2635, passed 6-26-2018, changed compensation of council members, including the mayor, to \$300.00/month and only applies to council members elected to terms beginning in April 2019 and thereafter.*

## Section 2.3. Mayor.

The Council shall select from among its members a Mayor and Chairman Pro Tempore who shall serve for a term of one (1) year, except when serving the remaining unexpired term of a Mayor or Chairman Pro Tempore who has vacated the office. The Mayor shall preside at all meetings of the Council, shall have the right to vote and shall be recognized as head of the City government for all legal and ceremonial purposes. The Mayor shall have no administrative duties and shall have no veto power. During the absence of the Mayor or the inability of the Mayor to act for any reason, the Chairman Pro Tempore shall perform the duties of the Mayor during such absence.

## Section 2.4. Vacancies; Forfeiture of Office; Filling of Vacancies.

- (a) *Vacancies.* The office of a Council Member shall become vacant upon his or her death, resignation, removal from office in any manner authorized by law or forfeiture of office.
- (b) *Forfeiture of Office.* A Council Member shall forfeit the office if the member lacks at any time during the member's term of office any qualification for the office prescribed by this Charter or by law, or ceases to be a resident of the City, or is convicted of a crime involving moral turpitude, or fails to attend three (3) consecutive regular Council meetings without being excused by the Council.
- (c) *Procedure for Filling Vacancies.* Any vacancy on the Council shall be filled by appointment of a qualified person by a majority vote of the remaining Council Members. Any appointed Council Member shall serve until the next regular municipal election or the next November general election or the next special election being held in the City, whichever shall be next, provided that such election is held at least ninety (90) days after the vacancy shall occur. At any such election any such vacancy shall be filled for the remainder of the unexpired term by the regular procedures as set forth in Article VI. Nominations and Elections. If a period of less than nine (9) months remains in the unexpired term at the time a vacancy shall occur, no such Council seat shall be filled at such election. If a period of less than sixty (60) days remains in an unexpired

term at the time a vacancy shall occur, no appointment shall be made by the Council to fill the vacancy.

## Section 2.5. Judge of Qualifications.

The Council shall be the judge of the election and qualifications of its members and of the grounds for forfeiture of office. The Council shall have for such purposes the power to subpoena witnesses, administer oaths and require the production of evidence. A member charged with conduct which may constitute grounds for forfeiture of office shall be entitled to a public hearing on demand prior to any determination by the Council that a member has forfeited office.

## Section 2.6. City Clerk.

[Ord. No. 2266 § 2.6, 1-11-2005]

The City Clerk shall be appointed and supervised by the City Manager. The City Clerk shall keep the journal of Council proceedings, authenticate by signature all ordinances and resolutions, and maintain same as public records. The City Clerk shall attest to all official acts of the City, administer oaths, and perform such other duties as may be required by law, by this Charter or by the Council. The City Clerk shall receive such compensation as shall be fixed by ordinance.

## Section 2.7. Investigations.

The Council may make investigations into the affairs of the City and the conduct of any City department, office or agency, and for this purpose may subpoena witnesses, administer oaths, take testimony and require the production of evidence.

## Section 2.8. Legislative Proceedings.

- (a) *Meetings.* The Council shall meet regularly at least once each month at such times and places as the Council may prescribe by rule. The Mayor upon his or her own motion may, or at the request of two (2) members of the Council shall, call a special meeting of the Council for a time not earlier than three (3) hours after notice is given to all members of the Council then in the City. Special meetings of the Council may also be held at any time by the consent of all the members of the Council, and such consent may be given either prior to or during the special meeting.
- (b) *Rules and Journals.* The Council shall determine its own rules and order of business. It shall cause a journal of its proceedings to be kept as a public record.
- (c) *Voting.* All votes by each member shall be recorded in the journal.
- (d) *Quorum.* A majority of the members of the Council shall constitute a quorum, but a smaller number may adjourn from day to day and may compel the attendance of absent members in such manner and under such penalties as the Council may provide.

