



MEETING OF THE CITY COUNCIL
CITY HALL, Fifth Floor
6801 Delmar Blvd.
University City, Missouri 63130
June 13, 2016
6:30 p.m.

A. MEETING CALLED TO ORDER

B. ROLL CALL

C. APPROVAL OF AGENDA

D. PROCLAMATIONS

E. APPROVAL OF MINUTES

1. May 23, 2016 Study session minutes
2. May 23, 2016 Regular session minutes

F. APPOINTMENTS to BOARDS & COMMISSIONS

1. Edmond Acosta and Joan Greco-Cohen are nominated for reappointment to the Library Board by Councilmember Crow.
2. Wayne Flesch is nominated for appointment to the Senior Commission by Mayor Welsch.

G. SWEARING IN to BOARDS & COMMISSIONS

1. Clarence Olsen was sworn in to the Park Commission in the City Clerk's office.

H. CITIZEN PARTICIPATION (Total of 15 minutes allowed)

I. PUBLIC HEARINGS

1. 2017 Community Development Block Grant Allocation

J. CONSENT AGENDA

K. CITY MANAGER'S REPORT

1. Approval to award contract to the lowest bidder for the Asphalt Overlay Project to Ford Asphalt Company in the amount of \$370,390.00.
VOTE REQUIRED
2. Approval to award contract to the lowest bidder for the CDBG Ultrathin Bonded Asphalt Wearing Surface Project to NB West Contracting Co. in the amount of \$62,810.00.
VOTE REQUIRED
3. Approval to award contract to lowest bidder for the Crack Sealing project to Sweetens Concrete in the amount of \$35,350.00.
VOTE REQUIRED
4. Approval to award contract to the lowest bidder for the Asphalt Rejuvenation Project to Corrective Asphalt Materials for \$60,000.00.
VOTE REQUIRED

5. Approval of liquor license for Daò Tiên, 8600 Olive Blvd.
VOTE REQUIRED

L. UNFINISHED BUSINESS

M. NEW BUSINESS

RESOLUTIONS

1. **Resolution 2016 – 10** A resolution engaging a Financial Advisor and Bond Counsel in connection with the issuance of Certificates of Participation to finance a new police station for the City.
2. **Resolution 2016 – 11** A resolution engaging a Financial Advisor and Bond Counsel in connection with submitting a General Obligation Bond to the voters residing within the City at the November 8, 2016 election, to finance a new police station.
3. **Resolution 2016 – 12** A resolution to approve the FY 17 Budget.

BILLS

4. **BILL 9286** – An ordinance amending schedule VI, Table VII-A Stop Intersections, Chapter 300 Traffic Code, of the University City Municipal Code, to revise traffic regulation as provided herein.
5. **BILL 9287** – An ordinance amending Chapter 8.12 of the University City Municipal Code relating to solid waste management and disposal, by establishing and imposing fees for solid waste collection services, effective September 1, 2016.

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
 - Changes to Council Rules and Procedure – Rule #24, requested by Councilmembers Carr and Smotherson.
DISCUSSION & VOTE
 - Evaluation of City Council Employees: City Manager and City Clerk, requested by Councilmember Carr and Crow.
DISCUSSION

P. COUNCIL COMMENTS

Q. ADJOURNMENT

UNIVERSITY CITY COUNCIL
STUDY SESSION
5th Floor of City Hall
6801 Delmar Blvd
May 23, 2016
5:30 p.m.

The City Council Study Session was held in the Council Chamber, 5th floor of City Hall, on Monday, May 23, 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 Michael Glickert.
Councilmember Rod Jennings arrived at 5:40 p.m.

Councilmember Stephen Kraft and Terry Crow were excused.

Also present was the City Manager Lehman Walker.

Mayor Welsch asked if any members of Council would have any changes to propose on the upcoming agenda. Mr. Walker noted that he was removing the third item under the City Manager's report.

Mayor Welsch moved on to a discussion of Council Rules and Order of Procedure requested by Councilmembers Glickert and Smotherson.

Councilmember Glickert noted that as of late there have been two situations where the chair had to remove two people from the Chamber. He stated the Chair has the right to remove anyone that he or she thinks is disruptive to the meeting. The question that arises for future purpose is what does Council do in a form of reprimand for such a violation? Councilmember Glickert noted that Council presently does not have anything on the books that would deal with such a violation. He asked for a discussion of when someone is removed should there be a rule as to a result for such a violation, as should they have the right to come back at the next meeting to speak.

Councilmember Carr stated she would err on the side of allowing citizens to speak. She said that if Council becomes so repressive they would mimic an anti-democratic government and discontent would arise.

Councilmember Smotherson agreed with Councilmember Carr and should only be for that one meeting. He said there should not be any punishment.

Councilmember Glickert stated that he did not see anything with the previous incidents that made Council repressive or fascist. He noted that the Mayor explains the rules at the beginning of each meeting and felt that comments that were made were out of line.

Councilmember Carr stated that she would allow people to say what is on their mind, she looks at them, does not make faces, play with her glasses or look in another direction. They are entitled to their five minutes. She said that she has not observed anyone that would be a threat.

