



MEETING OF THE CITY COUNCIL  
CITY HALL, Fifth Floor  
6801 Delmar Blvd.  
University City, Missouri 63130  
**April 26, 2016**  
**6:30 p.m.**

**A. MEETING CALLED TO ORDER**

**B. ROLL CALL**

**C. APPROVAL OF AGENDA**

**D. PROCLAMATIONS**

**E. APPROVAL OF MINUTES**

1. April 11, 2016 Study session minutes
2. April 11, 2016 Regular session minutes
3. April 18, 2016 Special session minutes

**F. APPOINTMENTS to BOARDS & COMMISSIONS**

**G. SWEARING IN to BOARDS & COMMISSIONS**

1. Steve Stone, Angela Fitzgerald, Dan Wald, Michael Alter, Ryan Patterson were sworn in to the Loop Special Business District Board by the City Clerk.
2. Lawanda Hinton was sworn in to the Arts & Letters Commission in the City Clerk's office

**H. CITIZEN PARTICIPATION (Total of 15 minutes allowed)**

**I. PUBLIC HEARINGS**

**J. CONSENT AGENDA**

**K. CITY MANAGER'S REPORT**

1. Approval to authorize the City Manager to execute and enter in an agreement with the Army Corps for the completion of its Upper River des Peres University City Branch General Reevaluation Report and later seek full reimbursement under a reimbursement agreement with MSD.

*VOTE REQUIRED*

**L. UNFINISHED BUSINESS**

**M. NEW BUSINESS (to be handled by retiring Councilmembers)**

*RESOLUTIONS*

1. **RESOLUTION 2016 – 7** April 5, 2016 Municipal Election results

***Adjourn SINE DIE***

Swearing in of Terry Crow, Councilmember Ward 1  
Paulette Carr, Councilmember Ward 2  
Bwayne Smotherson, Councilmember Ward 3

**RECONVENE WITH NEW COUNCIL – ROLL CALL VOTE**

**L. UNFINISHED BUSINESS**

*BILLS*

**M. NEW BUSINESS continued**

*RESOLUTIONS*

**2. RESOLUTION 2016 – 8** Fiscal year 2015 – 2016 Budget Amendment #3

*VOTE REQUIRED*

*BILLS*

- 3. BILL 9285** – An ordinance granting to Laclede Gas Company, a Missouri Corporation, operating a gas distribution system in the City of University City, Missouri, its successors or assigns, a franchise to operate a natural gas distribution system in said city and relating thereto.

**N. CITIZEN PARTICIPATION (continued if needed)**

**O. COUNCIL REPORTS/BUSINESS**

1. Boards and Commission appointments needed
2. Council liaison reports on Boards and Commissions
3. Boards, Commissions and Task Force minutes
4. Other Discussions/Business

**P. COUNCIL COMMENTS**

- Q. Roll-Call vote to go into a Closed Council Session according to RSMo 610.021 (1) Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys and (2) Leasing, purchase or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefor. .**

**R. ADJOURNMENT**

UNIVERSITY CITY COUNCIL  
STUDY SESSION  
5<sup>th</sup> Floor of City Hall  
6801 Delmar Blvd  
**April 11, 2016**  
**5:30 p.m.**

The City Council Study Session was held in the Council Chamber, 5<sup>th</sup> floor of City Hall, on Monday, April 11, 2016. Mayor Shelley Welsch called the meeting to order at 5:30 p.m. In addition to the Mayor the following members of the Council were present:

Councilmember Paulette Carr  
Councilmember Arthur Sharpe, Jr.  
Councilmember Terry Crow  
Councilmember Michael Glickert.  
Councilmember Rod Jennings

Councilmember Stephen Kraft was excused.

Also present were the City Manager Lehman Walker, the Director of Public Works and Parks Sinan Alpaslan, and Shawn Sullivan, Strategic Planning Coordinator – US Army Corps of Engineers St. Louis District.

Mayor Welsch asked if any members of Council would have any changes to propose on the upcoming agenda. There were no changes brought forward.

Mr. Walker stated the subject of this study session was the Army Corps of Engineers flood study. Mr. Walker turned the presentation over to the Director of Public Works and Parks Sinan Alpaslan. Mr. Alpaslan stated that this study session was to discuss the River des Peres watershed, and flood and damage control efforts in a joint effort between University City, the U.S. Army Corps of Engineers and the Metropolitan Saint Louis Sewer District (MSD). Mr. Alpaslan stated that the River des Peres flooding has happened since the 1950s. In the 1970s there was a Congressional authorization of funds for a study and design to be completed to determine how to solve the flooding. Mr. Alpaslan provided a description of the course of the River des Peres. He noted that MSD has made some improvements within the University City segment of the River des Peres. In 2004 University City asked that the study of the River des Peres be recommended, and the City signed a cost-sharing agreement with U. S. Army Corps of Engineers. The Corps was charged with researching structural solutions for channel improvement, to introduce a flood warning system and to reduce flood damage in the area. This study design was supported by the Water Resource Development Act of 1990, therefore had the federal approval. The cost share for University City at that time was twenty-five percent, \$625,000. At that time MSD did reimburse University City for a portion of what the City paid. In 2008 and 2009, MSD found that a structural solution to the channel improvements, was not an acceptable solution because it just increased downstream flooding instead. The alternative solution, then, is a flood buy-out plan. Since this was a change in the “solution” in the 2004 study, the Corps needs to come up with a redesign for a non-structural solution in order to start buy-outs. Mr. Alpaslan stated that this would be the way to move forward if University City wants to go after any available federal funding for buyouts. The City is currently also using other methods of funding, such as funding from the Federal Emergency Management Agency. The City submitted the Hafner Apartments buyout to this agency for 2016.

Mr. Alpaslan said the Army Corps of Engineers determined, along the main channel of River des Peres, a certain area with frequent flooding as having the highest benefit cost ratio solution. The section from 82<sup>nd</sup> Blvd to Purdue Ave. has the right ratio to make it eligible for federal funding in the

future. He provided a map of the Corps' study of flood incidents which determined the five- year, 10-year, 25 year and 100-year flood areas.

Councilmember Carr asked if building elevations would not be viable. Mr. Sullivan said that would be cost-prohibitive and not the best non-structural solution available as compared to a buyout. He said that is why the Corps of Engineers needs to come in and document findings as to the best solution. He noted that it would take one year for the study to be approved and another two years to complete the study.

Mayor Welsch asked what analysis was used for buy-outs in the 5-year flood plain as opposed to the 10 or 20 year flood plains. Mr. Sullivan said it was based on the flooding frequency and the benefits associated from the buyout. He said for the economic justification, the five- area was chosen. Anything beyond that became unjustifiable economically.

Mr. Alpaslan stated the cost of the actual buy-outs would be 35% from University City and 65% from the federal government. In order to be considered by the federal government for funding for a buyout, this study by the Army Corps of Engineers needed to be completed. The cost will be \$650,000. MSD has advised University City that it has a storm water taxing district in University City and \$650,000 is available for this study. He said the City would have to pay the Army Corps of Engineers and University City would then be reimbursed by MSD.

Councilmember Sharpe asked if the City had it in writing that MSD would reimburse the City. Mr. Alpaslan said he would provide this letter from MSD stating they would fund the study. He noted that this amount is in MSD's proposed budget for 2017 but was dependent on their board's approval. They would need University City's commitment to authorize the study before this would go in front of their board.

Councilmember Glickert asked if the City would be tying up cash by paying out the \$650,000. Ms. Tina Charumilind said the cost would occur in approximately two years, but according to accounting system it can be paid without showing it as a City expenditure.

Councilmember Carr questioned whether the \$750,000 in the reserves for flood buyout would be used for this study. Ms. Charumilind said that those funds would not be used.

Mayor Welsch asked to clarify that if the Council decided to move forward, we are making no commitment for future Councils; that a future Council will see what the study recommends; and a future Council will decide if there is any local match needed and/or if the City wants do what the Army Corps of Engineers recommends. Mr. Alpaslan confirmed that is correct

Councilmember Jennings asked how soon the City would be reimbursed for payments made for the study. Mr. Alpaslan stated that the City can pay and get immediate reimbursement from MSD.

Mr. Alpaslan noted that a recent change in the Army Corps of Engineers policy guidance is that for all future acquisitions, relocations and permanent evacuation recommendations, there must be an option to use eminent domain where warranted. This would involve a mandatory buyout.

Councilmember Sharpe asked if Council could get a map with addresses of the areas being considered. Mr. Walker stated that this would be sent to Council and it will also be available to the public.

Mr. Walker noted that staff was not asking for a decision at this meeting. He noted the big difference with this agreement compared to previous agreements is that any buyout would be mandatory.

Councilmember Sharpe asked if there was a time element involved with agreeing to this study. Mr. Alpaslan stated that since it takes a long time to get this agreement approved by the federal government, sooner would be the better. MSD needs to know sooner as their new budget year starts on July 1, 2016. Mr. Sullivan also noted that there is a time limit to expend the tax money that had been collected by MSD to use within this area.

Councilmember Carr stated that the only major difference is the use of eminent domain and from her constituents in the flood plain, it is not some place they want to be and she could agree to eminent domain, as they are in harm's way.

Councilmember Glickert asked what would be University City's chances of getting assistance with the flood buyout at the Congressional level. Mr. Sullivan responded that through good stewardship and collective responsibility, Congress will consider University City since the City has previously submitted flood impacted buyouts.

Councilmember Carr noted that it seemed like this request had some immediacy considering the MSD budget and hoped that it would move quickly.

Mr. Walker noted that Council should first see the list of properties that will be involved, the additional map and the letter from MSD before making a final decision, which should be able to happen in the next couple of weeks. (All are attached at the end of these minutes.)

Meeting was adjourned at 6:13 p.m.

Joyce Pumm, City Clerk, MRCC/CMC

**Attachment 1.**

5-Year Floodplain Buyout Addresses

<u>Economic Reach</u>	<u>Address</u>	<u>Street Name</u>	<u>Parcel Locator</u>	<u>Structure Use</u>
Midland to Vernon	1208	Waldron Ave	17J511505	residential
Hanley to Midland	1131	Wilson Ave	17J420052	residential
Hanley to Midland	1135	Wilson Ave	17J420117	residential
Hanley to Midland	1139	Wilson Ave	17J420162	residential
Hanley to Midland	1143	Wilson Ave	17J420205	residential
Hanley to Midland	1149	Wilson Ave	17J420250	residential
Hanley to Midland	1153	Wilson Ave	17J420315	residential
Hanley to Midland	1157	Wilson Ave	17J420337	residential
Hanley to Midland	1163	Wilson Ave	17J421097	residential
Hanley to Midland	7467	Shaftesbury Ave	17J130201	residential
Hanley to Midland	1059	Wilson Ave	17J130256	residential
Hanley to Midland	1063	Wilson Ave	17J130322	residential
Hanley to Midland	1067	Wilson Ave	17J130399	residential
Hanley to Midland	1075	Wilson Ave	17J130498	residential
Hanley to Midland	1079	Wilson Ave	17J130520	residential
Hanley to Midland	1083	Wilson Ave	17J130603	residential
Hanley to Midland	1087	Wilson Ave	17J130652	residential
Hanley to Midland	7471	Shaftesbury Ave	17J130223	residential
Hanley to Midland	1035	N. Hanley Rd	17J130069	residential
Hanley to Midland	1039	N. Hanley Rd	17J131158	residential

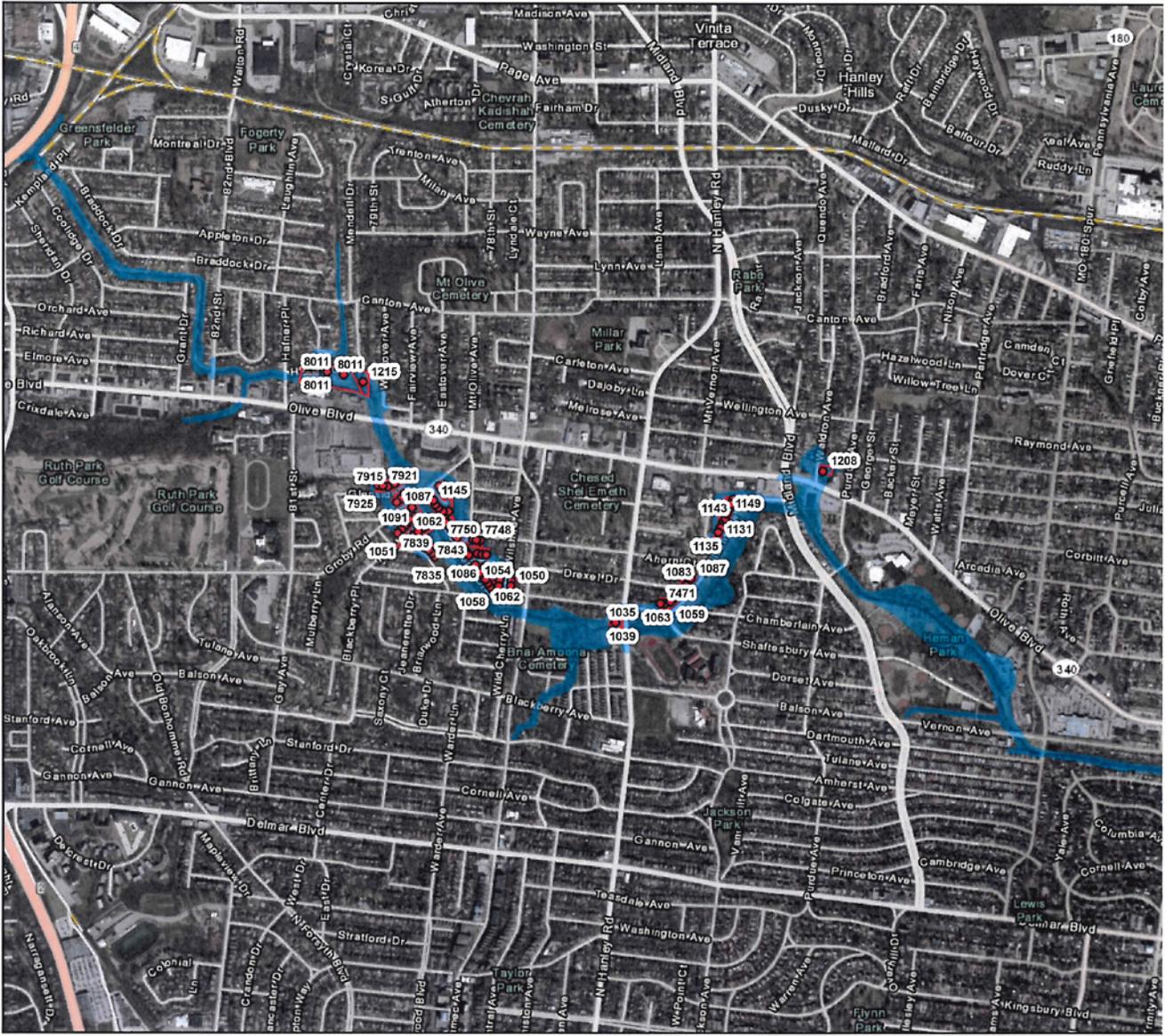
<u>Economic Reach</u>	<u>Address</u>	<u>Street Name</u>	<u>Parcel Locator</u>	<u>Structure Use</u>
Olive to Hanley	1050	Mona Drive	17K340421	residential
Olive to Hanley	1054	Mona Drive	17K340476	residential
Olive to Hanley	1058	Mona Drive	17K340511	residential
Olive to Hanley	1062	Mona Drive	17K340603	residential
Olive to Hanley	1066	Mona Drive	17K340713	residential
Olive to Hanley	1070	Mona Drive	17K340751	residential
Olive to Hanley	1074	Mona Drive	17K330923	residential
Olive to Hanley	1078	Mona Drive	17K330994	residential
Olive to Hanley	1086	Mona Drive	17K331159	residential
Olive to Hanley	1090	Mona Drive	17K331214	residential
Olive to Hanley	1096	Mona Drive	17K331236	residential
Olive to Hanley	1100	Mona Drive	17K610043	residential
Olive to Hanley	1106	Mona Drive	17K610098	residential
Olive to Hanley	1110	Mona Drive	17K610142	residential
Olive to Hanley	1114	Mona Drive	17K610241	residential
Olive to Hanley	1118	Mona Drive	17K610285	residential
Olive to Hanley	1124	Mona Drive	17K610328	residential