## Section 2.9. Adoption of Ordinances.

- (a) A bill shall be read by title at a Council meeting two (2) times prior to final passage as an ordinance. At least two (2) weeks shall elapse between introduction and final passage, except as provided herein. Any bill which is amended may not be taken up for final action for one (1) additional meeting following such amendment. Notwithstanding the foregoing, any bill, whether or not amended, may be considered for final passage on the day of its introduction or amendment by the affirmative vote of two-thirds (2/3) of the members of the Council.
- (b) At the time of its introduction, a copy of each bill shall be filed with the City Clerk and shall be available for public inspection. Prior to the passage of any bill, any person interested therein shall be given the opportunity to be heard before the Council, in accordance with such rules and regulations as the Council may adopt.
- (c) The affirmative vote of a majority of members of the Council shall be necessary to adopt any ordinance.
- (d) An ordinance shall be effective immediately upon passage, except as otherwise provided in the ordinance.

## Article III. City Manager

### Section 3.1. Appointment, Qualifications and Compensation.

The Council by the affirmative vote of a majority of its members shall appoint a City Manager, who shall serve at the pleasure of the Council. The Manager shall be appointed solely on the basis of executive and administrative qualifications. The Manager need not be a resident of the City or State at the time of appointment. Compensation of the Manager shall be as established by the Council.

### Section 3.2. Powers and Duties of The City Manager.

The Manager shall be the Chief Administrative Officer of the City and shall be responsible to the Council for the administration of all City affairs placed in the Manager's charge by or under this Charter. The Manager shall have the following powers and duties:

- (a) The Manager shall see that all laws, provisions of the Charter and acts of the Council, subject to enforcement by the Manager or by officers subject to the Manager's direction and supervision, are faithfully executed;
- (b) The Manager shall appoint and, when the Manager deems it necessary for the good of the City, suspend or remove all City employees and appointive administrative officers provided for by or under this Charter, except as otherwise provided by law, by this Charter or by the terms of the personnel code adopted pursuant to this Charter. The Manager may authorize any administrative officer who is subject to the Manager's direction and supervision to exercise these powers with respect to that officer's subordinates.
- (c) The Manager shall direct and supervise the administration of all departments, offices and agencies of the City, except as otherwise provided by this Charter or by law.
- (d) The Manager shall prepare and submit the annual budget and capital program to the Council.

- (e) The Manager shall keep the Council fully advised of the financial condition and future needs of the City. The Manager shall submit to the Council a complete report on the finances and administrative activities of the City as of the end of each fiscal year. The Manager shall make such other reports as the Council may require concerning operations of the City subject to the direction and supervision of the Manager.
- (f) The Manager shall attend all open Council meetings and shall have the right to take part in discussion, but may not vote. The Manager shall receive notice of all special meetings.
- (g) The Manager shall exercise such other powers and perform such other duties as may be prescribed by this Charter, by ordinance or by law.

### Section 3.3. Removal.

The Council may remove the Manager from office in accordance with the following procedures:

- (1) The Council shall adopt by affirmative vote of a majority of all of its members a preliminary resolution stating the reason for removal and may suspend the Manager from duty for a period not to exceed forty-five (45) days. A copy of the resolution shall be delivered promptly to the Manager.
- (2) Within five (5) days after delivery to the Manager of a copy of the resolution, the Manager may file with the Council a written request for a public hearing. This hearing shall be held at a Council meeting not earlier than fifteen (15) days nor later than thirty (30) days after the request is filed. The Manager may file with the Council a written reply not later than five (5) days before the hearing.
- (3) The Council may adopt a final resolution of removal, which may be made effective immediately, by affirmative vote of a majority of all its members at any time after five (5) days from the date when a copy of the preliminary resolution was delivered to the Manager, if the Manager has not requested a public hearing, or at any time after the public hearing if the Manager has requested one.

The Manager shall continue to receive full salary until the effective date of a final resolution of removal.

## Article IV. City Administration and Personnel

### Section 4.1. Administrative Organization.

Except as otherwise provided in this Charter or by law, the administrative organization and structure of the City shall be determined by the Council by ordinance.

### Section 4.2. Authority of Manager Over Personnel.

Except as otherwise provided in this Charter or by law, all officers and employees of the City shall be appointed and discharged by the City Manager in the manner and under the conditions stated in the

personnel code of the City.