Mayor Welsch noted that she has been on council for ten years and has never experienced what Council has been dealing with until the last couple of years. She noted that she is aware

of people who have stopped coming to Council meetings because of the constant attacks from the floor. She said that there was only one time that she actually asked for someone's removal from the Chamber. Mayor noted that she sets out the rules at the beginning of a meeting of orderly conduct and presentation. She said that no one is saying that someone cannot talk to Council but should be in a respectful fashion and they should honor the five minute deadline. Council has the responsibility to run meetings so that all member of the community feel comfortable in attending. If the same people come back every week with the same attacking persona, it does not help Council to do the business of the community. It also is not in line with the spirit of Roberts' Rules, and it has nothing to do with what is legitimately First Amendment speech.

Councilmember Carr stated if things became hot two years ago it was because things were brought without much public notice or discussion. She noted that meetings have been flooded with people now, which she never saw before. When people are shown respect, not repressive, not punitive and not autocratic, people will respond.

Mayor Welsch said Councilmember Glickert question was if there should be a punishment and how long should it last for those who violate the rules. She did not feel Council was punitive as there are only three speakers out of many that they would not follow the rule of the chair. The purpose is to maintain the decorum of the Chamber that is doing the business of University City,

Councilmember Smotherson again stated it should only be for the day that the speaker is removed. He said that what was seen in the Chambers is mild to what can be seen on the streets, on Facebook and on the internet.

Councilmember Glickert said that what he has heard from Councilmembers Carr and Smotherson is the speaker should only be removed for the one meeting, which he noted was not an issue with the First Amendment. He felt there was a need to have a line drawn when someone makes personal attacks on people on the dais. He said there should be an understanding among Council of consequences when a person is removed.

Mayor Welsch said that she has only asked one person to be removed so what is being talked about is how willing a speaker is to respect the order of the Chair. Once they are told that personal attacks are not allowed most have changed the way they speak to the Council. She said she has only addressed three speakers; one for going over the time limit and two for personal attacks.

Councilmember Jennings asked to clarify what is suggested, that if a speaker is removed by the Chair for the meeting that speaker can speak at the next meeting but if the personal attacks continue, the speaker will again be removed?

Mayor Welsch said that she was uncomfortable with removal. One of the problems was the speaker continued to speak after being warned of the time expired and that speaker was not removed. She noted that she has only removed one speaker from the Chamber.

Councilmember Jennings stated that Council's objective should be to maintain order in their meetings. He said the speaker could come back but the Chair has the right to control the meeting.

Councilmember Carr said that you can calm the waters if you just listen to someone. She stated that if the Chair deems the speaker's behavior as unacceptable that would be the Chair's prerogative but should not carry into the future. With regards to the Cookie Thornton thing, and wanted everyone to know that the Council was very repressive and very punitive. She noted that she has found that one can calm the situation if one just simply listened.

City Manager Mr. Walker stated he was familiar with the Cookie Thornton's situation as he dealt with him when he had projects in University City. He said he has talked to Kirkwood's City Administrator, their Community Development Director and their attorney, and what they maintain led to that situation was the fact that there were never any limits placed on Mr. Thornton's behavior. Mr. Walker said that Mr. Thornton would come and disrupt the department he was dealing with in respect to inspections and construction permits and went on and on, so it got worse and worse because of no boundaries that were set.

Mr. Walker had two additional comments:

- Every legislative body has some rules that people have to abide by.
- Council should reflect on what is the purpose of the meeting. He did not believe the purpose of the meeting was to have people make personal attacks on people who cannot defend themselves, such as Councilmembers or members of staff. An effective legislator is not determined by whether you have a thick skin but rather what you have accomplished.

Councilmember Carr stated that the Council does have Rules and Procedures and running wild. Her goal is to represent her constituents by listening to them. Someone else may think that starting a new fair or a bunch of committees is an accomplishment. The Council Chambers is filled because people who do not think they are being listened to. Words are not going to harm her but what would harm her would be if someone comes at her physically. That means having a thick skin. She stated that if the Chair deems it necessary for the speaker to sit down or be removed is the Chair's prerogative and she would comment on it if she disagreed with it, but would not overrule it. She is against a legislative body that is punitive towards constituents. Councilmember Carr said she would find it unfortunate if the Chair kept a list of people that would not be called to speak as she is willing to talk to anyone.

Mayor Welsch said she also would talk to anyone and anyone on that list is free to come and talk to her. She noted that she has been approached by a resident who speaks very harshly in Council sessions and she has been physically intimidated by this resident. Mayor Welsch thought that this happened because of the tenor of some of the Council meetings. She said she listens to her constituents and communicates with them regularly but believed Council meetings were meetings of all the people of University City and people should abide by the rules. She felt if the only negative was to be asked to sit down, they would just come back the next time with the same attacks. Roberts' Rules state personal attacks should be discouraged and she does not think it was punitive to follow the rules of the assembly.

Councilmember Jennings said the Mayor raised a point that if the same person continues to come back and show the same disrespect and being out of order, what should be done?

Mayor Welsch said that since she started to enforce her opening statement the negative behavior has dropped.

Councilmember Glickert stated that if Council becomes aware of such a pattern they could have another study session on how to handle.

Mayor Welsch asked that in future Study Sessions on Council Rules, Council would consider adding to the where speaker time limit is addressed to also reference that Council supports efforts to discourage personal attacks.