<u>Economic Reach</u>	<u>Address</u>	<u>Street Name</u>	<u>Parcel Locator</u>	<u>Structure Use</u>
Olive to Hanley	1129	Glenside Lane	17K610438	residential
Olive to Hanley	1133	Glenside Lane	17K610449	residential
Olive to Hanley	1137	Glenside Lane	17K610483	residential
Olive to Hanley	1141	Glenside Lane	17K610548	residential
Olive to Hanley	1145	Glenside Lane	17K610571	residential
Olive to Hanley	1149	Glenside Lane	17K610625	residential
Olive to Hanley	1153	Glenside Lane	17K610681	residential
Olive to Hanley	1142	Glenside Lane	17K610647	residential
Olive to Hanley	1146	Glenside Lane	17K610702	residential
Olive to Hanley	1150	Glenside Lane	17K610746	residential
Olive to Hanley	1074	Groby Road	17K611022	residential
Olive to Hanley	1090	Groby Road	17K610494	residential
Olive to Hanley	1059	Raisher Drive	17K610186	residential
Olive to Hanley	1063	Raisher Drive	17K610263	residential
Olive to Hanley	1067	Raisher Drive	17K610306	residential
Olive to Hanley	1071	Raisher Drive	17K610373	residential
Olive to Hanley	1075	Raisher Drive	17K610362	residential
Olive to Hanley	1050	Raisher Drive	17K331281	residential
Olive to Hanley	1054	Raisher Drive	17K610032	residential
Olive to Hanley	1058	Raisher Drive	17K610076	residential
Olive to Hanley	1062	Raisher Drive	17K610119	residential
Olive to Hanley	1066	Raisher Drive	17K610153	residential
Olive to Hanley	1070	Raisher Drive	17K610218	residential
Olive to Hanley	1066	Groby Road	17K610296	residential
Olive to Hanley	1070	Groby Road	17K610351	residential
Olive to Hanley	1051	Raisher Drive	17K610108	residential
Olive to Hanley	1055	Raisher Drive	17K610131	residential
Olive to Hanley	7835	Ahern Ave	17K331072	residential
Olive to Hanley	7839	Ahern Ave	17K331160	residential
Olive to Hanley	7843	Ahern Ave	17K331203	residential
Olive to Hanley	7847	Ahern Ave	17K331258	residential
Olive to Hanley	7851	Ahern Ave	17K331292	residential
Olive to Hanley	7855	Ahern Ave	17K331247	residential
Olive to Hanley	7744	Ahern Ave	17K341301	residential
Olive to Hanley	7748	Ahern Ave	17K331302	residential
Olive to Hanley	7750	Ahern Ave	17K331313	residential
Olive to Hanley	7720	Drexel Drive	17K340762	residential
Olive to Hanley	7724	Drexel Drive	17K340773	residential
Olive to Hanley	7728	Drexel Drive	17K340805	residential
Olive to Hanley	7732	Drexel Drive	17K340784	residential
Olive to Hanley	7740	Drexel Drive	17K340872	residential
Olive to Hanley	7737	Drexel Drive	17K341103	residential
Olive to Hanley	7741	Drexel Drive	17K341125	residential
Olive to Hanley	7745	Drexel Drive	17K331182	residential
Olive to Hanley	1050	Wilshire Ave	17K340454	residential

<u>Economic Reach</u>	<u>Address</u>	<u>Street Name</u>	<u>Parcel Locator</u>	<u>Structure Use</u>
Olive to Hanley	1054	Wilshire Ave	17K340531	residential
Olive to Hanley	1051	Wilshire Ave	17K340487	residential
Olive to Hanley	1057	Wilshire Ave	17K340564	residential
Olive to Hanley	1061	Wilshire Ave	17K340696	residential
Olive to Hanley	7901	Glenside Place	17K610779	residential
Olive to Hanley	7915	Glenside Place	17K610768	residential
Olive to Hanley	7921	Glenside Place	17K610757	residential
Olive to Hanley	1087	Groby Road	17K610559	residential
Olive to Hanley	1091	Groby Road	17K610614	residential
Olive to Hanley	1095	Groby Road	17K610658	residential
Olive to Hanley	7925	Glenside Place	17K610735	residential

<u>Economic Reach</u>	<u>Address</u>	<u>Street Name</u>	<u>Parcel Locator</u>	<u>Structure Use</u>
82nd to Olive	1215	Westover Court	17K541204	res(Hafner apts) 16 units
82nd to Olive	8082-a.k.a. 8011	Hafner Court	17K541194	res(Hafner apts) 64 units

# River Des Peres - University City



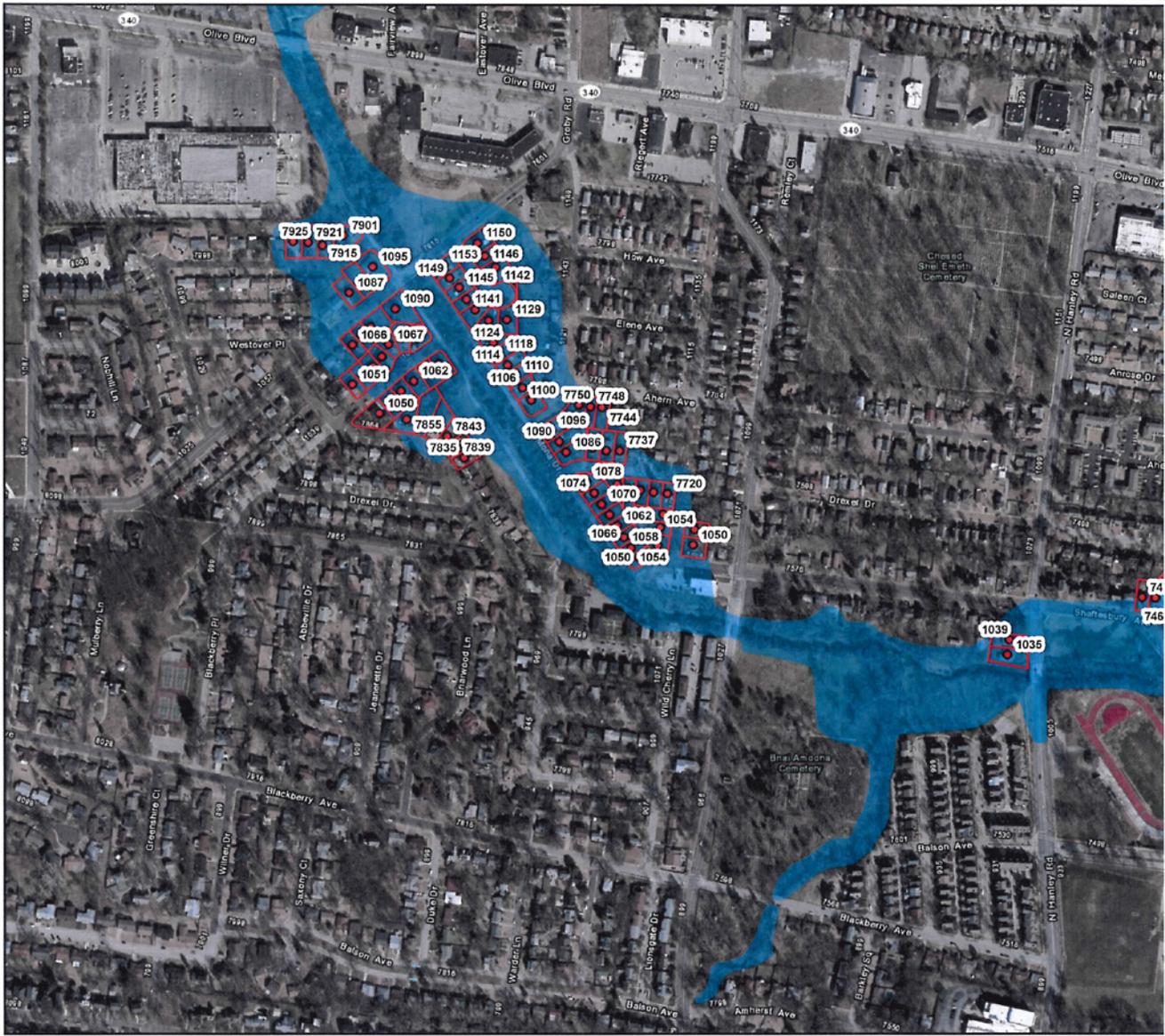
# Midland to Vernon



# Hanley to Midland



# Olive to Hanley Total



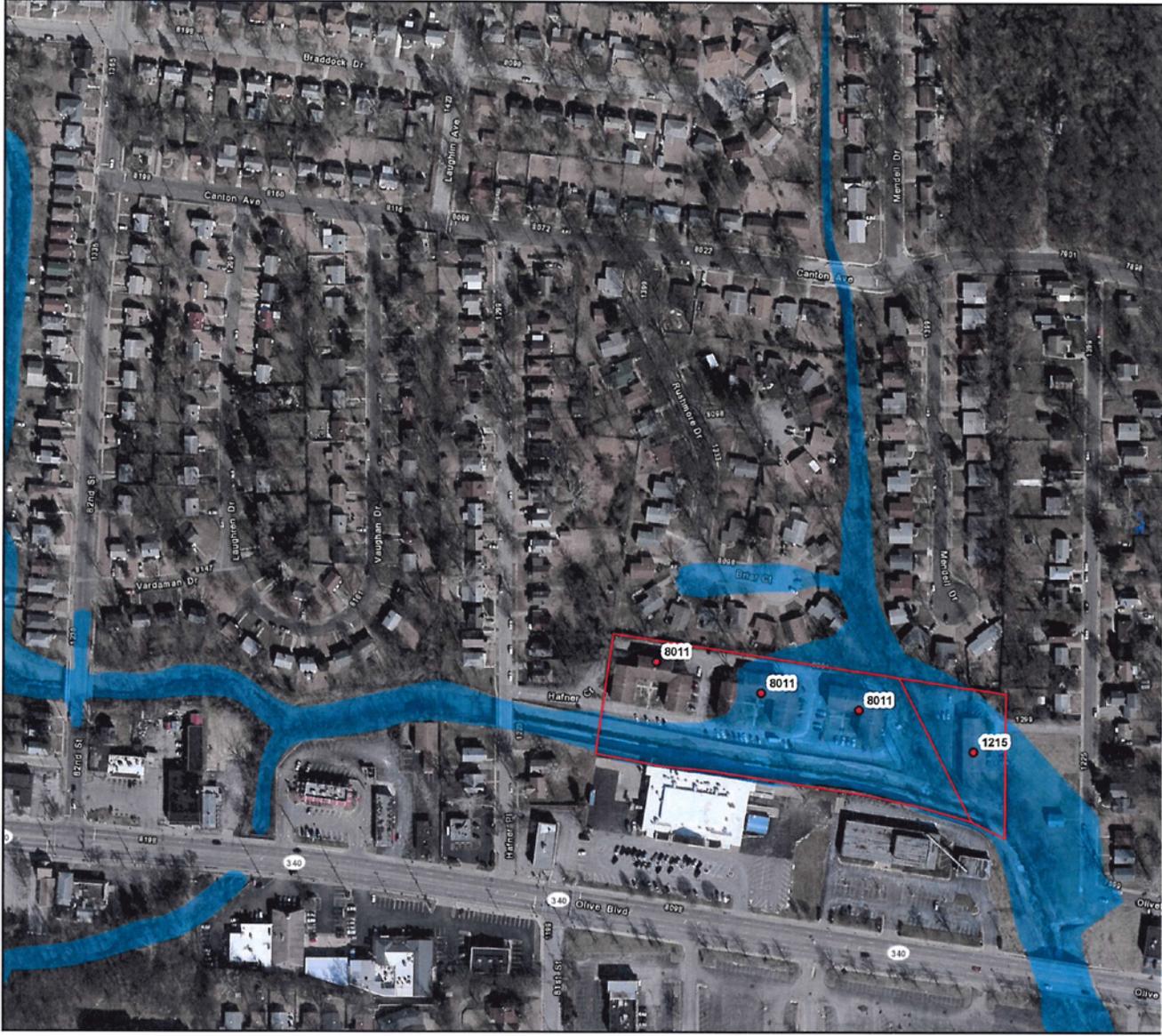
# Olive to Hanley A



# Olive to Hanley B



# 82nd to Olive





**Metropolitan St. Louis  
Sewer District**

2350 Market Street  
St. Louis, MO 63103-2555  
314-768-6200  
www.stlmsd.com

April 7, 2016

Lehman Walker  
City Manager  
City of University City  
6801 Delmar Boulevard  
University City, MO 63130

RE: River Des Peres, Missouri

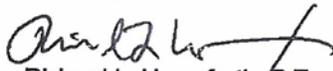
Dear Mr. Walker;

The Metropolitan St. Louis Sewer District (MSD) has reimbursed the City of University City in the past, for cost share sponsor expenses for the River Des Peres Project Authority. The Chief's report dated May 1989 and corresponding Congressional authorization in WRDA 1990 (Section 101) authorized construction of a structural flood risk management solution along River Des Peres as it traverses the community of University City, Missouri. During the project design phase, the USACE team determined that the authorized structural plan would induce downstream flooding and could not be implemented as authorized. The Chief's Report does not include the flexibility needed to allow implementation of a desired non-structural buyout solution within the University City project area.

In order to conduct this study, we understand that the St. Louis District would need to proceed with a single phase General Reevaluation Report (GRR) in the feasibility phase. The GRR would document the required project modifications that resulted from coordination with higher USACE Command following project authorization. We understand that the GRR must be cost-shared 50% Federal expense and 50% non-Federal expense, and would require the execution of a Feasibility Cost Share Agreement between the USACE and University City. However, USACE has been unable to obtain its 50% share, keeping the study from being completed. USACE estimates that \$650,000 is the total cost to complete the study, and can accept contributed funds from the sponsor to cover the federal share and complete the study.

MSD has included in its upcoming FY2017 budget, \$650,000 to reimburse University City for sponsor costs to complete the study, out of the University City OMCI Fund that includes the area of University City. Assuming the budget is adopted as proposed by MSD's Board of Trustees, this budget item can be submitted to MSD's Board as early as July, 2016, along with approval to execute a reimbursement agreement with University City.

Sincerely,

  
Richard L. Unverferth, P.E.  
Director of Engineering

MEETING OF THE CITY COUNCIL  
CITY HALL, Fifth Floor  
6801 Delmar Blvd.  
University City, Missouri 63130  
**April 11, 2016**  
**6:30 p.m.**

**A. MEETING CALLED TO ORDER**

At the Regular Session of the City Council of University City held on the fifth floor of City Hall, on Monday, April, 2016, Mayor Shelley Welsch called the meeting to order at 6:30 p.m.

**B. ROLL CALL**

In addition to the Mayor the following members of Council were present:

Councilmember Rod Jennings  
Councilmember Paulette Carr  
Councilmember Stephen Kraft; (*arrives at 6:35 p.m.*)  
Councilmember Terry Crow  
Councilmember Michael Glickert  
Councilmember Arthur Sharpe, Jr.

Also in attendance was City Manager, Lehman Walker.

**C. APPROVAL OF AGENDA**

Hearing no requests for changes, the agenda was approved as presented.

**D. PROCLAMATIONS**

1. Proclamation for Arbor Day - presented to the Forrester for maintaining University City's Tree City status. A tree planting event will be held on April 23rd, at Majerus Park from 9 a.m. to 12 noon.
2. Proclamations for James Cotter, Carl Bruce and George Cotton - In recognition of the publishers of the *A Magazine and Michelle Magazine*, for their donation of all issues to the Missouri History Museum's African American Collections and Collecting Initiative. Mayor Welsch presented the proclamations to James Cotter and Carl Bruce.

Mr. Cotter thanked the Mayor for her attendance at the April 3, 2016 event, and for Council's acknowledgement of their endeavors.

3. Proclamation for Councilmember Arthur Sharpe, Jr., - In recognition of 19 years of service as a member of City Council and his numerous professional accomplishments. Councilmember Glickert presented the proclamation to Councilmember Sharpe. A reception for Councilmember Sharpe was held after this meeting.

**E. APPROVAL OF MINUTES**

1. March 28, 2016 Regular session minutes were moved for approval by Councilmember Jennings, were seconded by Councilmember Glickert and the motion carried unanimously.

**F. APPOINTMENTS to BOARDS & COMMISSIONS**

1. Lawanda Hinton was nominated for appointment by Councilmember Sharpe to the Arts & Letters Commission was seconded by Councilmember Jennings and the motion carried unanimously.

**G. SWEARING IN to BOARDS & COMMISSIONS**

April 25, 2016

**H. CITIZEN PARTICIPATION (Total of 15 minutes allowed)**

**Stefany Brot, 8145 Cornell Court, University City, MO**

Ms. Brot thanked Councilmember Sharpe for his excellent service to the City; his guidance, and support of her campaign to establish a political sign ordinance. She wished Councilmember Sharpe a great retirement and expressed her gratitude for the opportunity to serve with him on City Council.

**Leif Johnson, 836 Barkley Square, University City, MO**

Mr. Johnson stated that he was speaking on behalf of his wife, Suzanne Greenwald, repeating her questions with the disclosure of a \$95,383 discrepancy in summer camp funding. *(Ms. Greenwald's statement was attached to the minutes and made a part of the record.)*

**I. PUBLIC HEARINGS**

**J. CONSENT AGENDA**

**K. CITY MANAGER'S REPORT**

1. Approval to award contract to Piro Signs Inc for the digital message board in the amount of \$52,219.

Mr. Walker stated that staff recommended that Council approve this award for procurement and retrofitting of the signs located at Midland/Canton and Midland/Vernon.

Councilmember Sharpe moved to approve and was seconded by Councilmember Jennings.

Councilmember Carr voiced the following objections to staff's recommendation:

- The decision to spend \$52,219 for a digital sign is not the wisest way to spend taxpayers' money when there is only \$146,000 available to perform street repairs.
- The fact that certain events, i.e., a town hall meeting on flooding, could not be advertised on these signs because it was not officially sanctioned by the City.

Voice vote on Councilmember Sharpe's motion carried by a majority, with Nay votes from Councilmembers Carr and Crow.

**L. UNFINISHED BUSINESS**

*BILLS*

**M. NEW BUSINESS**

*RESOLUTIONS*

*Introduced by Councilmember Glickert*

1. **Resolution 2016 – 6** Council's support for historic structures of the Annex and the old city library, seconded by Councilmember Jennings.

Requested by Councilmembers Glickert, Sharpe, Jennings and Mayor Welsch

Councilmember Kraft made a motion to postpone the resolution indefinitely and was seconded by Councilmember Carr.

Councilmember Crow stated that since Proposition H has passed he is unsure if there is a need for this resolution, and would appreciate it being postponed.

Councilmember Kraft agreed with the suggestion made by Councilmember Carr at the last meeting to allow the Historic Preservation Commission and the Historical Society to handle

this matter.

Councilmember Carr stated that any decision associated with structures in Civic Plaza should go to the Historic Preservation Commission.

Mayor Welsch stated that a yes vote meant the resolution will be delayed indefinitely; a no vote meant it will move forward for further discussion.

Roll Call Vote on Councilmember Kraft's motion to postpone was:

**AYES:** Councilmembers Carr, Kraft and Crow

**NAYS:** Councilmembers Glickert, Sharpe, Jennings and Mayor Welsch

(Councilmember Jennings stated that he misunderstood the meaning of the vote, and would like to change his aye to a nay.)