## Section 4.3. Boards and Commissions.

The Council shall have authority to establish boards and commissions. Except as otherwise provided in this Charter or by law, the members of all such boards and commissions shall be appointed by the Council and shall report directly to the Council.

## Section 4.4. Appointment of City Attorney, City Judge and City Treasurer.

The City attorney, City judge, and City treasurer shall be appointed by and serve at the pleasure of the Council, in accordance with such conditions as the Council may establish.

## Section 4.5. Personnel Code and Standards.

- (a) The Council shall adopt a personnel code for the City, and may authorize the issuance of personnel regulations consistent with law, this Charter and the personnel code.
- (b) All appointments, promotions and other actions for the regulation of employment of City officers and employees shall be on the basis of merit and fitness, as demonstrated by examination or other appropriate evidence of competence.
- (c) Neither the Council nor any of its members shall in any manner dictate the appointment or removal of any City administrative officers or employees whom the Manager or any of his or her subordinates are empowered to appoint. The Council may express its views and discuss any personnel matters with the Manager. Except for investigations and inquiries into City affairs and the conduct of City administration, the Council and its members shall deal with City officers and employees, who are subject to the direction and supervision of the Manager, solely through the Manager. Neither the Council nor its members shall give orders to any such officer or employee, either publicly or privately.

## Section 4.6. Conflict of Interest.

- (a) Any City officer, employee or member of a board or commission who has any financial or other private interest, direct or indirect, in any contract with the City, or in the sale to the City of any property, materials, supplies or services, shall make full disclosure of such interest. The remaining members of the Council or of the board or commission, or the City Manager (if the individual is subject to the direction of the Manager) shall determine whether the individual shall refrain from participating in any manner in any such contract, sale or transaction. Concealment of such private interest or willful violation of the requirements of this section shall be grounds for forfeiture of office and any such contract or transaction shall be voidable by the City if the contractor has knowledge of such concealment or violation.
- (b) Any City officer, employee or member of a board or commission who has a financial or other private interest in any City legislation shall make full disclosure of such interest. The remaining

members of the Council or of the board or commission, or the City Manager (if the individual is subject to the direction of the Manager) shall determine whether the individual shall refrain from voting upon or otherwise participating in any manner in the consideration for passage of such legislation.

- (c) No City officer, employee or member of a board or commission shall engage in any business or transaction or shall have a financial or other private interest, direct or indirect, which is incompatible with the proper discharge of official duties in the public interest or which would tend to impair the independence of judgment or action of the individual in the performance of official duties.

## Section 4.7. Political Activity.

- (a) No City employee shall solicit any contribution for the campaign fund of any candidate for Olivette City office or take any part in the political campaign of any candidate for Olivette City office. All employees may exercise their rights as citizens to express opinions and, if a registered voter in Olivette, sign a nominating petition for any City candidate and vote in any City election.
- (b) Political affiliation, participation or contributions shall not be considered in making any City employment decision. No City officer, employee or member of a board or commission shall use official authority or official influence for the purpose of interfering with or affecting the result of an election to or nomination for Olivette City office. No City officer, employee or member of a board or commission shall directly or indirectly coerce, attempt to coerce, command, advise or solicit a City employee to pay, lend or contribute anything of value to a party, committee, organization, agency or person for political or electoral purposes.

## Section 4.8. Official Bonds.

All officers and employees of the City who receive, disburse, or are responsible for City funds, and such other officers and employees as the Council by ordinance may designate shall, within such time after election or appointment as may be fixed by ordinance, and before entering upon the discharge of their duties, give bond to the City in such sums and with such sureties as shall be prescribed by ordinance, and subject to approval by the Council, conditioned upon the faithful and proper performance of their duties and for the prompt accounting for and paying over to the City of all monies belonging to the City that may come into their hands. The City shall pay the premiums on all such bonds.

# Article V. Budget and Finance

## Section 5.1. Fiscal Year.

The fiscal year of the City shall be as established by the Council by ordinance from time to time.