City Manager Walker noted that the Community Development Department deals with more angry people than anyone in City Hall because of code enforcement issues, inspection issues, and permit issues. As head of that department he made it very clear that certain types of behavior were expected. He noted that at one time, people would come and call staff names, try to intimidate staff and threaten staff until he established rules. Since these rules were established that kind of behavior stopped. Mr. Walker said some type of rules is needed, Council can determine what the rules are but some type of rule is needed as to what is acceptable behavior.

Councilmember Smotherson wanted to address Council Rule 24, which stated there would be a 12 month wait to re-submit a resolution if it was disposed of the first time. He said he had several things on his plate that he wanted to address and this could hamper these changes. He said he would like it to go back to the original rule or change the time limit to six months.

Mayor Welsch asked to have time to think about it as she did not know what was to be discussed in particular when it was placed on the agenda. She stated that a Councilmember should not be hesitant to bring something to the agenda, especially if you are working with other members before, to get their feedback. She asked Councilmember Smotherson what other things he wanted to bring before Council to help her understand his concern.

Councilmember Smotherson stated it was just a general discussion he had and he was interested in getting some things changed and wanted to be sure he could affect that more than once a year.

Councilmember Jennings recalled that rule was created because some members stated that the same issue would be brought up at every Council meeting until change was made. This was an effort so Council would not be bogged down with the one issue. He felt climate has changed a little and would consider the six months. Councilmember Jennings stated that if Council is communicating with each other this rule would not be needed.

Councilmember Carr stated this rule was created because she was putting a resolution on that was not voted down but was postponed indefinitely. She stated that Roberts' Rules does not address disposed of but does note that if voted down it should not be brought back for six months. Councilmember Carr noted that if she is working on something like the streets and I don't get it right the first time and it is voted down or postponed indefinitely that she could go home and work on changes to it in order to bring it back at the next meeting but cannot as the rules now state. She noted that she would like to follow Roberts' Rules that if it is voted down that it does not come back in the same form for six months or could find an amendment to bring it back sooner.

Councilmember Carr said that members should be able to work on it until they do get it right and not behind closed doors but at public meetings. If Council expects to show progress, fix the streets, build that police station, this rule needs to be removed.

Councilmember Glickert asked Councilmember Smotherson if he was asking for discussion on Rule 24 as this was the first he knew what was to be discussed and asked that in the future,

Council be given a heads up as to what in particular would be discussed. Councilmember Glickert also suggested Mr. Smotherson lobby his fellow members in order to get things done.

Mayor Welsch said she would like to do a little research on this since she now knows what was being asked to be changed.

Councilmember Carr said she had no problems with six months if it is voted down. She also would like to be able to amend resolution or bill in order to bring it back sooner. She would like the rule rewritten to say that if it is voted down it cannot be brought back in the same form for six months but it could be amended to bring back sooner.

Mayor Welsch stated as Mr. Jennings point was to remember that members can talk to each other outside of these meetings, which is part of the legislative process. If there is something one would like to amend, talk to your colleagues to get feedback.

Councilmember Jennings said a little advance work and collaboration among Council would make a resolution doable the first time it is introduced.

Councilmember Carr said that if even three people meet to work on something it should be announced as Council cannot do the work of the people behind closed doors and spring it on them as in the case of the EMS. A lot of her constituents want to hear what is going on and not have it sprung on them at the meeting.

Mayor Welsch stated that according to the Sunshine Law an official meeting would involve four members of Council. She said that nowhere in the Sunshine Law is Council discouraged from getting to know each other's concerns and share issues. There is nothing against the law to build relationships outside of the Chamber as well as inside of the Chamber. She stated that all of the discussions that are held outside of the Chamber can also be had inside of the Chamber. Members are not talking behind closed doors but rather working to develop personal relationships helping to do the work of the people better.

Councilmember Jennings said that meeting people one or two at a time does not make it a closed chamber. In addressing Councilmember Carr he said that he was sure that she would be meeting with Mr. Smotherson as a mentor. He said that Council needs to learn how to collaborate and work together.

Councilmember Jennings spoke of the software the University City School District use called BoardDocs for digitalized meetings and live feeds of meetings. He will gather more information on this and come back to the Council to discuss.

Meeting was adjourned at 6:25 p.m.

Joyce Pumm, City Clerk, MRCC/CMC

MEETING OF THE CITY COUNCIL
CITY HALL, Fifth Floor
6801 Delmar Blvd.
University City, Missouri 63130
May 23, 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, May 23, 2016, Mayor Shelley Welsch called the meeting to order at 6:34 p.m.

B. ROLL CALL

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

Councilmember Rod Jennings
Councilmember Paulette Carr
Councilmember Michael Glickert
Councilmember Bwayne Smotherson

Councilmembers Kraft and Crow were excused

Also in attendance was City Manager Lehman Walker.

C. APPROVAL OF AGENDA

Mr. Walker requested that the third item of the City Manager's Report be removed from the agenda.

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

D. PROCLAMATIONS

E. APPROVAL OF MINUTES

1. April 26, 2016 Regular session minutes were moved for approval by Councilmember Jennings, seconded by Councilmember Smotherson and the motion carried unanimously.
2. May 9, 2016 Study session minutes were moved for approval by Councilmember Jennings, seconded by Councilmember Glickert and the motion carried unanimously.
3. May 9, 2016 Regular session minutes were moved for approval by Councilmember Glickert, seconded by Councilmember Jennings and the motion carried unanimously.