Councilmember Carr made a motion to amend the Resolution by adding the following verbiage: *"Whereas, in the April 5, 2016 election the voters overwhelmingly passed Proposition H, amending our City Charter, to bring any disposal of these buildings to a vote of the people"*. Carr's motion was seconded by Councilmember Crow.

Voice vote on Councilmember Carr's motion carried unanimously.

Councilmember Carr made a second motion to amend the resolution, and asked that the citizen-led committee be composed of the following individuals associated with Proposition H: Barbara Chicario, Diane Davenport, Don Fitz, Judith Gainer, Suzanne Greenwald, Jeff Hales, Aleta Kline, Steve McMahon, Eleanor Mullin, Dean Smith, John Stewart and Esley Hamilton.

Councilmember Crow asked Councilmember Carr if her motion was to include these individuals by name, rather than capacity. Councilmember Carr stated that it was. Councilmember Crow stated that he would like to come up with a different way to accomplish her idea, so his second to the motion is for discussion purposes only.

Councilmember Glickert stated that even though all of the named individuals are knowledgeable, he would like to provide everyone with an opportunity to participate on the committee.

Councilmember Carr stated that her intent is to ensure that there is equal representation that embodies the broader community. She then withdrew her second motion and asked that the following language be considered: *"The said committee should include members who worked on Proposition H, as well as others"*. Her motion was seconded by Councilmember Kraft.

Councilmember Kraft informed Councilmember Carr that another resolution would have to be drafted to establish the parameters of the committee.

Mayor Welsch concurred with Councilmember Kraft's statement, and stated that in her opinion, all this resolution is saying is that Council is committed to supporting these structures and moving forward with a citizen-led committee.

Councilmember Glickert concurred with the Mayor's statement, noting that the resolution represented a public affirmation that Council would not let these buildings end up like the Delmar/Harvard and Nathaniel Hawthorne structures.

Councilmember Carr withdrew her previous motion and made the following suggestion: that the resolution, which currently states, *"Said committee will consider the potential reuse of the buildings and financial mechanisms to accomplish said reuse in a timely manner, and present*

*their recommendation to City Council," be amended to read, " Said committee will consider the potential reuse of the buildings and financial mechanisms to accomplish said reuse in a timely manner, and present their recommendation to the Historic Preservation Commission and City Council." Her motion was seconded by Councilmember Crow.*

Voice vote on Councilmember Carr's motion to include the Historic Preservation Commission carried unanimously.

Councilmember Sharpe moved to approve the Resolution as amended, was seconded by Councilmember Glickert and the motion carried unanimously.

## **BILLS**

### **N. CITIZEN PARTICIPATION (continued if needed)**

*Councilmember Carr asked the Mayor if any resident who had submitted a request to speak was not being allowed to do so. Mayor Welsch stated that she had just received some additional requests.*

#### **Bart Stewart, 714 Harvard Avenue, University City, MO**

Mr. Stewart noted that a new sign regarding literature has now been placed in Chambers and he would like to know how or why this sign came into existence.

Mayor Welsch suggested that Mr. Stewart talk with the City Manager after the meeting.

#### **Raheem Adegboye, 7629 Canton Avenue, University, City MO**

Mr. Adegboye congratulated everyone and thanked them for the peaceful spirit in which the elections were held. He stated that this is a great opportunity for each member of Council, old and new, to make a change for progress, teamwork and peace.

#### **Andrew Roberts, 940 Alanson Drive, University City, MO**

*(Mayor Welsch stated that under her procedure announced at the start of each meeting, Andrew Roberts' actions have excluded him from being allowed to return to the podium. However, Councilmember Glickert has asked that she allow speakers this evening, at Mr. Sharpe's last full meeting, and that Council enter into a discussion to determine how long such a ban should exist. Mayor Welsch stated that although she has decided to allow Mr. Roberts an opportunity to address Council this evening, she will continue to call anyone out of order who engages in personal attacks.)*

Mr. Roberts stated that last week's election made it pretty clear that they are not a mere vocal minority and certainly should not be associated with the Tea Party. This election was a referendum on the direction of Council, which is to be respectful, responsive to their constituents, and to put an end to back-room deals. He asked that Council monitor Gateway for compliance and that the new police station be funded through a bond issue.

#### **Don Fitz, 720 Harvard, University City, MO**

Mr. Fitz stated that he is dismayed by the continued toleration of violence by members of the Council majority and citizens of U City. He then expressed his opinions about the incident that occurred at the Police Focus Group meeting.

#### **Jen Stuhlman, 1499 Urbandale, Florissant, Missouri**

Ms. Stuhlman stated that on behalf of the Professional Firefighters, Local 2665, she thanked Councilmember Sharpe for his years of service, and congratulate Councilmembers Carr, Crow and Councilman elect, Bwayne Smotherson. She stated that as civil servants the firefighters greatly appreciate the amount of energy, engagement and involvement that this community has shown, and looks forward to working with the reelected and newly elected members of

## **David Heimos, 7700 Amherst, University City, MO**

Mr. Heimos congratulated each member on their election to Council, and thanked his supporters for the time and effort they exerted towards his election campaign. He stated that contrary to statements issued prior to the election, he was not recruited by supporters of the Mayor. Instead, his position has always been to try to find some form of commonality that would bring this community back together. Mr. Heimos stated that everyone needs to do their part to be civil and eliminate the rancor. His hope is that Council would initiate this process by encouraging residents; especially those in attendance tonight, to act with more civility.

### **O. COUNCIL REPORTS/BUSINESS**

1. Boards and Commission appointments needed

Mayor Welsch made the appointments that were needed.

2. Council liaison reports on Boards and Commissions

3. Boards, Commissions and Task Force minutes

Mayor Welsch noted that Council had received minutes from several Boards and Commissions.

4. Other Discussions/Business

### **P. COUNCIL COMMENTS**

Councilmember Kraft made the following predictions:

- That the Annex will be empty ten years from now, and
- That Council will continue to have multiple disagreements, but will realize the seriousness of the underfunded pension system and will take measures to permanently fix it.

He stated that his statement and related actions were prepared six months ago, but were delayed to avoid any possible interference with the election.

Being on City Council is essentially a volunteer job. The pay is symbolic and there is no glory in trying to balance a budget. Councilmember Kraft stated that there are two factors that motivate him to volunteer; first, to have positive impact, and second, to be able to work in a comfortable and welcoming environment.

He stated that many of his goals have been achieved in his volunteer capacity as a member of Council; management has been streamlined; service delivery is more efficient; there is a new fire station; plans are underway for a new police station; street repairs are now prioritized based on engineering standards; citizens are expected to pay their trash bills; neighborhood parks are being upgraded; the adoption of a Complete Street's policy, a Bike Walk Plan, and the Parkview Gardens' Plan; there have been many green initiatives incorporated into ordinances that allow the use of native plants; recycling has been expanded and water runoff has been reduced. The City's professional staff has been competent and professional, and he has been afforded the opportunity to interact with citizens and business owners that have been motivated to find solutions that worked to the advantage of their neighbors, customers and the City in general. Unfortunately, there is not enough money to fix the streets, and although Heman Park has a great plan, there is no money to implement it. His one major goal is still unresolved; U City's dangerous underfunding of its pension plans, and his second criterion; a positive working environment, has only partially been made available.

University City faces real challenges for which there are no simple solutions; flat revenues, aging infrastructure, and a declining population. But the additional misery for him and his family has been the negative campaign of character assassination and lies concocted by a small band of political zealots that has been going on nonstop for two years. Councilmember Kraft provided a brief background of one of his more pleasurable experiences as a remote area medical volunteer, and stated that his original plan was to leave Council last year and devote more time to these activities. However, he decided it was important to stand up to the bully that sits on Council, as well as those that come to these meetings. He stated that he April 25, 2016 has made his point, and now, has had enough of the lies, bickering and political

posturing. Councilmember Kraft stated that he will be leaving this position in the coming weeks to spend his time on more positive activities, like helping people see.

*(Councilmember Kraft was excused from the meeting at 7:20 p.m.)*

Councilmember Crow asked Mr. Walker if he would provide him with an update on the implementation of "Maria's Law" which provides members of Council the opportunity to participate in meetings from a remote location. He then thanked everyone for their support in his reelection campaign, and congratulated Councilmember Carr and Mr. Smotherson on their successful appointments.

Councilmember Crow stated that he would like to acknowledge the hard work and dedication put forth by Councilmembers Price and Carr that was instrumental in tonight's Study Session on the floodplain buyouts. He stated that he would also like to thank Councilmember Sharpe for his mentorship and years of dedicated service to the community.

Councilmember Carr stated that she is humbled and honored to have been reelected to represent the residents of U City for the next four years. Many thanks for all of your support, friendship, hard work, faith and kind wishes. She then congratulated Councilmember Crow, Mr. Smotherson, and the citizens who worked on the Historic Sites Petition.

Councilmember Carr stated that the increase in citizens' participation and desire to have their voices heard makes her extremely optimistic about the future of U City. The message they have sent, is that they want an open, honest and ethical government that is responsive to its citizens.

Councilmember Carr thanked Councilmember Sharpe for his many years of service and contributions that have made a real difference. She stated that she remembered four years ago at a coffee meeting you said that she was not supposed to win, so be it.

Councilmember Carr stated that many of her Sunshine requests have been ignored, or only partially responded to. Therefore, she would like to suggest that changes be made to this system to ensure that Sunshine requests are responded to within 72 business hours and public information is provided promptly. She stated that what she had been able to ascertain from her request for information on invoices associated with Chiodini, is that the City has paid over \$190,000, rather than the \$115,000 that was previously noted.

Councilmember Jennings congratulated his fellow Councilmembers, as well as Mr. Smotherson, on their victories. He then thanked Councilmember Sharpe, not only for his service to this City, but for his wisdom, mentorship and words of encouragement.

Councilmember Glickert stated that he had already expressed his congratulations to the newly elected officials, so he would just like to state that after working with Councilmember Sharpe for ten years, everything that has already been said about this character and commitment are true. He ended by saying "You will indeed be missed, Arthur".

Mayor Welsch noted that

- The next meeting of the Summer Camp Re-envisioning Committee will be held on May 5th, at 6:30 p.m., at the Heman Park Community Center.

She noted that she had sent her congratulations to the newly elected officials, and wished to read the following statement into the record; *"When I was first elected to the City Council of U City, back in 2002, I sat next to Councilmember Arthur Sharpe. Although he and other members had not supported me in my campaign, they welcomed me immediately. Although there were times when we disagreed, always there was a mutual respect for the other's point of view and a relaxed and comfortable atmosphere, where we often joked and laughed, even while trying to get someone to change an opinion."* (The entire letter is attached to these

*minutes and made a part of this record.) "Thank you Arthur, for everything. Our time together has been truly marvelous."*

**Q. ADJOURNMENT**

Mayor Shelley Welsch adjourned the meeting at 7:36 p.m., and invited everyone to remain for the reception.

Respectfully submitted,

Joyce Pumm  
City Clerk, MRCC/CMC

When I was first elected to the City Council in University City, back in 2002, I sat next to Councilmember Arthur Sharpe, Jr. Although he and the other members had not supported me in my campaign, they welcomed me immediately. Although there were times when we disagreed, always there was mutual respect for the others' points of view, and a relaxed and comfortable atmosphere where we often joked, laughed, even while trying to get someone to change an opinion.

Mr. Sharpe, from day one, was the epitome of that approach to governance. He never sought out ulterior motives, but believed we were all sitting on Council because of our love of this community. He appreciated all the time and effort other members of Council gave to University City.

It was Mr. Sharpe who encouraged me to get involved in the Missouri Municipal League, the County League and the National League of Cities – reminding me that we can learn much from what other cities and towns around the country are doing. We don't have to reinvent the wheel, always.

It was Mr. Sharpe, whose very regular travels around his ward with the City manager, showed me how important it is that Councilmembers focus on those very personal needs of our constituents, which often can be a broken sidewalk, a street hole – things that impact a person's life every single day.

It's been Mr. Sharpe, for years, who has never criticized me for a vote, even when he disagreed. It's been Mr. Sharpe who has offered words of support and consolation when things have sometimes turned so ugly.

Mr. Sharpe is not only an example of what a good Councilmember is and can be. He is an example for us all of what a good, and kind, person can be.

I will miss him when he departs at the next meeting.

And I look forward to working with his successor, Mr. Bwayne Smotherson, who I know shares his commitment to University City and the people of Ward 3.

Thank you Arthur for everything.

Our time together has truly been marvelous.

Ciao.

Statement of Suzanne Greenwald, 836 Barkley Square, University City, MO, 63130  
To the City Council, 4/11/16. Read by: Leif Johnson, (same address).

“Two weeks ago at the last City Council meeting, I exposed a \$95,383 discrepancy in the Summer Camp funding by the City.

“The Mayor claimed that the City provided—she claimed it was a “loss”--”about” \$100,000 annually for the Summer Camp. The Park Commission's cost analysis of last year's (2015) Summer Camp proved otherwise. That document shows that the City supplied only \$4,617 to the Summer Camp.

“I asked the Mayor to explain the discrepancy. I also asked the Mayor to explain why she, Rod Jennings and Stephen Kraft, voted to eliminate last year's Summer Camp since it only cost \$4,617.

“The Mayor has yet to respond.

“Surely, the Mayor owes the taxpayers of University City an accounting of our money.”

(City Clerk: Please include this speech in its entirety in the minutes of the City Council.)

MINUTES OF UNIVERSITY CITY COUNCIL  
SPECIAL SESSION

City Hall, Second floor conference room  
6801 Delmar Blvd  
5:30 p.m.  
April 18, 2016

Mayor Shelley Welsch called the Council session open at 5:30 p.m., April 18, 2016, at City Hall, second floor conference room, 6801 Delmar Blvd. In addition to Mayor the following members of the Council were present:

Councilmember Rod Jennings  
Councilmember Paulette Carr  
Councilmember Terry Crow  
Councilmember Michael Glickert  
Councilmember Arthur Sharpe, Jr.

Councilmember Stephen Kraft was excused.

Also in attendance were City Manager Lehman Walker and Community Development Director Andrea Riganti.

Mayor Welsch opened the Special Session at 5:30 p.m., asking for a roll call vote to go into a closed session to discuss 610.021 (2) Leasing, purchase or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefor.

Roll Call vote was:

Ayes: Councilmember Jennings, Carr, Crow, Glickert, Sharpe and Mayor Welsch

Nays: none

Closed meeting adjourned into an Open meeting at 6:10 p.m. and Mayor Welsch adjourned Open meeting at 6:10 p.m.

Joyce Pumm, MRCC/MCC  
City Clerk

## Council Agenda Item Cover

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**MEETING DATE:** April 25, 2016

**AGENDA ITEM TITLE:** U.S. Army Corps of Engineers Flood Study – Offer of Contributed Funds

**AGENDA SECTION:** City Manager’s Report

**CAN THIS ITEM BE RESCHEDULED?:** YES

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**BACKGROUND:** U.S. Army Corps of Engineers (Army Corps) has informed University City that a General Reevaluation Report needs to be completed for the participation of this agency and cost share during implementation of Upper River Des Peres University City Branch nonstructural measures for flood risk management (specifically buyouts of residential structures in the 5-year floodplain – a list and map of these properties attached).

A study for the completion of General Reevaluation Report (GRR) costs \$650,000 to be paid to the Army Corps. The City previously identified a completed Army Corps study as the best measure for determining funding opportunities for flood mitigation in University City. The Army Corps requests the City’s execution of a letter offering contribution of funds in the amount of \$650,000 to reflect the Federal and non-Federal share necessary for their completion of the GRR.

All the while Metropolitan St. Louis Sewer District (MSD) has come forward with an offer to reimburse University City for the full cost of the study to complete the GRR. MSD has explained to the City that their stormwater taxing district funds covering the area of University City can be used for this purpose and a budget request for these funds can then be sent to their board for approval following the City’s commitment in writing to voluntary contribution of the funds to the Army Corps (MSD letter attached).

A Voluntary Buyout Policy for the City of University City is in effect (signed by the Mayor after the August 3, 2015 Council meeting). This policy was enacted as part of the City’s effort to comply with the requirements of the Federal Emergency Management Agency Flood Mitigation Assistance grants currently being used for buying out properties within the floodplain. Per the Army Corps most recent policy guidance all future acquisition, relocation, and permanent evacuation recommendations for the Army Corps participation must include the option to use eminent domain, where warranted. A 100-percent voluntary participation plan for acquisition, relocation, and permanent evacuation is not considered a complete plan and is not acceptable for the Army Corps participation as an implementable project for nonstructural flood risk management.

The City may be required to enact a Mandatory Buyout Policy including the option to use eminent domain, where warranted, applicable to buying out properties recommended for the Army Corps participation.

A City Council study session was conducted on April 11, 2016 on this matter and questions including a possible future mandatory buyout policy were addressed and all attached information was sent to City Councilmembers for review.

The City by executing a letter agreement with the Army Corps (draft attached) will be responsible to pay for the study. The City's set-aside funding for flood control and reduction is proposed to be used for this expense. MSD, after their approval of their budget request for their fiscal year starting on July 1, 2016, will fully reimburse the City for the funds offered per the letter agreement. Once reimbursed by MSD, no net City funding will have been expended on the U.S. Army Corps' performance of the study.

Entering into an agreement with the Army Corps now will start that agency's approval process. This process is estimated to take 1 year to be completed during which time no monies will be owed to the Army Corps. Following the approval by the Army Corps, the performance of the study (General Reevaluation Report) will take 2 years to complete.

**RECOMMENDATION:** Staff recommends Council's authorization to the City Manager to execute and enter into the attached letter agreement with the Army Corps for the completion of its Upper River Des Peres University City Branch General Reevaluation Report and later seek full reimbursement under a reimbursement agreement with MSD. A reimbursement agreement with MSD can be executed as early as July 2016 upon adoption of that agency's budget as proposed.