## Section 5.2. Budget and Procedure For Adoption.

- (a) At least ninety (90) days prior to the beginning of each fiscal year, the Manager shall submit to the Council a budget and accompanying message. The budget shall provide a complete financial plan for the ensuing fiscal year. The budget shall be in such form as the Manager deems desirable or as may be required by ordinance, and shall be in accordance with accepted principles of municipal budgeting.
- (b) At least ninety (90) days prior to the beginning of each fiscal year, the Manager shall submit to the Council a capital program for the three (3) fiscal years ensuing, including a list of all proposed capital improvements, with appropriate supporting information, cost estimates, method of financing, time schedules and the estimated annual cost of operating and maintaining the proposed facilities. The program shall be reviewed and extended each year.
- (c) The Council shall hold a public hearing on the proposed budget, after appropriate public notice, prior to adoption of the budget.
- (d) The Council may adopt the budget with or without amendments, and may add, increase, delete or decrease any program or amounts, except for expenditures required by law, provided that the total proposed expenditures shall not exceed the total anticipated revenues.
- (e) The budget shall be adopted by the affirmative vote of a majority of the members of the Council not later than three (3) days prior to the end of the fiscal year. If the Council fails to adopt the budget by this date, amounts appropriated for current operations for the current fiscal year shall be deemed adopted for the ensuing fiscal year on a prorated month-to-month basis until the Council shall adopt a budget.
- (f) Adoption of the budget shall constitute an appropriation of the amounts specified therein as expenditures.
- (g) The Council may by ordinance make supplemental appropriations if the Manager certifies that funds will be available for such expenditures.
- (h) The Manager may transfer all or any part of any unencumbered appropriation balance among programs within a department. The Council may by ordinance transfer part or all of an unencumbered appropriation balance from one (1) department to another.
- (i) All appropriations shall lapse at the end of the fiscal year to the extent that they shall not have been spent or lawfully encumbered.
- (j) Monies held in the reserve fund or in the unallocated surplus account shall be transferred or encumbered only by the Council.

## Section 5.3. Taxation Powers.

Taxes as authorized by law shall be levied by the Council by ordinance.

## Article VI. Nominations and Elections

### Section 6.1. City Elections.

[Ord. No. 2267 § 6.1, 1-17-2005]

The Council shall by ordinance regulate nominations and elections, subject to and in conformity with applicable State law.

## Section 6.2. Nominations For Council.

[Ord. No. 1337 § 6.2(c); Ord. No. 2267 § 6.2, 1-17-2005]

Each voter shall be entitled to vote for as many candidates for Council as there are members to be elected at such election.

## Section 6.3. Voting For Candidates.

[Ord. No. 2267 § 6.3, 1-17-2005]

All City elections shall be non-partisan.

## Section 6.4. City Parks Protection.

[Charter Amendment Proposition 1, passed by electorate 11-4-2014]

- (a) Any real estate, now or hereafter owned by the City of Olivette or any agency or instrumentality of the City, which is principally used or held out for use as a public park, shall not be sold, leased, given away or otherwise disposed of, and shall be used only as a public park, nor shall any structure be built in any such park to accommodate activities not customarily associated with park use or outdoor recreation, unless such sale, lease, disposal, gift or structure is approved by a majority of the qualified electors voting thereon.
- (b) The Clerk of the City shall certify to the County Board of Election Commissioners the intention of the City Council to authorize such sale, lease, disposal or change of use, together with the proposed ordinance for that purpose, to the Board of Election Commissioners for submission of said proposed ordinance, in its original form, to the voters at the first election at which such submission may lawfully be had, but not less than thirty (30) days after such certification to it by the City Clerk.

# Article VII. Initiative, Referendum and Recall

## Section 7.1. Initiative.

- (a) The registered voters shall have power to propose ordinances of a legislative character, and if the Council fails to adopt an ordinance so proposed without change in substance, the registered voters shall have the power to adopt or reject the proposed ordinance at an election.
- (b) The initiative procedure shall not extend to any ordinance relating to the budget, capital program, appropriation of money, levy of taxes, special assessments, salaries of City officers or employees or zoning.
- (c) No proposed initiative ordinance shall contain more than one (1) subject, which shall be clearly

expressed in its title.