F. APPOINTMENTS to BOARDS & COMMISSIONS

1. Clarence Olsen is nominated for appointment to the Park Commission by Mayor Welsch, replacing Kimberly Jones. The motion was seconded by Councilmember Glickert and the motion carried unanimously.

G. SWEARING IN to BOARDS & COMMISSIONS

1. Richard Massey is to be sworn in to the Arts & Letters Commission tomorrow in the City Clerk's Office.

Mayor Welsch then read the following reminder to those in the audience. If you would like to speak to the Council, on agenda or non-agenda items, you should fill out a speaker request form that can be found to the left of the door into the Chamber. Please indicate on that sheet if you

want to speak on an agenda or non-agenda item, and note the agenda item number on the form. Your completed form should be placed in the plastic trays in front of the City Clerk prior to the start of Council discussion on an agenda item on which you would like to speak. The Council Reports & business section is for Council discussion. Those asking to speak on those issues may do so during the regular Citizen Comments sections of the agenda. Comments should be limited to five (5) minutes.

Decorum at Council meetings is required in order to make possible civil discourse among people who may have different views. With that in mind, personal attacks on City Councilmembers, staff and anyone else will be ruled out of order. I reserve the right to disallow those engaging in personal attacks to speak at this or future Council meetings.

As I have said in the past, if someone chooses to continue speaking beyond the Council-accepted time limit on an individual citizen comment, after my advising of the deadline, I will not call them to the podium at future meetings. I will consider a request for additional time – but the speaker must make a request to go beyond the time limit and be given permission to do so.

Finally, I encourage members of this Council to remember that, per our Council rules, we follow Roberts Rules of Order. According to Robert's Rules, we should all desist in making personal attacks on our colleagues – limiting our comments to the merits of an issue, and not calling into question the motives of our colleagues.

A reminder to those in the audience - this Council cannot discuss personnel matters, legal or real estate issues in public sessions. Members of this Council and the City Manager will not immediately respond to questions raised at our meetings, however, responses will be provided by an appropriate person as quickly as possible.

Again, personal attacks on City Councilmembers, staff, and anyone else by members of the public or by members of this Council will be ruled out of order. I reserve the right not to call back to the podium at this or future meetings anyone who engages in personal attacks on anyone.

These meetings are held for this Council to do the business of the people. That is what we should all be focusing upon.

Before beginning the Citizen Participation portion of the agenda, Mayor Welsch stated that Section III of the lease the City of University City recently signed with Henry Warshaw, the owner of the lot where the temporary police facility will be located, the lease states that *"During the term the remainder of the leased premises shall continue to be used solely as a surface parking lot"*. This is the area where City staff, residents visiting City Hall and others have been parking for a number of years. However, when concerns were raised about the phrasing of this section, Mr. Warshaw agreed to amend the wording, to state, *"To be used solely as a paved area"*. The lease was amended today, and City staff, residents visiting City Hall and others, will continue to park in this portion of the lot for the duration of the construction and use of the temporary police facility.

H. CITIZEN PARTICIPATION (Total of 15 minutes allowed)

Mark Levison, 2903 Russell, St. Louis, MO

Mr. Levison, attorney for the citizens of University Heights, filed a lawsuit against the City for giving Henry Warshaw permission to turn the former Delmar/Harvard playground into a paid commercial parking lot. This was in violation of University City's zoning laws; was made behind closed doors; and was consummated without any consultation or notice to the residents of U Heights.

On May 2nd, the City Manager, City Attorney, Director of Community Development and the Police Chief, met with the Trustees and informed them that the plans for the commercial parking lot had been abandoned, based on the City's need to find a location for a temporary police facility, and that City's current plan consists of erecting military-style buildings on the playground. The City made assurances that residents would be consulted with respect to aesthetics like lighting and landscaping. As a result of this temporary use, the City could never

again make the argument that somehow commercial parking was allowed in the subject area because it had been grandfathered in as a continuing use. Mr. Levison stated that although it is not the desire of U Heights residents to have these military-style barracks in their front yard, their initial reaction was to drop the lawsuit.

At the May 12th City Council Meeting a contract negotiating the lease of the subject space for the police compound was presented to Council. It was the residents of U Height's understanding that the lease should not suggest commercial parking or that it could ever be grandfathered in, in the future.

Thereafter, the Trustees filed a Freedom of Information Request and obtained a copy of the lease which included a number of references to parking lots in Section III, Section VII (a), Section IX (b-7). All of these references led the citizens of U Heights to continue their lawsuit. Mr. Levison said that the direction from the entire Council had not been followed and the residents of U Heights are not comfortable with dropping their existing lawsuit.

Barbara Chicherio, 720 Harvard, University City, MO

Ms. Chicherio read her statement into the record addressing concerns about the lease for 601 Trinity.

Myra Vandersall, 731 Yale Avenue, University City, MO

Ms. Vandersall stated that although she would like to applaud everyone who worked to move this issue forward, she is still disturbed by the fact that the words "*parking lot*" still remain in the lease. She provided a brief history of University Heights, and noted the words of Joni Mitchell; "*They paved paradise and put up a parking lot*".

Suzanne Greenwald, 836 Barkley Square, University City, MO

Ms. Greenwald stated that she is unsure whether pushing someone in anger should be classified as a criminal assault, but felt that Councilmember Glickert was acting on behalf of the Mayor, who was trying to prevent Bart Stewart from placing literature on a table. The position of Mayor Pro-Tem is an honor, but does this title acknowledge a member's service to the City or a member's service to the Mayor?