**ATTACHMENTS:**

- 1) List of properties
- 2) Maps of properties
- 3) MSD Letter
- 4) Sponsor Contributed Fund Offer Letter – draft

**Attachment 1.**

5-Year Floodplain Buyout Addresses

<u>Economic Reach</u>	<u>Address</u>	<u>Street Name</u>	<u>Parcel Locator</u>	<u>Structure Use</u>
Midland to Vernon	1208	Waldron Ave	17J511505	residential
Hanley to Midland	1131	Wilson Ave	17J420052	residential
Hanley to Midland	1135	Wilson Ave	17J420117	residential
Hanley to Midland	1139	Wilson Ave	17J420162	residential
Hanley to Midland	1143	Wilson Ave	17J420205	residential
Hanley to Midland	1149	Wilson Ave	17J420250	residential
Hanley to Midland	1153	Wilson Ave	17J420315	residential
Hanley to Midland	1157	Wilson Ave	17J420337	residential
Hanley to Midland	1163	Wilson Ave	17J421097	residential
Hanley to Midland	7467	Shaftesbury Ave	17J130201	residential
Hanley to Midland	1059	Wilson Ave	17J130256	residential
Hanley to Midland	1063	Wilson Ave	17J130322	residential
Hanley to Midland	1067	Wilson Ave	17J130399	residential
Hanley to Midland	1075	Wilson Ave	17J130498	residential
Hanley to Midland	1079	Wilson Ave	17J130520	residential
Hanley to Midland	1083	Wilson Ave	17J130603	residential
Hanley to Midland	1087	Wilson Ave	17J130652	residential
Hanley to Midland	7471	Shaftesbury Ave	17J130223	residential
Hanley to Midland	1035	N. Hanley Rd	17J130069	residential
Hanley to Midland	1039	N. Hanley Rd	17J131158	residential



<u>Economic Reach</u>	<u>Address</u>	<u>Street Name</u>	<u>Parcel Locator</u>	<u>Structure Use</u>
Olive to Hanley	1050	Mona Drive	17K340421	residential
Olive to Hanley	1054	Mona Drive	17K340476	residential
Olive to Hanley	1058	Mona Drive	17K340511	residential
Olive to Hanley	1062	Mona Drive	17K340603	residential
Olive to Hanley	1066	Mona Drive	17K340713	residential
Olive to Hanley	1070	Mona Drive	17K340751	residential
Olive to Hanley	1074	Mona Drive	17K330923	residential
Olive to Hanley	1078	Mona Drive	17K330994	residential
Olive to Hanley	1086	Mona Drive	17K331159	residential
Olive to Hanley	1090	Mona Drive	17K331214	residential
Olive to Hanley	1096	Mona Drive	17K331236	residential
Olive to Hanley	1100	Mona Drive	17K610043	residential
Olive to Hanley	1106	Mona Drive	17K610098	residential
Olive to Hanley	1110	Mona Drive	17K610142	residential
Olive to Hanley	1114	Mona Drive	17K610241	residential
Olive to Hanley	1118	Mona Drive	17K610285	residential
Olive to Hanley	1124	Mona Drive	17K610328	residential

<b><u>Economic Reach</u></b>	<b><u>Address</u></b>	<b><u>Street Name</u></b>	<b><u>Parcel Locator</u></b>	<b><u>Structure Use</u></b>
Olive to Hanley	1129	Glenside Lane	17K610438	residential
Olive to Hanley	1133	Glenside Lane	17K610449	residential
Olive to Hanley	1137	Glenside Lane	17K610483	residential
Olive to Hanley	1141	Glenside Lane	17K610548	residential
Olive to Hanley	1145	Glenside Lane	17K610571	residential
Olive to Hanley	1149	Glenside Lane	17K610625	residential
Olive to Hanley	1153	Glenside Lane	17K610681	residential
Olive to Hanley	1142	Glenside Lane	17K610647	residential
Olive to Hanley	1146	Glenside Lane	17K610702	residential
Olive to Hanley	1150	Glenside Lane	17K610746	residential
Olive to Hanley	1074	Groby Road	17K611022	residential
Olive to Hanley	1090	Groby Road	17K610494	residential
Olive to Hanley	1059	Raisher Drive	17K610186	residential
Olive to Hanley	1063	Raisher Drive	17K610263	residential
Olive to Hanley	1067	Raisher Drive	17K610306	residential
Olive to Hanley	1071	Raisher Drive	17K610373	residential
Olive to Hanley	1075	Raisher Drive	17K610362	residential
Olive to Hanley	1050	Raisher Drive	17K331281	residential
Olive to Hanley	1054	Raisher Drive	17K610032	residential
Olive to Hanley	1058	Raisher Drive	17K610076	residential
Olive to Hanley	1062	Raisher Drive	17K610119	residential
Olive to Hanley	1066	Raisher Drive	17K610153	residential
Olive to Hanley	1070	Raisher Drive	17K610218	residential
Olive to Hanley	1066	Groby Road	17K610296	residential
Olive to Hanley	1070	Groby Road	17K610351	residential
Olive to Hanley	1051	Raisher Drive	17K610108	residential
Olive to Hanley	1055	Raisher Drive	17K610131	residential
Olive to Hanley	7835	Ahern Ave	17K331072	residential
Olive to Hanley	7839	Ahern Ave	17K331160	residential
Olive to Hanley	7843	Ahern Ave	17K331203	residential
Olive to Hanley	7847	Ahern Ave	17K331258	residential
Olive to Hanley	7851	Ahern Ave	17K331292	residential
Olive to Hanley	7855	Ahern Ave	17K331247	residential
Olive to Hanley	7744	Ahern Ave	17K341301	residential
Olive to Hanley	7748	Ahern Ave	17K331302	residential
Olive to Hanley	7750	Ahern Ave	17K331313	residential
Olive to Hanley	7720	Drexel Drive	17K340762	residential
Olive to Hanley	7724	Drexel Drive	17K340773	residential
Olive to Hanley	7728	Drexel Drive	17K340805	residential
Olive to Hanley	7732	Drexel Drive	17K340784	residential
Olive to Hanley	7740	Drexel Drive	17K340872	residential
Olive to Hanley	7737	Drexel Drive	17K341103	residential
Olive to Hanley	7741	Drexel Drive	17K341125	residential
Olive to Hanley	7745	Drexel Drive	17K331182	residential
Olive to Hanley	1050	Wilshire Ave	17K340454	residential

<u>Economic Reach</u>	<u>Address</u>	<u>Street Name</u>	<u>Parcel Locator</u>	<u>Structure Use</u>
Olive to Hanley	1054	Wilshire Ave	17K340531	residential
Olive to Hanley	1051	Wilshire Ave	17K340487	residential
Olive to Hanley	1057	Wilshire Ave	17K340564	residential
Olive to Hanley	1061	Wilshire Ave	17K340696	residential
Olive to Hanley	7901	Glenside Place	17K610779	residential
Olive to Hanley	7915	Glenside Place	17K610768	residential
Olive to Hanley	7921	Glenside Place	17K610757	residential
Olive to Hanley	1087	Groby Road	17K610559	residential
Olive to Hanley	1091	Groby Road	17K610614	residential
Olive to Hanley	1095	Groby Road	17K610658	residential
Olive to Hanley	7925	Glenside Place	17K610735	residential

<u>Economic Reach</u>	<u>Address</u>	<u>Street Name</u>	<u>Parcel Locator</u>	<u>Structure Use</u>
82nd to Olive	1215	Westover Court	17K541204	res(Hafner apts) 16 units
82nd to Olive	8082-a.k.a. 8011	Hafner Court	17K541194	res(Hafner apts) 64 units



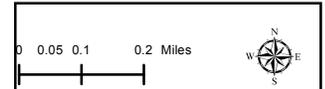
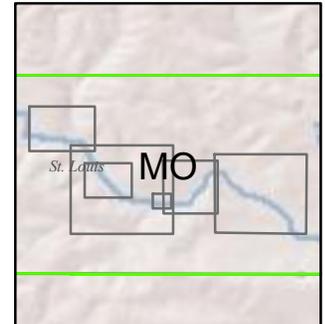
# River Des Peres - University City

## Economic Update 2013

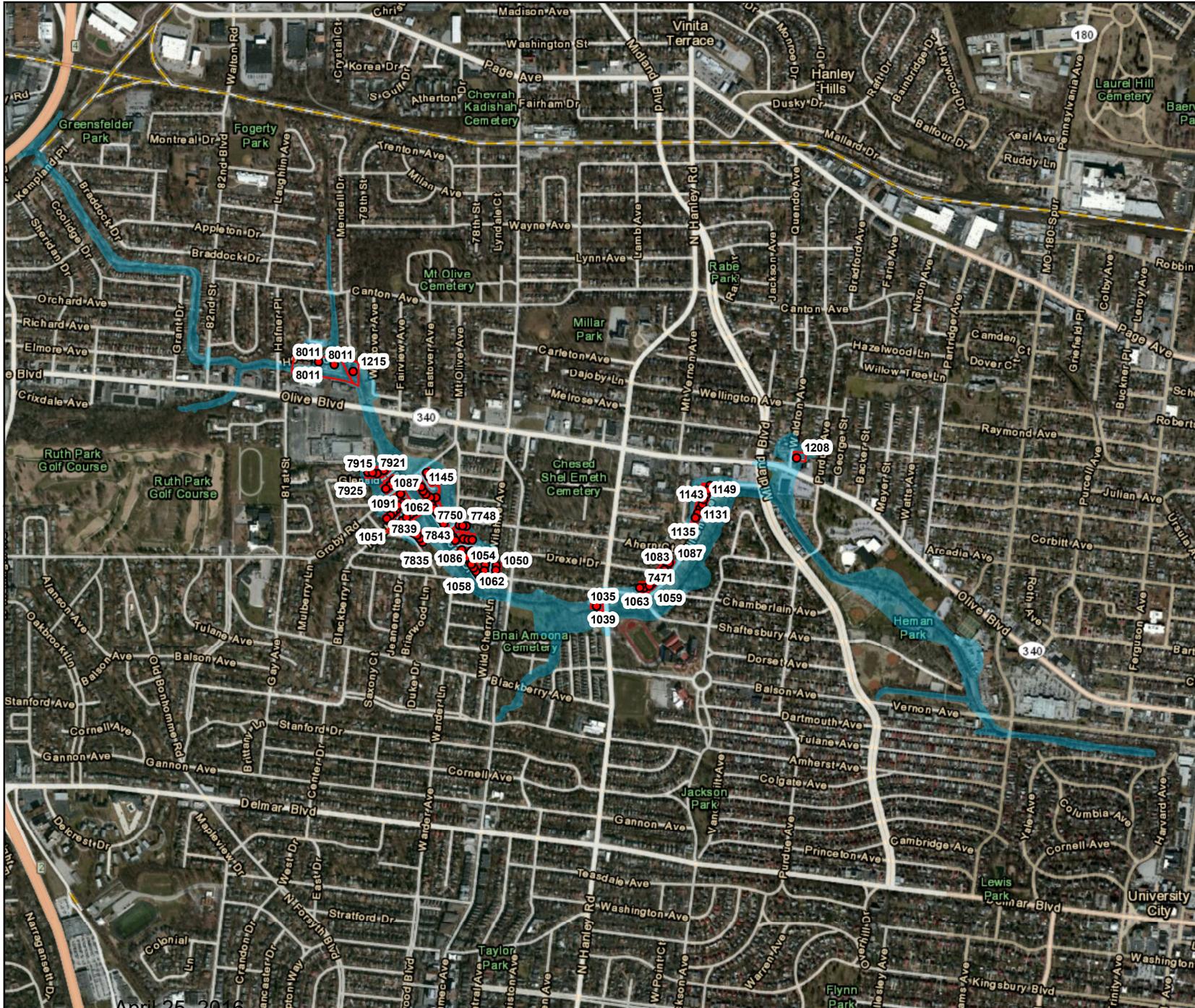
### 5 Year Buyout

- 5-yr Buyout Structures
- 5-yr Buyout Parcels
- 5-yr Flooded Area

#### Location Map

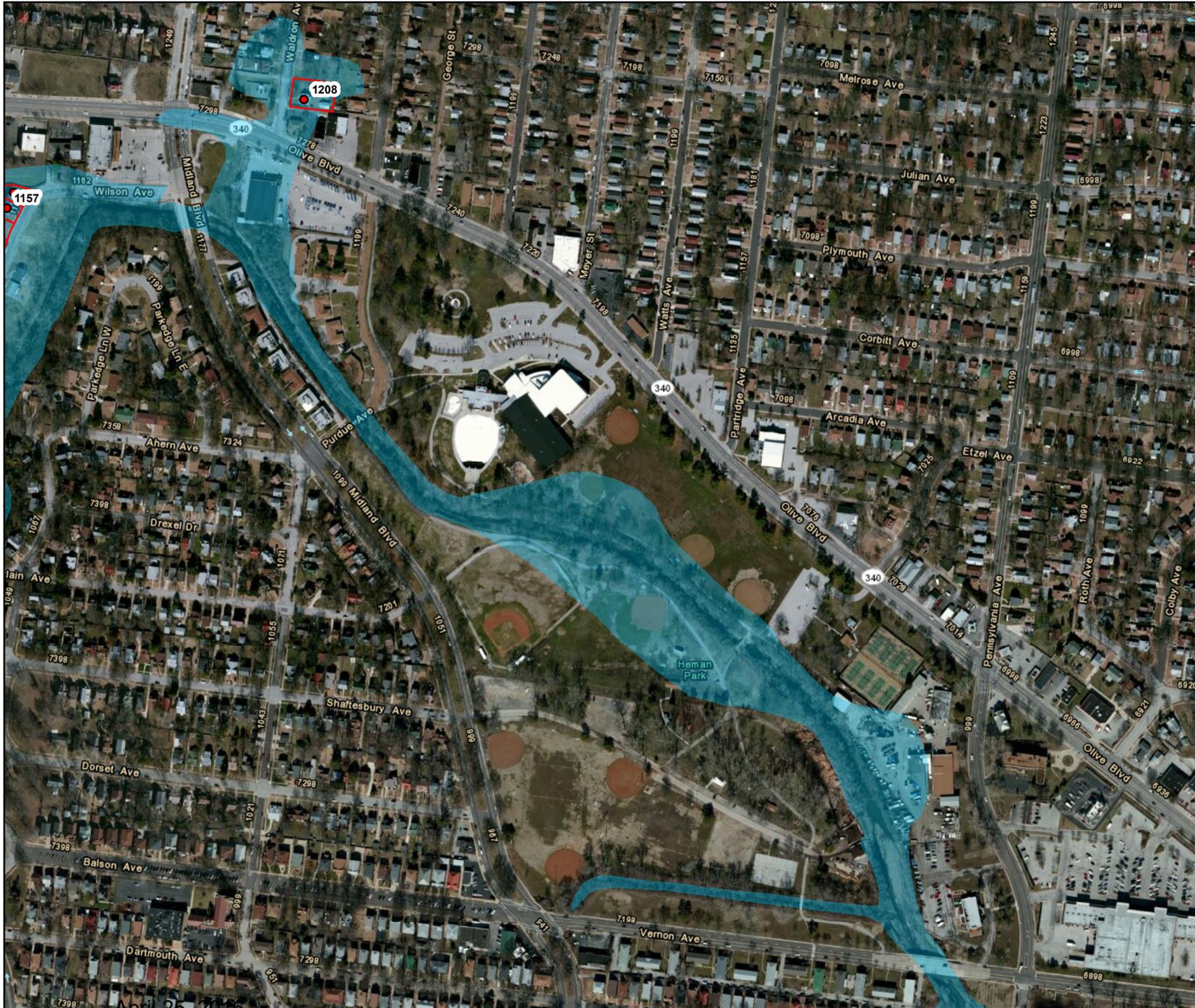


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# Midland to Vernon

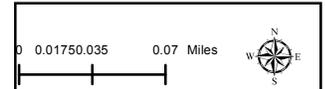
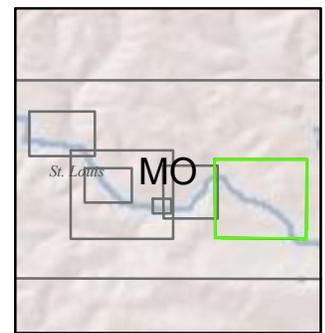


## Economic Update 2013

### 5 Year Buyout

- 5-yr Buyout Structures
- 5-yr Buyout Parcels
- 5-yr Flooded Area

#### Location Map



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# Hanley to Midland

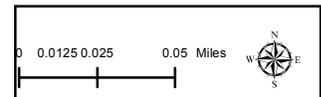
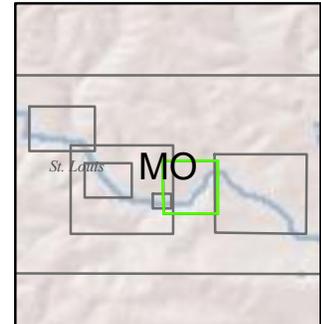


## Economic Update 2013

### 5 Year Buyout

- 5-yr Buyout Structures
- 5-yr Buyout Parcels
- 5-yr Flooded Area

#### Location Map



DISCLAIMER - While the United States Army Corps of Engineers, St. Louis District (hereinafter referred to as USACE) has made a reasonable effort to assure the accuracy of the maps and associated data, it should be explicitly noted that USACE makes no warranty, representation or guaranty, either express or implied, as to the content, sequence, accuracy, timeliness or completeness of any of the data provided herein. The USACE, its officers, agents, employees, or servants shall assume no liability of any nature for any errors, omissions, or inaccuracies in the information provided, regardless of how caused. The USACE, its officers, agents, employees or servants shall assume no liability for any decisions made or actions taken or not taken by the user of the maps and associated data in reliance upon any information or data furnished here. By using these maps and associated data the user does so entirely at their own risk and explicitly acknowledges that he/she is aware of and agrees to be bound by this disclaimer and agrees to waive any claim or demand of any nature against the USACE, its officers, agents, employees or servants in any forum whatsoever for any damages, including but not limited to, any damages that may result from or be caused in any way by the use of the maps and associated data.