## Section 7.2. Referendum.

- (a) The registered voters shall have power to require reconsideration by the Council of an ordinance of a legislative character, and, if the Council fails to repeal an ordinance so reconsidered, the registered voters shall have the power to approve or reject the ordinance at an election.
- (b) The referendum procedure shall not extend to any ordinance relating to the budget, capital program, levy of special assessments, issuance of special tax bills, appropriation of money, salaries of City officers or employees, levy of taxes or zoning.
- (c) Referendum petitions shall be filed within twenty-one (21) days after the adoption of the ordinance to which they are directed.

## Section 7.3. Recall.

Any elected official may be removed by the registered voters. No elected official shall be subject to recall within six (6) months after induction into office nor during the last six (6) months of the official's term. If the elected official is retained in office upon any recall election, the official shall not be subject again to recall within six (6) months after such recall election.

## Section 7.4. Petitions.

[Ord. No. 1190 § 7.4(b), 10-12-1976]

- (a) *Number of Signatures.*
  - (1) Initiative and referendum petitions shall be signed by registered voters of the City equal in number to at least ten percent (10%) of the registered voters of the City at the time of filing of the petition.
  - (2) Recall petitions shall be signed by registered voters of the City equal in number to at least twenty percent (20%) of the registered voters of the City at the time of filing of the petitions.
- (b) The signatures on an initiative, referendum or recall petition need not be appended to one (1) paper, but all papers comprising the petition shall be uniform in character and shall be filed as one (1) instrument. Each signature shall be executed in ink or by an indelible marking device and shall be followed by the address of the signer. Attached to each separate paper of the petition there shall be an affidavit of the circulator thereof, stating that each signature appended thereto was made in the presence of the circulator and is the genuine signature of the person it purports to be. Each separate paper of a recall petition shall bear the name and address of not less than two (2) unrelated persons identified as sponsors of said petition and reciting that the named sponsors shall have the right to withdraw the recall petition at any time prior to the designation of a date for election thereon by the Council.
- (c) The full text of any proposed initiative ordinance shall be appended to each separate paper of the initiative petition.

## Section 7.5. Procedure For Filing Petitions.

- (a) Within ten (10) days after a petition is filed, the sufficiency of the petition shall be determined. If determined to be insufficient, the defects shall be specified.
- (b) An insufficient petition may be amended or supplemented within five (5) days after a determination of insufficiency, but such five (5) day period shall not extend the period set out herein for the filing of referendum petitions. Any amended or supplementary petition shall meet all of the requirements set out herein regarding form and content of petitions. Within five (5) days after the filing of any amended or supplementary petition, the sufficiency thereof shall be determined. If an amended or supplementary petition is determined to be insufficient, no further action shall be had thereon.

## Section 7.6. Consideration of Initiative or Referred Petition Ordinance By Council or By The Voters.

[Ord. No. 1190 § 7.6(d), 10-12-1976]

- (a) When a referendum petition has been certified as sufficient, the referred ordinance shall be suspended pending repeal of the ordinance by the Council or certification that the ordinance has not been repealed at a referendum election held hereunder.
- (b) When an initiative or referendum petition has been certified as sufficient, the Council shall proceed to consider the initiative proposal or referred ordinance.
- (c) If the Council fails to adopt a proposed initiative ordinance without any change of substance within sixty (60) days, or fails to repeal the referred ordinance within thirty (30) days, the Council shall call an election thereon to be held within sixty (60) days thereafter.
- (d) When a recall petition is found to be sufficient, and same has not been withdrawn by written notice of withdrawal signed by all of the sponsors thereof, the Council shall call an election to be held not less than forty-five (45) days nor more than ninety (90) days thereafter.

## Section 7.7. Initiative, Referendum and Recall Elections.

- (a) If a majority of the registered voters voting on a proposed initiative ordinance vote in its favor, it shall be deemed adopted.
- (b) If a majority of the registered voters voting on a referred ordinance vote to repeal the ordinance, it shall be deemed repealed.
- (c) If conflicting ordinances are approved at the same election, the one receiving the greatest number of affirmative votes shall prevail.
- (d) If a majority of the registered voters at the recall election shall vote in favor of the recall, a vacancy shall exist in the office and such vacancy shall be filled as provided in the Charter. If a majority of the registered voters voting at the recall election vote against the recall, the elected official shall continue in office. An elected official who has been recalled shall be ineligible to

serve as an appointed official at any time during the remainder of the term for which the official was elected.