Felix Simmons, 752 Radcliff, University City, MO

Mr. Simmons stated that in the future he would suggest that any citizen who is censured or disallowed to speak at these meetings, he or she be notified of these actions in writing.

Don Fitz, 720 Harvard, University City, MO

Mr. Fitz stated that his belief is that the focus for the last year and a half on the Mayor and the City Council but instead the focus should be on the broader issues of privatization and cutbacks, which are going on throughout the U.S. Limiting focus to the Mayor and Council majority gives the impression that if they rid themselves of the current politicians, problems will go away, but they won't. Mr. Fitz suggested that residents stop the lawless attack on the Delmar/Harvard playground. Politicians who make a Councilmember charged with an assault Mayor Pro-Tem are rewarding and encouraging violence should be removed from office. Residents need to take actions with an understanding that what they are doing is not in the least bit peculiar to University City, but is nationwide and requires them to link up with national and international movements if they are going to be successful.

I. PUBLIC HEARINGS

1. Proposed FY 17 City Budget

Mayor Welsch opened the public hearing at 6:56 p.m.

Jo Ann Roberts, 940 Alanson Drive, University City, MO

Ms. Roberts presented the following questions and comments:

- This year the Contingency Fund, which is typically around \$100,000, was removed from the summary. Ms. Roberts is curious to know what happened to the fund and why it was removed.
- The budget was amended to allocate \$197,000 in overtime for firefighters and \$200,000 in overtime for the Police Department. The 3rd quarter budget reports that overtime is at \$320,500 for firefighters and \$265,000 for the Police Department.
- The 3rd quarter budget reports that \$100,000 was spent in legal fees, but the records show that the City has spent \$300,000 for legal fees associated with the Social House.

Frank Ollendorff, 8128 Cornell Court, University City, MO

Mr. Ollendorff stated that the proposal to combine the Deputy Fire Chief and Battalion Chief positions would further weaken residents' protection of life and property. If cuts are needed, he would suggest that they be made in the Planning Department, which is bloated with staff and has not exhibited the ability to equitably enforce the City's zoning, building, property maintenance and historic preservation codes.

Mr. Ollendorff opposed the elimination of the Solid Waste Superintendent position from the budget. He stated that this is an essential position in a highly technical department that represents a three million dollar enterprise. He suggested that refuse rates be increased by 10 percent since they have not been increased in several years, so it complies with the language in the ordinance to set the rate at an amount that supports this enterprise fund.

Hearing no additional requests to speak, Mayor Welsch closed the public hearing at 7:05 p.m.

J. CONSENT AGENDA

K. CITY MANAGER'S REPORT

1. Approval to purchase a 2016 Chevrolet Suburban for \$42,060, from Don Brown Chevrolet.

Councilmember Glickert moved to approve, was seconded by Councilmember Jennings and the motion carried unanimously.

2. Approval to purchase two (2) ¾-ton trucks and two (2) 1-ton dump trucks for a total of \$145,520 from Don Brown Chevrolet.

Councilmember Jennings moved to approve, was seconded by Councilmember Smotherson and the motion carried unanimously.

3. (REMOVED) Approval to award contract to lowest bidder, Ford Asphalt Company for the City's Asphalt Overlays Project 1258, in the amount of \$321,000.00.
4. Approval to grant the City Manager authority sign and enter into supplemental agreement with the Engineering Services' contract for \$45,000.00. The City's 20% portion is \$9,000.00.

Councilmember Glickert moved to approve, was seconded by Councilmember Jennings and the motion carried unanimously.

5. Approval to purchase two (2) refuse transfer trailers for \$115,912.00 from Downing Sales and Service.

Councilmember Jennings moved to approve, was seconded by Councilmember Smotherson
June 13, 2016

and the motion carried unanimously.

L. UNFINISHED BUSINESS

M. NEW BUSINESS

RESOLUTIONS

Introduced by Councilmember Glickert

- 1. RESOLUTION 2016 – 9** A resolution authorizing the City to conduct a greenhouse gas inventory and develop a climate action plan. The motion was seconded by Councilmember Jennings.

Councilmember Carr questioned whether there would be any costs associated with this resolution. Sinan Alpaslan, Director of Public Works and Parks, stated that any costs associated with the resolution will be reimbursed by the organization that administers the program. Councilmember Carr asked whether this plan was limited to City buildings or open to the public. Mr. Alapasian stated that it is for all University City facilities and structures; i.e., streetlights and other amenities where there is energy consumption.

Councilmember Smotherson questioned whether the funding mechanism should be included within the resolution? Mr. Alpaslan stated that they had utilized a standard form; however, the resolution could be amended to include this information.

Mayor Welsch asked Councilmember Smotherson if he would be amenable to the following: *"Whereas, participating in REIP is a cost-effective way to conduct a greenhouse gas inventory and develop a climate plan at no cost to the City of University City"*. Councilmember Smotherson agreed with the suggestion and moved to amend the resolution in that manner. The motion was seconded by Councilmember Glickert and carried unanimously.

Councilmember Jennings moved to approve the amended resolution, was seconded by Councilmember Smotherson and the motion carried unanimously.