# Olive to Hanley Total

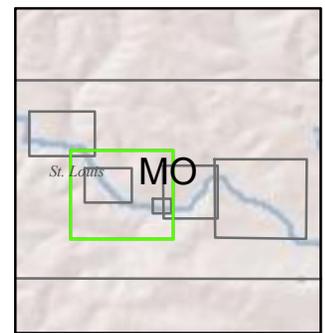


## Economic Update 2013

### 5 Year Buyout

- 5-yr Buyout Structures
- 5-yr Buyout Parcels
- 5-yr Flooded Area

#### Location Map



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# Olive to Hanley A

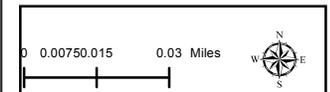
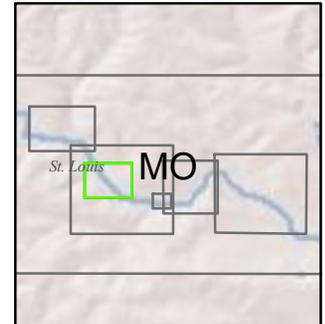


## Economic Update 2013

### 5 Year Buyout

- 5-yr Buyout Structures
- 5-yr Buyout Parcels
- 5-yr Flooded Area

#### Location Map



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# Olive to Hanley B

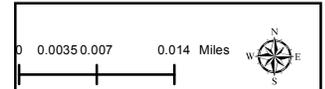
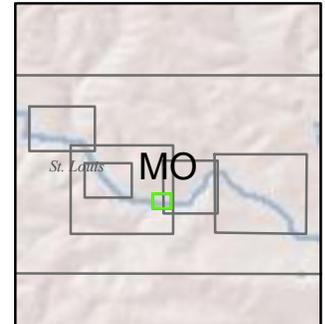


## Economic Update 2013

### 5 Year Buyout

- 5-yr Buyout Structures
- 5-yr Buyout Parcels
- 5-yr Flooded Area

#### Location Map



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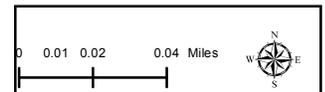
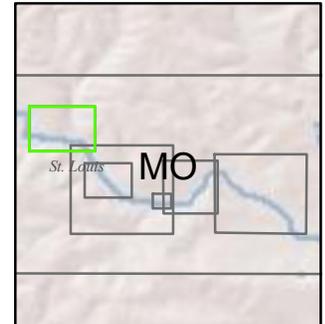
# 82nd to Olive

## Economic Update 2013

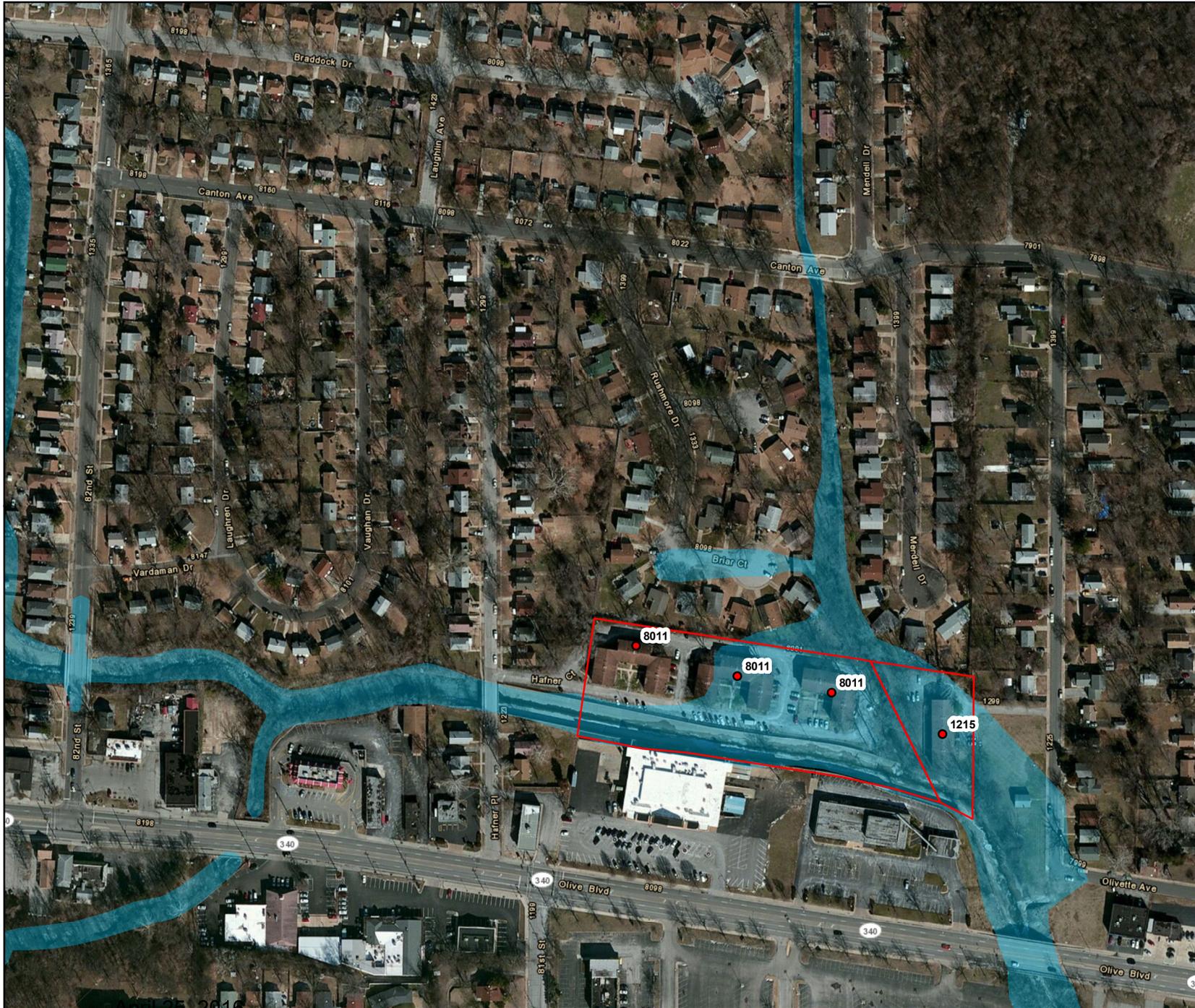
### 5 Year Buyout

- 5-yr Buyout Structures
- 5-yr Buyout Parcels
- 5-yr Flooded Area

#### Location Map



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**Metropolitan St. Louis  
Sewer District**

2350 Market Street  
St. Louis, MO 63103-2555  
314-768-6200  
www.stlmsd.com

April 7, 2016

Lehman Walker  
City Manager  
City of University City  
6801 Delmar Boulevard  
University City, MO 63130

RE: River Des Peres, Missouri

Dear Mr. Walker;

The Metropolitan St. Louis Sewer District (MSD) has reimbursed the City of University City in the past, for cost share sponsor expenses for the River Des Peres Project Authority. The Chief's report dated May 1989 and corresponding Congressional authorization in WRDA 1990 (Section 101) authorized construction of a structural flood risk management solution along River Des Peres as it traverses the community of University City, Missouri. During the project design phase, the USACE team determined that the authorized structural plan would induce downstream flooding and could not be implemented as authorized. The Chief's Report does not include the flexibility needed to allow implementation of a desired non-structural buyout solution within the University City project area.

In order to conduct this study, we understand that the St. Louis District would need to proceed with a single phase General Reevaluation Report (GRR) in the feasibility phase. The GRR would document the required project modifications that resulted from coordination with higher USACE Command following project authorization. We understand that the GRR must be cost-shared 50% Federal expense and 50% non-Federal expense, and would require the execution of a Feasibility Cost Share Agreement between the USACE and University City. However, USACE has been unable to obtain its 50% share, keeping the study from being completed. USACE estimates that \$650,000 is the total cost to complete the study, and can accept contributed funds from the sponsor to cover the federal share and complete the study.

MSD has included in its upcoming FY2017 budget, \$650,000 to reimburse University City for sponsor costs to complete the study, out of the University City OMCI Fund that includes the area of University City. Assuming the budget is adopted as proposed by MSD's Board of Trustees, this budget item can be submitted to MSD's Board as early as July, 2016, along with approval to execute a reimbursement agreement with University City.

Sincerely,

Richard L. Unverferth, P.E.  
Director of Engineering

April 25, 2016

K-1-13

April 14, 2016

COL Anthony P. Mitchell  
Commander, St. Louis District  
U.S. Army Corps of Engineers  
1222 Spruce Street  
St. Louis, MO 63103-2833

RE: Proposal for Acceptance of Voluntarily Contributed Funds for General Reevaluation Report (GRR) on the River des Peres, Missouri, University City Branch

Dear COL Mitchell,

As you are aware, the U.S. Army Corps of Engineers, St. Louis District (District) studied the feasibility of providing urban flood damage reduction and related improvements in the River des Peres watershed in St. Louis City and County, Missouri. The District approved a Feasibility Report, Supplementary Information Report, Environmental Assessment and Finding of No Significant Impact (FONSI) on May 23, 1989. A Chiefs Report was signed in 1989 and the project authorized for construction in 1990. The FY2004 Energy and Water Development Appropriations Act, Public Law 108-137, provided funds for the District to initiate design of a structural channel modification along the University City Branch of the River Des Peres, located in University City, Missouri. Updates to the hydraulic model and a Value Engineering Study in 2009 revealed that the authorized plan would induce flooding downstream.

The District initiated reanalysis of the recommended plan in 2009 to reformulate and modify the plan evaluating a nonstructural buyout in the 5-year floodplain. We understand that the District received its last Federal work allowance in FY10 and has been unable to move forward with the reanalysis due to the lack of a Federal work allowance.

University City offers contributed funds in the amount of \$650,000 to reflect the Federal and non-Federal share necessary for the District to complete the GRR. We understand that credit cannot be afforded or repayment authorized for our voluntary contribution of funds. We also understand that the District's acceptance of funds will not constitute or imply any commitment to budget or appropriate funds for the project in the future.

Sincerely,

[Include the City official name and title who can commit funds]

Resolution 2016 – 7

CERTIFICATION OF MUNICIPAL ELECTION, APRIL 3, 2012

WHEREAS, a Municipal Election was held in the City of University City, Missouri on Tuesday, April 5, 2016; and

WHEREAS, said election was conducted according to the laws of the State of Missouri, the City Charter and Ordinances of the City of University City, and the rules and regulations promulgated by the Board of Election Commissioners of St. Louis County; and

WHEREAS, the following were candidates for the respective office as shown:

Carol Wofsey	Councilmember First Ward
Terry Crow	Councilmember First Ward
Paulette Carr	Councilmember Second Ward
David Heimos	Councilmember Second Ward
Bwayne Smotherson	Councilmember Third Ward
Orlando Watson	Councilmember Third Ward
Melcine Henderson	Councilmember Third Ward
Brandin Vaughn	Councilmember Third Ward

NOW THEREFORE, pursuant to the laws of the State of Missouri, the City Charter, and the Ordinances of the City of University City, and the rules and regulations promulgated by the Board of Election Commissioners of St. Louis County, the City Council of University City, at a meeting held on April 25, 2016, at 6:30 p.m., upon the certification of the returns by the Board of Election Commissioners of St. Louis County from the forty-one precincts in the City of University City, and upon certification by the City Clerk of the results of said election held Tuesday, April 5, 2016, in the City of University City, and as canvassed by the Council of said returns of said election, and it appearing that the votes received are as follows:

		<u>Number of Votes</u>
Carol Wofsey	Councilmember First Ward	953
Terry Crow	Councilmember First Ward	1376
Paulette Carr	Councilmember Second Ward	1256
David Heimos	Councilmember Second Ward	618
Bwayne Smotherson	Councilmember Third Ward	871
Orlando Watson	Councilmember Third Ward	472
Melcine Henderson	Councilmember Third Ward	198
Brandin Vaughn	Councilmember Third Ward	63

BE IT HEREBY RESOLVED that the following candidates, appearing to have received the largest number of votes, be declared elected for the term set forth.

Terry Crow, Councilmember, First Ward (Four Years)  
Paulette Carr, Councilmember, Second Ward (Four Years)  
Bwayne Smotherson, Councilmember, Third Ward (Four Years)

PASSED AND RESOLVED THIS 25<sup>th</sup> DAY OF APRIL, 2016.

---

Shelley Welsch, Mayor

ATTEST:

---

Joyce Pumm, City Clerk

OFFICIAL FINAL RESULTS

GENERAL MUNICIPAL ELECTION  
ST. LOUIS COUNTY, MISSOURI  
TUESDAY, APRIL 5, 2016

CITY OF UNIVERSITY CITY  
RUN DATE: 04/18/16 10:21 AM

	01	02	03	TOTAL	PERCENT	03 = VOTER TURNOUT - TOTAL	TOTAL	PERCENT
01 = REGISTERED VOTERS - TOTAL				23,670				25.28
02 = BALLOTS CAST - TOTAL				5,983				
0501 CIA1	1160	385	33.19					
0505 CLA5, 43 UNV32, 41	1827	389	21.29					
1008 HAD8	662	267	40.33					
1009 HAD9, 10, 11	1633	619	37.91					
1012 HAD12	1125	386	34.31					
1016 HAD16, 34, 35 UNV20	1520	422	27.76					
2704 UNV4	1009	145	14.37					
2714 UNV14	1266	237	18.72					
2715 UNV15, 16	1377	220	15.98					
2719 UNV19	1127	287	25.47					
2722 UNV22, 35, 38, 42	1702	304	17.86					
2723 UNV23	1335	365	27.34					
2724 UNV24, 29	1803	517	28.67					
2725 UNV25, 26	1364	300	21.99					
2727 UNV27	1481	290	19.58					
2728 UNV28, 43	1080	231	21.39					
2731 UNV31	728	206	28.30					
2733 UNV33, 39, 40, 44	1398	399	28.54					
2734 UNV34	73	14	19.18					

COUNCIL MEMBER UNIVERSITY CITY WARD 1  
(Vote for ) 1

	01	02	03	TOTAL	PERCENT	03 = INVALID WRITE-IN	TOTAL	PERCENT
01 = CAROL WOFSEY				953	40.78			
02 = TERRY CROW				1,376	58.88			
							8	.34

COUNCIL MEMBER UNIVERSITY CITY WARD 2  
(Vote for ) 1

	01	02	03	TOTAL	PERCENT	03 = INVALID WRITE-IN	TOTAL	PERCENT
0501 CIA1	172	200	0					
0505 CLA5, 43 UNV32, 41	211	149	4					
1009 HAD9, 10, 11	256	354	0					
1012 HAD12	91	291	1					
2731 UNV31	73	130	1					
2733 UNV33, 39, 40, 44	147	241	2					
2734 UNV34	3	11	0					

COUNCIL MEMBER UNIVERSITY CITY WARD 3  
(Vote for ) 1

	01	02	03	TOTAL	PERCENT	03 = INVALID WRITE-IN	TOTAL	PERCENT
01 = PROLETTE CARR				1,256	66.60			
02 = DAVID HEIMOS				618	32.77			
							12	.64

COUNCIL MEMBER UNIVERSITY CITY WARD 3

	01	02	03	TOTAL	PERCENT	03 = INVALID WRITE-IN	TOTAL	PERCENT
1008 HAD8	187	76	2					
1016 HAD16, 34, 35 UNV20	254	148	2					
2704 UNV4	97	33	0					
2723 UNV23	225	124	2					
2724 UNV24, 29	320	185	6					
2728 UNV28, 43	173	52	0					

(Vote for ) 1  
 01 = BWAYNE SMOTHERSON 871 54.85  
 02 = ORLANDO WATSON 472 29.72  
 03 = MELCINE HENDERSON 198 12.47  
 04 = BRANDIN VAUGHN 37 2.33  
 05 = INVALID WRITE-IN 10 .63

	01	02	03	04	05
2714 UNV14	98	102	19	7	0
2715 UNV15,16	139	38	30	7	2
2719 UNV19	172	79	21	4	2
2722 UNV22,35,36,42	149	101	41	4	2
2725 UNV25,26	170	78	26	10	2
2727 UNV27	143	74	61	5	2

VOTES PERCENT

UNIVERSITY CITY - PROPOSITION H  
 \*\*CHARTER AMENDMENT- DISPOSAL OF PUBLIC PROPERTY\*\*

(Vote for ) 1  
 01 = YES 3,991 69.06  
 02 = NO 1,788 30.94

	01	02
0501 CIA1	211	162
0505 CIA5,43 UNV32,41	287	80
1008 HAD8	204	61
1009 HAD9,10,11	400	211
1012 HAD12	279	99
1016 HAD16,34,35 UNV20	276	139
2704 UNV4	108	34
2714 UNV14	163	62
2715 UNV15,16	157	56
2719 UNV19	174	89
2722 UNV22,35,36,42	220	84
2723 UNV23	220	137
2724 UNV24,29	346	157
2725 UNV25,26	203	88
2727 UNV27	175	97
2728 UNV28,43	173	51
2731 UNV31	129	71
2733 UNV33,39,40,44	273	106
2734 UNV34	9	4

WE, THE BOARD OF ELECTION COMMISSIONERS OF ST. LOUIS COUNTY, MISSOURI, ACTING AS THE VERIFICATION BOARD PURSUANT TO SECTION 115.507,RSMO, HEREBY CERTIFY THE FOREGOING TO BE A TRUE AND CORRECT ABSTRACT OF VOTES CAST FOR THE CANDIDATES AND ISSUES AT THE GENERAL MUNICIPAL ELECTION HELD IN ST. LOUIS COUNTY, MISSOURI, ON APRIL 5, 2016. IN TESTIMONY WHEREOF, WE HAVE HEREUNTO SET OUR HAND AT OUR OFFICE IN MAPLEWOOD, ST. LOUIS COUNTY, MISSOURI, ON APRIL 19, 2016.