## Article VIII. General Provisions

### Section 8.1. Judicial Notice of Charter.

This Charter is declared to be a public act, and all courts shall take judicial notice thereof.

### Section 8.2. Proof of Ordinances.

Any ordinance, may be proved by a copy thereof, certified by the City Clerk under the seal of the City. Any ordinance, when printed in code form by authority of the City, shall be received in evidence in all courts or other places without further proof of authenticity.

### Section 8.3. Notice of Suits.

No action shall be maintained against the City for or on account of any injury growing out of alleged negligence of the City unless notice shall first have been given in writing to the City Manager within one hundred eighty (180) days of the occurrence for which said damage is claimed. Such notice shall state the place, time, character and circumstances of the injury, and that the person so injured will claim damages therefor from the City.

### Section 8.4. Judicial Bonds.

The City shall not be required to give bond in any judicial proceeding or appeal.

### Section 8.5. Licensing and Taxation of Businesses and Occupations.

The Council shall have power by ordinance to license, tax, and regulate all businesses, occupations, professions, vocations, or other activities set forth and enumerated by the Statutes of this State now or hereafter applicable to constitutional charter cities, or Cities of the first, second, third or fourth or other class, or of any population group, and which any such Cities are now or hereafter may be permitted by law to license, tax or regulate.

### Section 8.6. Charter Amendment.

Amendments to this Charter may be framed and submitted to the electors by a commission in the manner provided by law and the Constitution of Missouri for framing and submitting a complete Charter. Amendments may also be proposed by the Council or by petition of not less than ten percent (10%) of the registered voters of the City, filed with the City Clerk, setting forth the proposed

amendments. The Council shall at once provide by ordinance that any amendment so proposed shall be submitted to the electors at the next election held in the City not less than sixty (60) days after its passage or at a special election held as provided by law and the Constitution of Missouri for a Charter. Any amendment approved by a majority of the qualified electors voting thereon shall become a part of the Charter at the time and under the conditions fixed in the amendments. Sections or articles may be submitted separately or in the alternative and determined as provided by law and the Constitution of Missouri for a complete Charter.

## Section 8.7. Effect of Invalid Provisions.

If any provision of this Charter be held to be invalid by a court of competent jurisdiction, the validity, force or effect of any other provision shall not thereby be affected.

# Article IX. Transitional Provisions and Schedule

## Section 9.1. Charter Election.

This Charter shall be submitted to a vote of the registered voters of the City of Olivette at an election to be held on the twenty-third (23rd) day of March, 1976.

## Section 9.2. Effective Date.

If this Charter is approved by the voters of the City of Olivette, it shall become effective on the two hundredth (200th) anniversary of the United States of America, on July 4, 1976.

## Section 9.3. Personnel, Ordinance, Contracts and Actions.

- (a) All officers, employees and members of the City boards and commissions at the time of the adoption of this Charter shall continue in office and in the performance of their duties until their successors have been selected or qualified or until such offices have been abolished or the duties thereof shall be otherwise provided for in accordance with the provisions of this Charter.
- (b) All ordinances, regulations and resolutions in force at the time this Charter takes effect, which are not inconsistent with the provisions of this Charter, shall remain and be in force until modified, amended or repealed.
- (c) All contracts entered into by or for the benefit of the City prior to the taking effect of this Charter shall continue in full force and effect. All taxes and assessments levied or assessed, all fines and penalties imposed and all other obligations owing to the City which are uncollected at the time this Charter becomes effective shall continue in full force and effect and shall be collected in accordance with law.
- (d) All actions and proceedings pending at the time this Charter takes effect shall continue unabated except as modified pursuant to the provisions of this Charter.

## Section 9.4. Transition As To Council.

Each member of the Council duly holding office as of the date this Charter takes effect shall hold such office pursuant to the provisions of this Charter for the remainder of the term for which such Council Member was elected or appointed.