BILLS

N. CITIZEN PARTICIPATION (continued if needed)

Pete Klarmann, 6911 Cornell, University City, MO

Mr. Klarmann read a statement into the record addressing his concerns regarding the aforementioned lease agreement.

Lisa Hummel, 7575 Stanford Avenue, University City, MO

Ms. Hummel expressed her concerns regarding the nomination of Councilmember Glickert for Mayor Pro-Tem; Council's previous egregious actions; recent election results, and the faith that citizens have in their local government. Ms. Hummel urged Council to select another candidate for the position of Mayor Pro-Tem.

Christine Mackey-Ross, 21 Princeton, University City, MO

Ms. Mackey-Ross echoed Ms. Hummel's comments and stated that even though she appreciates Council's attempt to rectify some of the language in the lease, she is concerned that the City Manager did overstep his authority by signing a lease with language not approved by Council majority. She requested that the language be further amended to state: *"That in light of the allowed use for the temporary Police Station, the Trustees of U Heights are in no way saying that this should ever be used again as anything other than a playground or the use for which it is currently zoned, without the exercise of due process to have it rezoned"*.

Frank Ollendorff, 8128 Cornell Court, University City, MO

Mr. Ollendorff stated that he would have liked to have been given the opportunity to participate in the discussion regarding the temporary facility. He stated that with respect to real estate, his belief is that Executive Sessions are limited to the terms of a purchase or lease and not the discussion of alternative sites. He stated that he had the same questions with respect to the location of a permanent site for the Police Station, and would urge Council to include public participation.

Mr. Ollendorff stated that he had failed to mention that he had written a letter to Council, signed by two other citizens, expressing their objections to the elimination of the position of Solid Waste Superintendent from the budget.

Barbara Santoro, 514 Midvale Avenue, University City, MO

Ms. Santoro expressed her frustration with the inability to access this meeting via an elevator and suggested that in the future, when elevators are out of service these meetings be moved to a more accessible site.

Judy Gainer, 721 Harvard, University City, MO

Ms. Gainer reiterated Ms. Santoro's concerns, and expressed her displeasure with Councilmember Glickert being appointed as Mayor Pro-Tem. She stated that what is needed in this City is for everyone to act and speak in ways that are thoughtful, measured, respectful and always mindful of the impact of their actions on the citizens of this community. Ms. Gainer urged Council to withdraw their Mayor Pro-Tem request and put their energy into restoring the dignity and integrity of their office, learn how to work together, and stop dismissing the citizens who attend these meetings and dare to speak, as the disaffected minority.

Andrew Roberts, 940 Alanson Drive, University City, MO

Mr. Roberts expressed his concerns about citizens' right to speak at these meetings and the Mayor's abuse of power. He stated that it would be helpful if citizens were made aware of the specific behavior or phrasing that is disallowed and the exact amount of time they will be barred from meetings.

Thomas Jennings, 7055 Forsyth, University City, MO

Mr. Jennings expressed concerns about Councilmember Kraft's actions, and the nomination of Councilmember Glickert to act as Mayor Pro-Tem. He stated that University City has to start turning around, and if it takes a recall to do it, then citizens should work to get it done.

Barbara Chicherio, 720 Harvard, University City, MO

Ms. Chicherio stated that she is also concerned about the nomination of Councilmember Glickert for Mayor Pro-Tem and feels strongly that this is a poor choice for an important position.

Bart Stewart, 714 Harvard, University City, MO

Mr. Stewart stated that he has no faith in the veracity of this Council or administration. He expressed his displeasure with the private meetings held to make decisions about Delmar/Harvard, in trying to protect the most historic civic plaza in St. Louis and the beating heart of U City. He suggested that Council stop meeting behind closed doors and allow citizens to have input on the decisions that affect the quality of their lives.

Alara Stewart, 714 Harvard, University City, MO

Ms. Stewart expressed concerns over the temporary police station that is going to be placed on the playground of the former Delmar/Harvard School. She stated that she attended the last

kindergarten class at Delmar/Harvard, playing on that surface. After the school closed, she and her friends continued to use the playground. Taking this playground away means that younger kids will no longer have a safe place to play or experience her same enjoyment... Ms. Stewart asked Council to reconsider their decision to locate the temporary facility at this site.

Bart Stewart, 714 Harvard, University City, MO

Mr. Stewart provided a brief history of the March 22nd events, and expressed his opposition to the nomination of Councilmember Glickert as Mayor Pro-Tem. He stated that he is hopeful that Council will rescind this nomination.

Raheem Adegboye, 7629 Canton Avenue, University City, MO

Mr. Adegboye stated that his hope is that all of the leaders in University City will lead with honesty, civility, unity, and work hard for the progress of this City. He then expressed his displeasure with Proposition H, which he believes was a political sham for some residents to advance their own agenda.

O. COUNCIL REPORTS/BUSINESS

1. Boards and Commission appointments needed

Mayor Welsch made the appointments that were needed

Resident Leif Johnson questioned why he had not been allowed to address Council during the Citizen's Participation section? Mayor Welsch informed Mr. Johnson that his request should have been placed in the plastic trays in front of the City Clerk prior to the start of the agenda item/section in which he wished to speak to. Mayor Welsch allowed Mr. Johnson the opportunity to speak tonight, but advised him that in the future the form must be in the tray prior to the beginning of Council's discussions.