*Richard H. Kellett* RICHARD H. KELLETT, CHAIRMAN  
*John W. Faupin* JOHN W. FAUPIN, SECRETARY  
*John P. King* JOHN P. KING, COMMISSIONER



AFFIDAVIT OF PUBLICATION

STATE OF MISSOURI  
COUNTY OF ST. LOUIS

} S.S.

Before the undersigned Notary Public personally appeared **Karie Clark** on behalf of **THE COUNTIAN, ST. LOUIS COUNTY** who, being duly sworn, attests that said newspaper is qualified under the provisions of Missouri law governing public notices to publish, and did so publish, the notice annexed hereto, starting with the **March 23, 2016** edition and ending with the **March 23, 2016** edition, for a total of 1 publications:

03/23/2016

*Karie Clark*

Karie Clark

Subscribed & sworn before me this 23rd day of Mar, 2016  
(SEAL)

*Chanel Jones*

Notary Public

CHANEL JONES  
Notary Public - Notary Seal  
State of Missouri  
Commissioned for St. Louis County  
My Commission Expires: August 08, 2018  
Commission Number: 14397721

5171 - M77

**NOTICE OF  
GENERAL MUNICIPAL ELECTION  
CITY OF UNIVERSITY CITY,  
MISSOURI**

Notice is hereby given that a General Municipal Election will be held in the City Of University City, St. Louis County, Missouri, on Tuesday, April 05, 2016 between the hours of 6:00 a.m. and 7:00 p.m., CDST, for the purpose of presenting the following ballot to the duly qualified electors of said city.

**COUNCIL MEMBER**

**WARD 1**

FOUR Year Term  
(Vote for ONE)

- CAROL WOFSEY
- TERRY CROW

**COUNCIL MEMBER**

**WARD 2**

FOUR Year Term  
(Vote for ONE)

- PAULETTE CARR
- DAVID HEIMOS

**COUNCIL MEMBER**

**WARD 3**

FOUR Year Term  
(Vote for ONE)

- BWAYNE SMOTHERSON
- ORLANDO WATSON
- MELCINE HENDERSON
- BRANDIN VAUGHN

**CHARTER AMENDMENT**

**PROPOSITION H**

Shall the City of University City amend Article XI Public Improvement Generally by adding a new section to be designated Section 97 stating that the following land and structures, to the extent now or hereafter owned by the City or any agency or instrumentality of the City, shall not be sold, leased, given away or otherwise disposed of unless such sale, lease, disposal or gift be approved by a majority of the qualified electors voting on an ordinance to be submitted by the council in the manner prescribed in Article XII, Section 122 of this Charter, (a) the land and buildings on the site described in the general warranty deed of May 15,

## AFFIDAVIT OF PUBLICATION

Page 2 of 2

1930, deed book 1088, page 113, including City Hall at 6801 Delmar Boulevard, the Annex commonly known as the police station and old firehouse, and the Old Public Library at 630 Trinity Avenue, (b) the University City Public Library at 6701 Delmar Boulevard and the land described in the general warranty deed of June 20, 1968, deed book 6333, page 2313, (c) the Sutter-Meyer house at 6826 Chamberlain Court and the site described in the general warranty deed of October 22, 2003, deed book 15429, page 3043, (d) The Gates of Opportunity, commonly known as the Lion Gates monument on the public right-of-way near Delmar Boulevard and Trinity Avenue?

YES  
 NO

**IN WITNESS WHEREOF**, the undersigned composing the Board of Election Commissioners of St. Louis County, Missouri has caused this notice to be signed at the office of said Board in the City of Maplewood, St. Louis County, Missouri, on Tuesday, January 26, 2016.

RICHARD H. KELLETT, Chairman  
JOHN W. MAUPIN, Secretary  
TRUDI McCOLLUM FOUSHEE,  
Commissioner

JOHN P. KING, Commissioner  
Attest: JOHN W. MAUPIN, Secretary  
BOARD OF ELECTION COMMISSIONERS  
11030205 County Mar. 23, 2016

# AFFIDAVIT OF PUBLICATION

STATE OF MISSOURI  
COUNTY OF ST. LOUIS

} S.S.

Page 1 of 2

Before the undersigned Notary Public personally appeared **Karie Clark** on behalf of **THE COUNTIAN, ST. LOUIS COUNTY** who, being duly sworn, attests that said newspaper is qualified under the provisions of Missouri law governing public notices to publish, and did so publish, the notice annexed hereto, starting with the **March 30, 2016** edition and ending with the **March 30, 2016** edition, for a total of 1 publications:

03/30/2016

*Karie Clark*

Karie Clark

Subscribed & sworn before me this 30<sup>th</sup> day of Mar, 2016  
(SEAL)

*Chanel Jones*

Notary Public

CHANEL JONES  
Notary Public - Notary Seal  
State of Missouri  
Commissioned for St. Louis County  
My Commission Expires: August 08, 2018  
Commission Number: 14397721

5171 - M77

## NOTICE OF GENERAL MUNICIPAL ELECTION CITY OF UNIVERSITY CITY, MISSOURI

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### COUNCIL MEMBER

#### WARD 1

FOUR Year Term  
(Vote for ONE)

- CAROL WOFSEY  
 TERRY CROW

### COUNCIL MEMBER

#### WARD 2

FOUR Year Term  
(Vote for ONE)

- PAULETTE CARR  
 DAVID HEIMOS

### COUNCIL MEMBER

#### WARD 3

FOUR Year Term  
(Vote for ONE)

- BWAYNE SMOTHERSON  
 ORLANDO WATSON  
 MELCINE HENDERSON  
 BRANDIN VAUGHN

### CHARTER AMENDMENT PROPOSITION H

Shall the City of University City amend Article XI Public Improvement Generally by adding a new section to be designated Section 97 stating that the following land and structures, to the extent now or hereafter owned by the City or any agency or instrumentality of the City, shall not be sold, leased, given away or otherwise disposed of unless such sale, lease, disposal or gift be approved by a majority of the qualified electors voting on an ordinance to be submitted by the council in the manner prescribed in Article XII, Section 122 of this Charter, (a) the land and buildings on the site described in the general warranty deed of May 15,

# AFFIDAVIT OF PUBLICATION

Page 2 of 2

1930, deed book 1088, page 113, including City Hall at 6801 Delmar Boulevard, the Annex commonly known as the police station and old firehouse, and the Old Public Library at 630 Trinity Avenue, (b) the University City Public Library at 6701 Delmar Boulevard and the land described in the general warranty deed of June 20, 1968, deed book 6333, page 2313, (c) the Sutter-Meyer house at 6826 Chamberlain Court and the site described in the general warranty deed of October 22, 2003, deed book 15429, page 3043, (d) The Gates of Opportunity, commonly known as the Lion Gates monument on the public right-of-way near Delmar Boulevard and Trinity Avenue?

YES  
 NO

**SAID ELECTION WILL BE HELD IN THE FOLLOWING POLLING PLACE LOCATIONS:-**

BARB JORDAN ACCEL ELEM SCHOOL  
1500 82ND BLVD  
UNV027  
BRITTANY WOODS SCHOOL  
8125 GROBY RD  
UNV028,034,043  
CROWN CENTER - DELCREST  
8348 DELCREST DR  
CLA005,043 UNV032,041  
FLYNN PARK ELEMENTARY SCHOOL  
7220 WATERMAN AVE  
CLA001  
HEMAN PARK COMMUNITY CENTER  
975 PENNSYLVANIA AVE  
HAD016,034,035 UNV020  
JACKSON PARK ELEMENTARY SCHOOL  
7400 BALSON AVE  
UNV023,031  
MCNAIR ADMIN BUILDING  
8136 GROBY RD  
UNV033,039,040,044  
NEW CITY FELLOWSHIP CH  
1483 82ND BLVD  
UNV022,035,038,042  
OUR LADY OF LOURDES SCHOOL  
7157 NORTHMOOR DR  
HAD012  
PARKVIEW TOWER APARTMENTS  
701 WESTGATE AVE

UNV004  
PERSHING ELEMENTARY SCHOOL  
6761 BARTMER AVE  
UNV014  
ST JAMES LUTHERAN CHURCH  
1401 N HANLEY RD  
UNV025,026  
TRINITY PRESBYTERIAN CHURCH  
6800 WASHINGTON AVE  
HAD008,009,010,011  
UNIVERSITY CITY FOREST MANOR  
1301 PARTRIDGE AVE  
UNV019  
UNIVERSITY CITY REC FACILITY  
7210 OLIVE BLVD  
UNV015,016  
UNIVERSITY CITY SR HIGH SCHOOL  
7401 BALSON AVE  
UNV024,029

**IN WITNESS WHEREOF**, the undersigned composing the Board of Election Commissioners of St. Louis County, Missouri has caused this notice to be signed at the office of said Board in the City of Maplewood, St. Louis County, Missouri, on Tuesday, January 26, 2016.

RICHA RD H. KELLET T, Chairman  
JOHN W. MAUPIN, Secretary  
TRUDI MCCOLLUM FOUSHEE, Commissioner  
JOHN P. KING, Commissioner  
Attest: JOHN W. MAUPIN, Secretary  
BOARD OF ELECTION COMMISSIONERS  
11033443 County Mar. 30, 2016



## Council Agenda Item Cover

---

**MEETING DATE:** April 25, 2016

**AGENDA ITEM TITLE:** Resolution for Fiscal Year 2015-2016- Budget Amendment # 3

**AGENDA SECTION:** New Business

**CAN THIS ITEM BE RESCHEDULED? :** Yes

**BACKGROUND REVIEW:** Attached is the third budget amendment for the fiscal year 2016. This amendment incorporates the adjustment of expenditures between divisions and departments that have significant variances to the adopted budget and previously approved transfers from the fund reserve for all funds.

### General Fund

#### 1) **Police Facility**

On March 14, 2016, City Council approved an additional \$1,972,000 transfer from General Fund reserve for Police Annex facility projects. This will provide a total of \$2,472,000 for this project.

#### 2) **Police**

A transfer of \$70,000 from Salaries-Full time to cover \$65,000 overtime and \$5,000 injury leave.

#### 3) **Fire**

A transfer of \$150,000 from Salaries-Full time to cover \$125,000 overtime and \$25,000 injury leave.

#### 4) **Information Technology**

In October 2015, City Council approved a City-Wide copier contract with Copying Concept. The contract cost was approximately \$42,000 annually. This amount needs to be transferred from the computer equipment budget to equipment maintenance.

### Other Funds

#### 5) **Sewer Lateral Fund**

To cover the cost of future sewer lateral projects to be approved and to avoid an interruption of program services to residents that need them and per the County tax regulations, a transfer of funds is requested as detailed above. For this fiscal year the program has already approved 170 repairs. \$150,000 needs to be transferred from fund reserve.

#### 6) **Solid Waste Fund**

- The City applied for and was awarded grant funds through the St. Louis Jefferson Solid Waste Management District. The City received \$45,000 with a committed \$31,500 match. The grant work scope includes installation of bollards, fence and

concrete pad installation and pavement improvements at the City's Recycling Drop-off Area at 975 Pennsylvania Avenue. The Scope also includes the cost of a consultant's review of improvements in the regulated floodway for compliance with the City's floodplain ordinance. This matched fund needs to be transferred from the Solid Waste fund reserve.

- Transfer station grinder pump receives overflow and seepage from the pit where the municipal trash is transferred from the City's trash trucks into larger trailers to be hauled to the landfill. This pump is scheduled to be replaced due to its frequent breakdowns and an outflow connection that doesn't comply with current regulations. The project proposed to replace the grinder pump and connect its outflow sewer pipe using a compliance method. The project was proposed to be funded in FY 2016 to expedite the City's gaining compliance to avoid any possible fines/penalties, but was removed from the adopted budget. Therefore, \$40,000 needs to be transferred from Solid Waste Fund fund reserve.

#### **7) Economic Development Sales Tax Fund**

As a part of Small Business Retail Retention Program for the Delmar Loop, the Economic Development Retail Sales Tax Board recommended a transfer of an additional \$50,000 from the budget that was originally given to the SBD Loop to provide a forgivable loan to retail businesses in the Loop; that can demonstrate a loss of sales due to construction of the Loop Trolley.

#### **8) Grant Fund**

Wilson Buyout – In April 2015, City Council granted authority to the City Manager to execute the FEMA grant agreement to complete the buyout of three (3) homes considered severe repetitive loss properties on Wilson Avenue. The City spent a total of \$435,500 for this acquisition including demolition expenses, while received the same amount reimbursed from the Federal Emergency Management Agency.

The changes in budget amendment # 3 will have major impact, approximately \$2.0 million to the General Fund unassigned fund reserve while the changes in the Sewer Lateral and Solid Waste will also reduce the fund reserve by \$150,000 and \$71,500, respectively.

The resolution for approval of the amendment is attached, as well as details of the budget amendment. The details of budget transfers for the amounts up to \$25,000 that were delegated to the City Manager are also attached for information only.

**RECOMMENDATION:** Approval

**Resolution 2016 - 8**

**A RESOLUTION AMENDING THE FISCAL YEAR 2015-2016 (FY16)  
BUDGET – AMENDMENT # 3 AND APPROPRIATING SAID AMOUNTS**

**NOW, THEREFORE BE IT RESOLVED** by the City Council of the City of University City, Missouri, that the Annual Budget for the fiscal year beginning July 1, 2015, was approved by the City Council and circumstances now warrant amendment to that original budget.

**BE IT FURTHER RESOLVED**, that in accordance with the City Charter, the several amounts stated in the budget amendment as presented, are herewith appropriated to the several objects and purposes named.

Adopted this 25th day of April, 2016

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Certified to be Correct as to Form:

\_\_\_\_\_  
City Attorney

**FY 16 Budget Amendment # 3  
To be Approved by the City Council  
April 25, 2016**

**GENERAL FUND**

<u>Account</u>	<u>Expenditure Increase</u>	<u>Expenditure Decrease</u>	<u>Description</u>
<b>1) Police</b>			
5220 Injury Leave	5,000		Increase injury leave
5380 Overtime	65,000		Increase overtime budget
5001 Salaries Full-time		(70,000)	
<b>2) Fire</b>			
5220 Injury Leave	25,000		Increase injury leave
5380 Overtime	125,000		Increase overtime budget
5001 Salaries Full-time		(150,000)	
<b>3) Facilities</b>			
8100 Building Improvement	1,972,000		Police Dept. Annex facility project

<b>TOTAL GENERAL FUND</b>			
<b>REDUCTION IN FUND BALANCE</b>		<b>\$ (1,972,000)</b>	

**SOLID WASTE**

<u>Account</u>	<u>Expenditure Increase</u>	<u>Expenditure Decrease</u>	<u>Description</u>
<b>4) 8100 Misc. Improvement</b>	\$31,500		Matched portion for the City's Recycling Drop-off Area
8100 Misc. Improvement	40,000		Transfer Station Gringer Pump

<b>TOTAL ECONOMIC DEVELOPMENT SALES TAX FUND</b>		<b>\$ 71,500</b>	
<b>REDUCTION IN FUND BALANCE</b>			

**SEWER LATERAL FUND**

<u>Account</u>	<u>Expenditure Increase</u>	<u>Expenditure Decrease</u>	<u>Description</u>
<b>5) 6450 Sewer Lateral Expenses</b>	\$150,000		

<b>TOTAL SEWER LATERAL FUND</b>		<b>\$ 150,000</b>	Increase volume of repairs
<b>REDUCTION IN FUND BALANCE</b>			

**ECONOMIC DEVELOPMENT SALES TAX**

<u>Account</u>	<u>Expenditure Increase</u>	<u>Expenditure Decrease</u>	<u>Description</u>
<b>6) 6795 Forgivable Loan</b>	\$50,000		Additional Forgivable loan to Loop Business due to
8100 Misc. Improvement		(\$50,000)	loss of sales - impact from the Loop Trolley Construction

<b>TOTAL ECONOMIC DEVELOPMENT SALES TAX FUND</b>		<b>\$ -</b>	
<b>REDUCTION IN FUND BALANCE</b>			

**GRANT FUND**

<u>Account</u>	<u>Expenditure Increase</u>	<u>Expenditure Decrease</u>	<u>Description</u>
<b>7) 4205 Grant</b>	\$435,500		Wilson Buyout
8100 Misc. Improvement		(\$435,500)	