CITIZEN'S PARTICIPTION - (Continued)

Leif Johnson, 836 Barkley Square, University City, MO

Mr. Johnson welcomed Councilmember Smotherson to the Council, and expressed his concerns regarding the Proposed 2017 City Budget, which he viewed as an example of fiscal and managerial irresponsibility.

COUNCIL REPORTS/BUSINESS

2. Council liaison reports on Boards and Commissions

Councilmember Glickert reported that the Civil Service Board will meet on the second floor tomorrow to work on updating the Civil Service Rules.

3. Boards, Commissions and Task Force minutes

Mayor Welsch noted that Council had received several Commission and Task Force minutes in their packet.

4. Other Discussions/Business

- Nominate Councilmember Michael Glickert as Mayor Pro-Tem requested by Councilmember Jennings and Kraft.

Councilmember Jennings moved to nominate Councilmember Glickert as Mayor Pro-Tem, based on his belief that he represents the most qualified individual for the position. The motion was seconded by Mayor Welsch.

Councilmember Smotherson stated that although it is his belief that Councilmember Glickert is the best candidate, out of respect to him, as well as the citizens of University City, he would suggest that the nomination be postponed until the pending matters are resolved or that other options be explored.

Councilmember Carr stated that she was somewhat surprised to see an outright nomination regarding this topic, since four years ago members of Council were presented with an item called "*Choose a Mayor Pro-Tem*," which she believed was the way this has always been handled. Councilmember Glickert has been charged by St. Louis County with a criminal misdemeanor, so she thought it inappropriate for someone who is charged with a crime to be nominated for Pro-Tem, as it sends the wrong message to those this Council serves. Therefore, she moved to postpone this nomination, and suggest that the position be temporarily filled by allowing members of Council to rotate; if necessary, 1(a), 2(a), et. cetera, until Councilmember Glickert's matter is resolved. The motion was seconded by Councilmember Smotherson.

Mayor Welsch stated that she was not in favor of delaying this matter since people are innocent until proven guilty. She stated the whole story of that night has not been shared in this community. Mayor Welsch asked Mr. Bart Stewart to stop interrupting the meeting several times. She stated that Councilmember Glickert has been on this Council since 2006, and is the longest serving member. Therefore, she would like to appoint Councilmember Glickert tonight, and depending on the outcome of court, leave the decision up to him as to whether he should step down. Mayor Welsch stated that the idea that Councilmember Glickert should not get this position, for which he is so well qualified, noted that too often people are tried on social media and press and felt this was wrong.

Councilmember Carr stated that while she understands the Mayor's sentiments, she thinks this will generate a huge amount of tension to this City for making a decision that could have so easily been postponed without penalty to Councilmember Glickert.

Mayor Welsch respectfully stated that in her opinion, postponing this nomination would be a penalty on Councilmember Glickert.

Councilmember Jennings stated that the right thing to do is to follow the Constitution, which states that Councilmember Glickert is innocent until proven guilty.

Mayor Welsch called for a roll call vote, noting that a nay vote means Council will continue with the discussion and an aye vote means that the discussion will be postponed.

Mr. Schoomer tried to speak from the audience and Mayor Welsch respectfully refused his request to speak, saying this was a Council discussion.

Councilmember Carr appealed the Mayor's decision and asked that Mr. Schoomer be provided with an opportunity to make a statement and was seconded by Councilmember Smotherson.

Roll Call Vote on Councilmember Carr's Appeal was:

Ayes: Councilmembers Smotherson and Carr

Nays: Councilmembers Glickert, Jennings and Mayor Welsch

Roll Call Vote on the Motion to Postpone appointment of Mayor Pro-Tem was:

Ayes: Councilmembers Carr and Smotherson

Nays: Councilmembers Jennings, Glickert and Mayor Welsch

Councilmember Carr stated that it is with deep regret that she will be voting against this nomination, but she cannot, in good conscience; vote to appoint someone with a legal cloud over their head.

Roll Call Vote on Appointment of Councilmember Glickert as Mayor Pro-Tem:

Ayes: Councilmembers Jennings, Glickert and Mayor Welsch

Nays: Councilmembers Carr and Smotherson

P. COUNCIL COMMENTS

Councilmember Carr stated that in her opinion, ignoring the people of this City is tantamount to bringing dissatisfaction with the way this government is being run. She stated that during the September 8th minutes, Councilmember Crow requested that the August 3rd minutes be amended to include the following comments made by Councilmember Kraft; *"The woman who got up and spoke was convicted of assaulting my wife. The case is being appealed"*. The motion was seconded, and unanimously approved. That specific amendment has still not been made, and therefore, she requested the City Clerk to do so.

Councilmember Carr stated that she was also concerned about the Solid Waste Fund, and questioned who was now overseeing this department. Mr. Walker stated that a recent reorganization of the Public Works and Parks Department amalgamated the division under the Director of Public Works. Councilmember Carr asked whether there was anyone under Mr. Alapasian, who is directly responsible for the Solid Waste Department? Mr. Walker stated that Tom Brushwood holds the equivalent position, and is in charge of vehicular operations as well. Ms. Carr questioned whether Mr. Brushwood's credentials were acceptable for this position? Mr. Walker stated that they were.