<b>TOTAL GRANT FUND</b>		<b>\$ -</b>	
<b>REDUCTION IN FUND BALANCE</b>			

**FY 16 Budget Amendment # 3  
To be Delegated to City Manager  
April 25, 2016**

**GENERAL FUND**

<u>Account</u>	<u>Expenditure Increase</u>	<u>Expenditure Decrease</u>	<u>Description</u>
<b>1) Legislation</b>			
6270 Telephone & Pagers	700		City Clerk's cell phone
6220 Insurance-Liability		(700)	
<b>2) General Administration</b>			
5860 Unemployment	1,500		Former employees
5340 Salaries Part-time & Temp		(1,500)	
6070 Temporary Labor	6,000		Front desk helps
6135 Public Relations and Programs		(6,000)	
<b>3) Human Resources</b>			
6220 Insurance - Public Official	1,500		Reclassify budget to cover
6610 Staff Training	500		Holiday luncheon
7850 Awards & Gifts	1,300		
6010 Professional Services		(3,300)	
<b>4) Finance</b>			
6050 Maintenance Contracts	10,000		
6120 Professional Development	2,000		
6560 Technology Services	2,500		
6610 Staff Training	400		Reclassify budget to cover
5001 Salaries-Full-time		(14,900)	implementing KRONOS time clock
6220 Insurance - Public Official	4,000		
6170 Insurance-Liability		(4,000)	
7090 Office & Computer Equipment	24,000		
		(24,000)	
<b>5) Information Technology</b>			
6120 Professional Development	500		Reclassify budget
6320 Internet Service	4,000		
8120 Computer Equipment		(4,500)	
<b>6) Court Administration</b>			
5380 Overtime	2,000		Not replacing PT Emp.
5340 Salaries Part-time & Temp		(2,000)	
<b>7) Police</b>			
5220 Injury Leave	5,000		Tracking workers comp. /work
5230 Injury Leave- Taxable	2,000		injury hours
5001 Salaries-Full-time		(7,000)	
6700 Misc. Operating Services	2,000		Reclassify budget to a
6380 Equipment Maintenance		(2,000)	proper expense
7410 License Plates & Badges	700		
7810 Sign Supplies	300		Reclassify budget to a
7450 Photographic Supplies		(1,000)	proper expense
<b>8) Fire</b>			
5220 Injury Leave	18,000		Tracking workers comp. /work
5230 Injury Leave- Taxable	6,000		injury hours
5001 Salaries-Full-time		24,000	
6010 Professional Services	1,000		
6030 Medical Service		(1,000)	
6210 Insurance Flood	200		
6380 Equipment Maintenance		(200)	
7090 Office & Computer Equip	10,200		Correct budget amend. # 2
7770 Uniforms & Safety Gear		(10,200)	Correct budget amend. # 2
<b>9) Public Works Administration</b>			

**FY 16 Budget Amendment # 3 (continued)**  
**To be Delegated to City Manager**  
**April 25, 2016**

**SOLID WASTE MANAGEMENT FUND**

**1) Administration**

6005	Collection Fees	4,000		
6160	Insurance-Property-Auto	25,000		Reclassify proper expense From Operation
6170	Insurance-Liability	2,500		
6770	Bank & Credit Card Fees	5,000		
6160	Insurance-Property-Auto		(25,000)	To Administration
7001	Office Supplies		(11,500)	

**2) Operations**

5220	Injury Leave	1,500		Tracking work injury
5230	Injury Leave - Taxable	1,800		
5861	Unemployment	500		
5340	Salaries-Part-time Temp		(3,800)	

**3) Leaf Collection**

6070	Temporary Labor	15,000		Employee on injury leave
5001	Salaries Full time		(15,000)	use outside help more than anticipated

**CAPITAL IMPROVEMENT SALES TAX**

5220	Injury Leave	3,500		
5230	Injury Leave-Taxable	1,500		
5380	Overtime	2,000		
5420	Workers Compensation	3,600		
5001	Salaries-Full-time		(10,600)	

**PARK AND STORM WATER SALES TAX**

5220	Injury Leave	200		Tracking work injury
5230	Injury Leave-Taxable	1,000		
5380	Overtime	3,500		
5420	Workers Compensation	4,500		
5001	Salaries-Full-time		(9,200)	
6210	Insurance Flood	10,200		
			(10,200)	
8020	Golf Improvement	27,800		Correct accounting entry
8010	Parks Improvement		(27,800)	

**APPROVAL SECTION:**

\_\_\_\_\_  
City Manager Date



## Council Agenda Item Cover

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**MEETING DATE:** April 25, 2016

**AGENDA ITEM TITLE:** Laclede Gas Company Franchise Agreement 2016

**AGENDA SECTION:** New Business

**CAN THIS ITEM BE RESCHEDULED? :** Yes

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### **BACKGROUND REVIEW:**

In February 2006, The City of University City passed an ordinance renewing an existing franchise and granting Laclede Gas Company the authority to construct and service all Laclede's facilities within the right-of-way for a period of ten (10) years.

This franchise agreement between Laclede Gas and University City expired on February 13, 2016, and a new bill has been drafted to renew the rights to Laclede Gas Company for 20 years from the date of its enactment.

### **RECOMMENDATION:**

Staff has reviewed the draft bill and recommends approval as submitted.

### **ATTACHMENTS:**

- Laclede Gas Company Franchise Agreement (2006) – Ordinance #6622
- Laclede Gas Company Franchise Agreement (2016) – Draft Bill #9285

INTRODUCED BY: Mr. Robert Wagner

DATE: February 13, 2006

BILL NO.: **8856**

ORDINANCE NO.: **6622**

AN ORDINANCE RENEWING AN EXISTING FRANCHISE AND GRANTING FOR A PERIOD OF TEN (10) YEARS TO LACLEDE GAS COMPANY, A MISSOURI CORPORATION, ITS SUCCESSORS AND ASSIGNS, THE RIGHT, PERMISSION AND AUTHORITY TO CONSTRUCT, RECONSTRUCT, EXCAVATE FOR, PLACE, REPLACE, MAINTAIN, OPERATE AND USE ITS MAINS, SERVICE PIPES, CONDUITS, CONDUCTORS, TANKS, VAULTS, VAPORIZERS, REGULATORS AND OTHER EQUIPMENT, WITH ALL NECESSARY OR APPROPRIATE APPLIANCES AND APPURTENANCES IN CONNECTION THEREWITH, IN, ALONG, ACROSS OVER AND UNDER THE STREETS, ROADS, ALLEYS, SIDEWALKS, SQUARES, BRIDGES AND OTHER PUBLIC PLACES IN THE CITY OF UNIVERSITY CITY, MISSOURI AND AREAS DEDICATED TO THE CITY FOR PUBLIC UTILITY USE, FOR THE PURPOSE OF TRANSMITTING, FURNISHING, TRANSPORTING AND DISTRIBUTING GAS FOR LIGHT, HEAT, POWER AND OTHER PURPOSES WITHIN AND THROUGH SAID CITY, PRESCRIBING THE TERMS AND CONDITIONS OF SUCH GRANT, AND IMPOSING CERTAIN OBLIGATIONS UPON THE GRANTEE, ITS SUCCESSORS AND ASSIGNS, SUCCESSIVELY, IN CONNECTION THEREWITH AND PROVIDING THAT THIS ORDINANCE SHALL NOT BE EFFECTIVE UNLESS LACLEDE GAS COMPANY SHALL, WITHIN SIXTY (60) DAYS AFTER THE ENACTMENT OF THIS ORDINANCE, FILE WITH THE CITY AN ACCEPTANCE OF THIS ORDINANCE.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF UNIVERSITY CITY, MISSOURI, AS FOLLOWS:

Section 1. The right, permission and authority is hereby granted to, renewed, and vested in Laclede Gas Company, a corporation of the State of Missouri (hereinafter sometimes called "Laclede"), its successors and assigns, to construct, reconstruct, excavate for, place, replace, maintain, operate and use all necessary or appropriate mains, service pipes, conduits, conductors, vaults, vaporizers, regulators and other equipment with all necessary or appropriate appurtenances and appliances in connection therewith, in, along, across, over and under the streets, roads, alleys, sidewalks, squares, bridges and other public ways and places within the corporate limits of the City of University City (hereinafter sometimes called "City"), as now fixed and as hereafter extended, and areas dedicated to the City for public utility use, for the purpose of transmitting, furnishing, transporting and distributing gas for light, heat, power and other purposes within the City of University City, and in territory adjacent to said City and for the purpose of transporting and transmitting gas through said City; all such equipment, appliances and apparatus to be installed and maintained with due regard to the rightful use by other persons with vehicles or otherwise, of the streets, roads, alleys, sidewalks, squares, bridges and other public places and areas dedicated to the City for public utility use; and exercise of the rights, permission and authority hereby granted shall at all times be subject to proper regulation by the City in the exercise of its police powers.

Section 2. Extensions of, and additions to, the distribution system maintained by Laclede, its successors or assigns, in the City of University City, shall be made in accordance with the rules and regulations governing such extensions and additions by Laclede now on file with the Public Service Commission of Missouri or in accordance with such amended rules and regulations governing such extensions and additions by Laclede, its successors or assigns, as may hereafter become effective in the manner provided by law.

Section 3. The rights, privileges and authority hereby granted shall inure to and be vested in Laclede, its successors and assigns, successively, subject to all of the terms, provisions and conditions herein contained, and each of the obligations hereby imposed upon Laclede shall devolve and be binding upon its successors and assigns, successively, in the same manner.

Section 4. Laclede shall indemnify and hold said City harmless from all liability, damages, judgments, decrees, costs, expenses and attorney's fees incurred or imposed upon it on account of injury or damage to person or property caused by Laclede in the course of or in connection with any construction, reconstruction, excavation, placing, maintenance, operation or use of mains, service pipes, conduits, conductors or other equipment in, along, across, over or under any of the streets, roads, alleys, sidewalks, squares, bridges or other public ways and places in the City in the exercise of any of the rights and privileges conferred by this ordinance.

Section 5. As consideration for the rights and privileges conferred by this ordinance, Laclede shall pay to said municipality the gross receipts taxes, if any, provided for by applicable ordinances, as the same may be amended from time to time.

Section 6. Laclede shall, within sixty (60) days after the passage and approval of this ordinance, file its acceptance thereof with the Clerk of the City of University City. Upon its enactment and its acceptance by Laclede as hereinabove provided, this ordinance shall continue and remain in full force and effect, as a renewal of the preceding franchise, for a period of ten (10) years from the effective date, which shall be deemed to be the date of the filing of such acceptance by Laclede..

Section 7. Neither acceptance of, nor compliance with, the provisions of this ordinance nor exercise of any right granted hereby shall in any wise impair or affect, or constitute or be construed as a relinquishment or waiver of, any right, permission or authority which Laclede, its successors or assigns, may have independently of this ordinance; nor shall any use by Laclede, its successors or assigns, of public property or places in the City of University City, as authorized by this ordinance or service rendered by Laclede, its successors or assigns, in said City, be treated as use solely of the rights, permission and authority provided for by this ordinance or as service referable solely to this ordinance or to any obligation of service consequent upon acceptance thereof or as in any wise indicating non-use of, or non-compliance with, any obligation incident to any right, permission or authority vested in Laclede, its successors or assigns, independently of this ordinance; and the acceptance provided for in Section 13 of this ordinance, and each and every compliance with the provisions of this ordinance or with any obligation arising from acceptance thereof, shall be subject to, and conditioned by, the provisions of this Section 7, with the same force and effect as though each of

the provisions of this section were expressly incorporated in such acceptance and expressly declared by the acceptor, its successors or assigns, at and prior to the time of such compliance by it, as conditions of such compliance.

Section 8. Laclede agrees in the performance of its franchise not to discriminate on the ground or because of race, creed, color, national origin or ancestry, religion, sex, age, and handicap or disability, against any employee of, or applicant for employment with such company, and Laclede agrees to require a similar provision in all subcontracts let or awarded under its franchise with City. Laclede shall comply with all federal, state and city laws, ordinances and orders that prohibit discrimination, including but not limited to the above listed forms of discrimination, and Laclede shall require the same in all subcontracts let or awarded under its franchise with the City.

Section 9. This is a nonexclusive franchise.

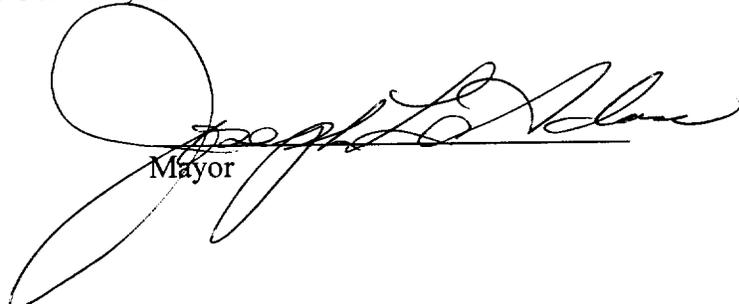
Section 10. To the extent any provision of this ordinance conflicts with any now existing City ordinances governing the use of the City's rights-of-way or with any state law, then such conflicting provision of this ordinance shall be deemed, to the extent of such conflict, to be subordinate to such City ordinance or state law.

Section 11. This ordinance shall not relieve Laclede of the obligation to comply with any ordinance now existing in the City or enacted in the future requiring Laclede to obtain written permits or other approval from the City prior to commencement of construction of facilities within the streets thereof.

Section 12. If any provision of this ordinance, or the application of such provision to particular circumstances, shall be held invalid, the remainder of this ordinance, or the application of such provision to circumstances other than those as to which it is held invalid, shall not be affected thereby.

Section 13. This ordinance shall take effect and the rights, privileges and authority hereby granted and renewed shall vest in Laclede upon its filing of an acceptance with the City Clerk according to the terms prescribed herein.

PASSED this 6<sup>th</sup> day of March, 2006.

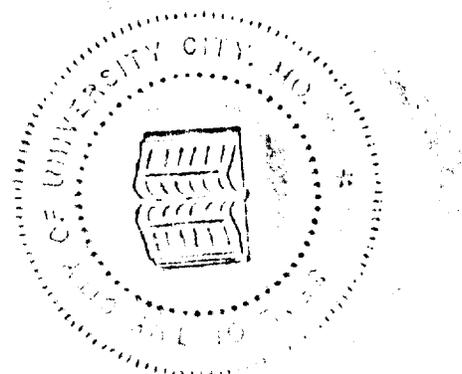
  
Mayor

ATTEST:

  
CITY CLERK

CERTIFIED TO BE CORRECT AS TO FORM:

*John J. Mulligan, Jr.*  
CITY ATTORNEY



STATE OF MISSOURI     )  
  ) ss  
COUNTY OF ST. LOUIS    )

I, Joyce Pumm, City Clerk within and for the City of University City in the State and County aforesaid, do hereby certify that the foregoing constitutes a full, true and correct copy of Ordinance No. 6622 of said City as passed by the City Council and approved by the Mayor on the 6<sup>th</sup> day of MARCH, 2006.

*Joyce Pumm*  
City Clerk

(SEAL)

INTRODUCED BY

DATE: April 25, 2016

BILL NO. **9285**

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE GRANTING TO LACLEDE GAS COMPANY, A MISSOURI CORPORATION, OPERATING A GAS DISTRIBUTION SYSTEM IN THE CITY OF UNIVERSITY CITY, MISSOURI, ITS SUCCESSORS OR ASSIGNS, A FRANCHISE TO OPERATE A NATURAL GAS DISTRIBUTION SYSTEM IN SAID CITY AND RELATING THERETO.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF UNIVERSITY CITY, MISSOURI.

Section 1. The right, permission and authority for a period of twenty (20) years is hereby granted to, and vested in Laclede Gas Company, a corporation of the State of Missouri (hereinafter sometimes called "Laclede"), its successors and assigns, to construct, reconstruct, excavate for, place, replace, extend and maintain all necessary or appropriate mains, service pipes, conduits, conductors, vaults, vaporizers, regulators and other equipment with all necessary or appropriate appurtenances and appliances in connection therewith, in, along, across, over and under the streets, roads, alleys, sidewalks, squares, bridges and other public places within the corporate limits of the City of University City, as now fixed and within any future extensions of its limits as hereafter extended, and areas dedicated to the City for public utility use, for the purpose of transmitting, furnishing, transporting and distributing gas for light, heat, power and other purposes within the City of University City, and in territory adjacent to said City and for the purpose of transporting and transmitting gas through said City; all such equipment, appliances and apparatus to be installed and maintained with due regard to the rightful use by other persons with vehicles or otherwise, of the streets, roads, alleys, sidewalks, squares, bridges and other public places and areas dedicated to the City for public utility use; and exercise of the rights, permission and authority hereby granted shall at all times be subject to proper regulation by the City in the exercise of its police powers.

Section 2. Extensions of, and additions to, the distribution system maintained by Laclede, its successors or assigns, in the City of University City, shall be made in accordance with the rules and regulations governing such extensions and additions by Laclede now on file with the Public Service Commission of Missouri or in accordance with such amended rules and regulations governing such extensions and additions by Laclede, its successors or assigns, as may hereafter become effective in the manner provided by law. The financial responsibility for relocations of the Company's facilities within the City's rights-of-way shall be determined by State law as shall be specified by Statute or common law at the time of the relocation, and nothing herein shall be construed to confer upon the Company or the City any rights inconsistent therewith. The City will not vacate any public right-of-way containing any Company facilities without first advising the Company of its intention to vacate the right-of-way and cooperating with the Company in reasonable attempts to obtain the necessary property rights to maintain its facilities in the right-of-way.

Section 3. Laclede shall indemnify and hold said City harmless from all liability, judgments, decrees, costs, expenses and attorneys' fees incurred or imposed on account of injury or damage to person or property arising from the negligent acts or omissions or mismanagement of Laclede or its subcontractors in the construction, reconstruction, excavation, extension, restoration, placing or maintenance of the mains, service pipes, conduits, conductors or other equipment in along, across, over or under any of the streets, roads, alleys, sidewalks, squares, bridges or other public places in the City of University City in the exercise of any of the rights and privileges conferred by this ordinance.

Section 4. The rights, privileges and authority hereby granted shall inure to and be vested in Laclede, its successors and assigns, successively, subject to all of the terms, provisions and conditions herein contained, and each of the obligations hereby imposed upon Laclede shall devolve and be binding upon its successors and assigns, successively, in the same manner.

Section 5. As consideration for the rights and privileges conferred by this ordinance, Laclede shall pay to said municipality the gross receipts taxes, if any, lawfully provided for by applicable ordinances, as the same may be amended from time to time so far as such ordinances are reasonably applicable to the condition and business of the Company, and charges to the Company for any use of the public rights-of-way shall be limited to right-of-way management costs as determined in accordance with section 67.1840 RSMo. (2011).

Section 6. Laclede shall, within sixty (60) days after the passage and approval of this ordinance, file its acceptance thereof with the Clerk of the City of University City, and this ordinance shall continue and remain in full force and effect as a renewal of the preceding franchise for a period of twenty (20) years from the effective date as determined in accordance with Section 71.520 RSMo. (2000).

Section 7. Neither acceptance of, nor compliance with, the provisions of this ordinance shall in any wise impair or affect, or constitute or be construed as a relinquishment or waiver of, any right, permission or authority which Laclede, its successors or assigns, may have independently of this ordinance; nor shall any use by Laclede, its successors or assigns, of public property or places in the City of University City, as authorized by this ordinance or service rendered by Laclede, its successors or assigns, in said City, be treated as use solely of the rights, permission and authority provided for by this ordinance or as service referable solely to this ordinance or to any obligation of service consequent upon acceptance thereof or as in any wise indicating non-use of, non-compliance with, any obligation incident to, any right, permission or authority vested in Laclede, its successors or assigns, independently of this ordinance; and the acceptance provided for in Section 6 of this ordinance, and each and every compliance with the provisions of this ordinance or with any obligation arising from acceptance thereof, shall be subject to, and conditioned by, the provisions of this Section 7, with the same force and effect as though each of the provisions of this section were expressly incorporated in such acceptance and expressly declared by the acceptor, its successors or assigns, at and prior to the time of such compliance by it, as conditions of such compliance.

Section 8. All ordinances and parts of ordinances in conflict with this ordinance or with any of its provisions are, to the extent of such conflict, hereby repealed.

Section 9. This ordinance shall not relieve Laclede of the obligation to comply with any ordinance now existing in the City or enacted in the future requiring Laclede to obtain written permits or other approval from the City prior to commencement of construction of facilities within the street rights-of-way.

Section 10. If any provision of this ordinance, or the application of such provision to particular circumstances, shall be held invalid, the remainder of this ordinance, or the application of such provision to circumstances other than those as to which it is held invalid, shall not be affected thereby.

PASSED by the City Council of the City of University City, Missouri this \_\_\_\_day of \_\_\_\_\_, 2016

\_\_\_\_\_  
Mayor, City of University City

ATTEST:

\_\_\_\_\_  
City Clerk



## Green Practices Commission

6801 Delmar Boulevard, University City, Missouri 63130, Phone: (314) 862-6767, Fax: (314) 863-9146

### Meeting Minutes – University City Green Practices Commission

**February 11, 2016**

Location: Heman Park Community Center  
Attendees Present: Dianne Benjamin, Scott Eidson, Bob Elgin, Tim Michels, Jeff Mishkin, Lois Sechrist, Steve Kraft (Council Liaison), Jenny Wendt (Staff Liaison)

Absent Excused: Richard Juang  
Guests: Sara Ryan, Marketing Coordinator, St. Louis Composting  
Bob Henkel, Program Director, St. Louis Earth Day

1. Meeting called to Order, Roll Call at 6:02 p.m.
2. Opening Round
  - a) Jeff attended a USGBC energy benchmarking event at Sheet Metal Workers Local 36
  - b) Lois indicated that she was working with Jenny and Emily Andrews with the US Green Building Council, Missouri Gateway Chapter to hire an intern to update the Greenhouse Gas Inventory.
  - c) Bob attended a Sierra Club meeting on January 27<sup>th</sup> concerning the St. Louis County energy code.
3. Approval of Minutes
  - a) January 14, 2016 Meeting Minutes were approved with no amendments.
4. Special Presentations
  - a) Sara Ryan, St. Louis Composting Marketing Coordinator, presented the operations at St. Louis Composting. She made the following main points:
    - i. There are 6 facilities. The Belleville, Illinois location is the largest. 85% of the material is yard waste. Food scraps are buried in yard waste like a taco; it takes 180 days for the food waste to decompose. The compost is tested every month by the US Composting Council. Compost must have very low contamination.
    - ii. Winslow's Home and the Moonrise Hotel are two nearby businesses who use St. Louis Composting's services.
    - iii. Total Organics Recycling collects food scraps from approximately 200 local businesses and institutions and transports the waste to St. Louis Composting. An example of pricing: 2 carts collected twice per week is approximately \$120. NOTE: residents and businesses can drop off yard waste directly at St. Louis Composting.
    - iv. St. Louis Composting has helped several municipalities write grants for composting services. The City of Kirkwood received a grant for a pilot project for 10 households to receive composting services. Maplewood has received grant funds in the past for commercial composting services.
  - b) Bob Henkel, St. Louis Earth Day Program Director, spoke about composting and the Green Dining Alliance (GDA).
    - i. GDA can speak to individual restaurants about composting and promote composting through social media. It is important to stress that composting is closed loop – it keeps all economics local. GDA promotes the restaurants in Healthy Planet and Sauce magazine, a website with restaurant listings and

- resources, a blog, newsletter, and social media.
- ii. Composting services can be used by farmer's markets as well as for special events.
- iii. GDA is about 4 years old and includes approximately 89 restaurants. In order to become part of the GDA, (at a minimum) restaurants need to have no smoking, no Styrofoam, and a recycling program. Composting, energy efficient appliances and projects, and other sustainability actions increase the score of the restaurants.
- iv. GDA is promoting the program in the U City Loop and hopes to make the Loop a Green Dining District. Four Loop restaurants – Snarf's, Meshuggah, Salt and Smoke, and Three Kings have joined the program. GDA has significant leads with other U City restaurants as well.
- v. U City is working with GDA to connect that program with the Commercial Recycling Grant.
- vi. Restaurants in the program work with GDA as an educational program and marketing tool. The City of Maplewood has leveraged this for local publicity.

## 5. New Business

- a) Ameren is upgrading cobra fixtures with LED lamps. 25,000 lights in the St. Louis metro area will be upgraded per year for the next 5 years. Ameren will start with replacing the lights that go out. This change is supposed to reduce the overall street lighting bill by 10%. U City can request up to 25 lights per year to be upgraded to LED in addition to the outage replacements. The Green Practices Commission would like to investigate U City installing its own lights. This discussion will be put on the March or April meeting agenda. Sinan Alpaslan and an electrician will be invited to the discussion.
- b) Delmar and Olive pedestrian lighting upgrades: Applications for Economic Development funds were submitted to retrofit the pedestrian lights to LED. Decisions will be announced in April.
- c) March 10 meeting visitors: Debra Pottinger and Kathleen Beebe will speak about the Ameren PurePower program; Tom Dunn will speak about a future waste to energy plant that is anticipated to be built in the area.

## 6. Old Business

- a) Goal Setting Meeting overview and selection:
  - i. The Commission reviewed the goal lists from the goal setting meeting. Each member selected which topics they felt were priority.
  - ii. At the March meeting the Commission will assign goals for each subcommittee.
  - iii. The Commission may reconfigure the seven subcommittees, which would require revising the bylaws.
- b) Compact of Mayors reporting process:
  - i. The City will be required to complete a Greenhouse Gas (GHG) inventory.
  - ii. The Carbon Disclosure Project (CDP) is one of the avenues for reporting the inventory and determining an action plan.
  - iii. A Greenhouse Gas inventory also needs to be performed for the St. Louis High Performance Building Initiative 25x20 Benchmarking Pledge ([link](#))
  - iv. Jenny will work with Emily Andrews of the U.S. Green Building Council – Missouri Gateway Chapter to hire an intern to perform the inventory.
- c) 25x20 Benchmarking Jam – February 25:
  - i. Jenny will attend an energy benchmarking session at the Missouri Botanical Gardens.
  - ii. Tim assessed the annual energy use of each City owned building; it was determined the following buildings will be included in the energy benchmarking:
    - 1045 North and South – Firehouse #2
    - 863 Westgate – Firehouse #1
    - 7210 Olive – Centennial Commons

- 6801 Delmar – City Hall
- d) State Loan Update
- i. Bids for the City Hall HVAC upgrades are due February 16<sup>th</sup>.
7. Reports
- a) Mandatory Recycling Ordinance – Scott presented a slideshow about various cities and states that have adopted mandatory commercial recycling ordinances. California, Connecticut, Massachusetts, and Vermont are a few states which have mandatory ordinances. There are many paths and options to making recycling mandatory: selecting regulated materials, determining how it is monitored, penalties for non-compliance, etc. The following are some questions that we need to determine answers to:
- i. What would be the next steps?
  - ii. Is the City of St. Louis considering this?
  - iii. Are any other cities considering this?
  - iv. Is U City prevented from doing this? (Like the plastic bag ban-ban)
- b) Waste/Resource Conservation
- i. Bob provided an update from Sierra Club meeting concerning and updating the International Energy Code.
  - ii. Meetings between St. Louis County and the Home Builders Association have not occurred because the HBA wants to avoid protests by the Midwest Energy Efficient Alliance.
- c) Energy
- i. Tim provided calculations of installing solar panels to reduce energy consumption on the fire stations, Centennial Commons/Pool Complex, City Hall, and the Library.
  - ii. The proposed solar panels work within Ameren limitations and adhere to the Energy Ordinance.
  - iii. The Commission will review the proposal at the next meeting. If endorsed by the Commission, the next step is to take this to the City Manager and City Council.
- d) Council Liaison
- i. Mr. Kraft asked about the quality of University City’s drinking water.
  - ii. Jenny replied with assurance that the testing and regulations regarding drinking water in the St. Louis area keeps the drinking water in check.
8. Closing Round
- a) Jenny and Lois will attempt to meet with Andrea to discuss adding sustainability to the City’s Comprehensive Plan update.
9. Meeting adjourned at 7:40pm



## Green Practices Commission

6801 Delmar Boulevard, University City, Missouri 63130, Phone: (314) 862-6767, Fax: (314) 863-9146

### Meeting Minutes – University City Green Practices Commission

**March 10, 2016**

Location: Heman Park Community Center  
Attendees Present: Dianne Benjamin, Bob Elgin, Tim Michels, Jeff Mishkin,  
Steve Kraft (Council Liaison), Jenny Wendt (Staff Liaison)

Absent: Richard Juang, Scott Eidson, Lois Sechrist  
Guests: Tom Dunne and Gary Brinkmann, Sebright Industries  
Kathleen Beebe and Debra Pottinger, Ameren PurePower  
Bob Henkel, Program Director, St. Louis Earth Day

1. Meeting called to Order, Roll Call at 6:05 p.m.
2. Opening Round
  - a) Tim will be attending a meeting April 11 – 12 in Columbia about Advancing Renewables in the Midwest.
  - b) Bob discussed the email he sent about Ameren's "21st Century Grid Modernization and Security Act" presentation that was held to convey the need to upgrade the grid.
  - c) Jenny announced she was working with Emily Andrews through the US Green Building Council – Missouri Gateway Chapter to hire an intern, who will perform the Greenhouse Gas Inventory to comply with requirements for the Compact of Mayors.
3. Approval of Minutes
  - a) February 11, 2016 Meeting Minutes were agreed upon with no amendments. There was no quorum at the March 10 meeting so approval will be tabled until the April 14 meeting.
4. Special Presentations
  - a) Ameren Pure Power – Kathleen Beebe, Debra Pottinger
    - i. In the EPA Green Power Community program, a city commits to meeting a minimum percentage of their annual electricity use with green power. This can be accomplished with the purchase of Green-e certified Renewable Energy Certificates (RECs), as well as by installing on-site solar power. In St. Louis, the program is partnered with Ameren's Pure Power program and Microgrid Energy.
    - ii. Creve Coeur and Maplewood are the cities in the St. Louis area which have completed the program. Clayton completed the program a few years ago but has not participated lately.
    - iii. See attached for detailed information.
  - b) Waste to Energy – Tom Dunne and Gary Brinkmann
    - i. Gary Brinkmann represents Sebright Industries, which is a company specializing in waste and recycling equipment. Sebright is partnering with Tom Dunne, former CEO of Fred Weber Inc. to create a waste to energy plant.
    - ii. Gary and Tom are determining if St. Louis is a good market for this plant and are asking for letters of intent from cities.
    - iii. University City could benefit from a 20% reduction in landfill fees. If the City agrees, an agreement to lock in the rate and number of years would be negotiated.

- iv. In late April, Gary would like to schedule a tour of a partially-functional plant in Chicago IL.
  - v. See attached for detailed information.
5. New Business
- a) Proposed Solar Installations
    - i. Tim developed a solar installation proposal for several University City buildings including Firehouses 1 and 2, Centennial Commons, Library, and possibly the maintenance yard structure.
    - ii. Tim suggested that the City create a private/public partnership to provide financial assistance as well as possibly using the PACE program.
    - iii. Tim will develop a more detailed proposal of a small project to clearly indicate how funding would work for the City.
  - b) Finalizing Goals and Sub-Committee Designations – TABLED
  - c) April Council Meeting and Study Session – TABLED
  - d) Parks Foundation:
    - i. Jenny attended a Parks Foundation Meeting to discuss projects that can be coordinated with the GPC.
    - ii. The Majerus Park Master Plan is underway, Fogerty Park Design and Construction is also beginning soon.
    - iii. The Parks Foundation is eager to provide funding and assistance to the parks projects.
    - iv. Persimmon, paw paw and pecan trees are planned for Millar Park.
    - v. Jenny will continue communicating with the Parks Foundation on parks projects.
6. Old Business – NONE
7. Reports – NONE
8. Closing Round – NONE
9. Meeting adjourned at 7:36pm

**Board of Adjustment  
November 16, 2015 Meeting Minutes  
(Approved 4-18-16)**

A Board of Adjustment meeting was held on Monday November 16, 2015 at the Heman Park Community Center located at 975 Pennsylvania Ave., University City, Missouri. The meeting commenced at 6:30 pm.

**Members Present**

John Solodar, Chairperson  
Peggy Holly  
Roger McFarland  
Charles Marentette, Alternate  
Denise Anderson, Alternate

**Members Absent (excused)**

Deborah Arbogast, Vice-Chairperson  
Kathy Straatmann

**Non-Voting Members Present**

Rod Jennings, Council Liaison

**Staff Present**

Zach Greatens, Planner

**1. Approval of Minutes**

The minutes from the January 20, 2015 Board of Adjustment meeting were approved.

**2. Case # BOA 15-02 – 512 Mapleview Drive**

Mr. Ben Ellerman with Blaes Architects, on behalf of STL Homebuyers, LLC, property owner, requested a variance to construct a covered front porch for the existing single family dwelling with a porch roof projecting 9.9 feet into the front yard setback, exceeding the maximum allowable roof projection of four (4) feet by 5.9 feet as required by Section 400.1040 of the Zoning Code for the residential lot in the “SR” – Single Family Residential District.

Mr. Ellerman explained the proposal and noted that the porch itself was proposed to extend eight (8) feet from the dwelling and the roof overhang was proposed to project 9.9 feet into the setback. An option to build the terrace portion only had already been submitted for building permit approval. The terrace portion was allowed to be built as proposed. The terrace would be constructed whether the current variance request was approved or not. He stated that the Zoning Code allowed only a four (4) foot overhang for the porch roof which did not allow for enough space for a future buyer to make suitable use of the front porch. He added that the property had a platted 35-foot front yard setback which superseded the Zoning Code requirement for 25 feet and further restricted the property.

Mr. Greatens confirmed Mr. Ellerman’s explanation of what was allowed in the Zoning Code for the front porch.

Public Comments

Bruce Crowe – 508 Mapleview Drive (property to the south of 512 Mapleview). Mr. Crowe stated that he liked the design of the project and had no issue with the proposed terrace. He was concerned that a roof over the porch would cut down the view from the front of his house and the amount of light he gets.

Cathy McKay – 507 Mapleview Drive (property across the street from 512 Mapleview). Ms. McKay stated that front porches improve neighborhoods and neighborhood relationships. She supported the proposal and stated it would improve the neighborhood.

Nancy Sachar – 8044 Lafon Place. Ms. Sachar stated she opposed the proposed variance but was in favor of the proposed renovation. Her concern was regarding the effect that water runoff would have on her property.

Mr. Ellerman stated that the proposed renovation would not result in increased runoff.

Board members discussed the proposal and asked if the current property owner intended to live in the house after the renovation was completed and if the proposed porch roof would add value to the property. Board members also asked about the function of the proposed deck on the rear of the house, facing the back yard and Old Bonhomme Road. Mr. Ellerman stated that the current property owner did not intend to live in the house upon completion of the renovation. He stated that the proposed porch roof would not add significant value to the property. He stated that the rear deck would serve as a barbeque area and that no other properties had rear decks because Old Bonhomme Road is a busy street.

The variance was denied by a vote of 5 (opposed) to 0 (in favor).

Board members stated that the request did not arise for a condition that was unique to the property as it was similar to many other properties in University City. It was also noted that among both newly constructed dwellings and older dwellings, many had front porches that were in conformance with the setbacks.

### **3. Case # BOA 15-03 – 7333 Princeton Avenue**

Mr. Frank Carpenter with Coach House Garages, on behalf of A.J. and Michelle Harris, property owners, requested a variance to construct a detached garage maintaining a side yard setback of two (2) feet in lieu of five (5) feet as required by Section 400.160.B of the Zoning Code for the residential lot in the “SR” – Single Family Residential District.

Mr. Carpenter explained the proposal and stated that the location of the dwelling on the property did not allow for enough room for a vehicle to be able to make the turn to access a detached garage if it was constructed to meet the required side yard setback of five feet.

Mr. Greatens stated that the depth of lots in this area was less than most residential lots in University City.

Public Comments

Julie Waxenberg – 7353 Princeton Avenue. Ms. Waxenberg stated that garages were a necessity in St. Louis and that maintenance should not be an issue if a property owner asks their neighbors to allow access.

Board members stated that a hardship had been demonstrated and the situation was unique to the property in question. Board members also discussed the amount of overhang for the proposed gable roof. The applicant stated that for previous projects he had built a reverse gable, in which the sloped side of the roof faces forward rather than the gabled side. This would allow for only eight (8) inches of overhang rather than thirteen (13) inches as shown on the drawings.

The variance request was approved by a vote of five (5) to zero (0) with the condition that the minimum setback shall be two (2) feet with a maximum roof overhang of eight (8) inches.

#### **4. Adjournment**

The meeting adjourned at 7:40 p.m.