Councilmember Carr stated that as she watched residents struggle to climb the stairs for the second time, it brought to mind that the Old Library has a beautiful hall that can be utilized as Council Chambers. Downstairs consists of a stage and assembly hall where court could be conducted, and both areas are easily accessible. She stated that she does not think that Council can continue, long-term, with an elevator that is sometimes operational, and sometimes not, so she would like staff and Council to give consideration to this suggestion.

Councilmember Jennings stated that just because someone says something, or you read about an incident, does not make it true, just or reality. He stated that in his opinion, Mr. Stewart is also a fine man, but sometimes you have to dig deep, not only to understand the real issue, but to understand the individual.

He stated that he too is concerned about the safety and security of a one-way in; one-way out building that holds regular meetings. So he would agree that this might be a perfect opportunity for staff and Council to give some consideration to Councilmember Carr's suggestions.

Upcoming Events

June 2nd - Councilmembers Smotherson and Jennings will be hosting a 3rd Ward meeting at the Community Center; 6:30 p.m. (*This meeting is open to the entire public.*)

June 4th - Adopt the Block Cleanup. An opportunity for residents to come together and assist their neighbors with the preservation of their property.

June 4th - Lions Against Litter. An organization formed by residents of U City that meet on a monthly basis to improve the aesthetics of neighborhoods. Lions is currently sponsoring a contest with Middle and High School students to assist them in developing their logo. (*Residents are encouraged to email Councilmember Jennings with the identification of problem sites.*)

June 6th - Arts and Letters Concert Series.

June 10th thru 12th- Fair U-City. Proceeds go to fund the new U City Community Foundation. (*Anyone interested in becoming a member of the Inaugural Board for the Community Foundation should submit an emailed request to info@fairucity.com.*)

Mayor Welsch stated that although she would agree that the situation needs to be addressed, the elevator had been working up until about 6:10 p.m.

She stated that Lions Against Litter will also be working closely with another CVC group on the litter project – the group Community Conversations on Race, Class and Culture.

The Monarch Butterfly Group has been very active in their efforts to make University City a Monarch Waystation. To date, they have planted three Monarch Butterfly Gardens.

Q. ADJOURNMENT

Mayor Shelley Welsch adjourned the meeting at 8:27 p.m.

Respectfully submitted,
Joyce Pumm, City Clerk, MRCC/CMC

Good evening! I am Raheem Adegboye, 7629 Canton Avenue, 63130.

I come this evening to express my concerns about our city. I am really concerned. When leaders who we expect to lead by honesty for civility, unity, inclusion and city progress continue to pursue personal agenda for personal elevation; and they continue to lead with deception, fabrication and manipulation, we are in a serious time!

I was hoping that our re-elected leaders will return with an open mind, attitude change and extraordinary ability to be team players. I was disappointed and appalled by some of their statements during the last meeting. Glorifying Proposition H is an insult to the intelligence of many residents of this city. The Proposition was crafted in such a way that an average citizen would say, "yes!" But there's nothing in the Proposition. It is a manipulative way of leading by fear. Every right-thinking citizen would want to see our historic buildings preserved; but the fact of the matter is that nobody wants to sell our historic buildings. In spite of the highly handed manipulation, 25-30% of our citizens did not vote for it.

My final observation: The hatred and lack of civility that we observe here is at a dangerous level. We are in a very serious time. People hate each other to the level of carrying placards and wearing T-shirts that promotes hatred. It is unbelievable! We are in a serious time. If a person does not believe in your political ideology, he or she automatically becomes your enemy. This is not right. Just because you have free money from the Union does not mean that you have to spend the money for destructive purposes. It appears that people behaving this way do not care about the plight of the future generation. It is possible that your children or grandchildren would attend the same medical school or law school or military academy. Would it not be good if they could develop a productive and constructive relationship and work together as a team? Meanwhile you are working so hard to destroy such a future for the future generation. Check yourself: Where is your soul? Where is your conscience? Do you still have blood flowing through your veins? The only popular mantra in this council meeting is FIRE somebody, RESIGN or RECALL. This is evil and bad spirit! Please resist and desist from all forms of destructive behaviors. Work with the administration and other members as a team for the progress and future of our city. In spite of our differences, I want you to know that I like all of you even when I disagree with the behavior. *All I want is unity, peace and progress.*

I rest my case. Thank you for allowing me to express my concerns about our beloved city.

Testimony at City Council meeting, 5-23-2016 by Leif Johnson, 836 Barkley Square, U City 63130.

Dear Mayor and Council,

I first want to welcome Mr. Smotherson to the Council. I wish he had had six more votes in 2014.

The proposed 2017 City Budget is once more an example of fiscal *and* managerial irresponsibility. The City will have spent \$400,000 in unnecessary Firefighter overtime, and, lost \$750,000 in revenues this year by privatizing the Emergency Medical Service last August. You remember they claimed it would save the City \$500,000. Instead it will lose the City over a million dollars.

Now Manager Walker and his allies are proposing to cut 6 paramedic/firefighters and the Deputy Fire Chief from the budget. Walker wants to combine the Deputy Chief with one of the Battalion Chiefs—a near impossibility since Battalion Chiefs work 48-hour shifts while the central office staff work 9-to-5 and the Chief and the Deputy Chief are both already heavily taxed to perform the duties they have.

Now Walker wants to eliminate the Sanitation Division Superintendent. Imagine having a \$3 million dollar budget item with no chief administrator.

The City needs an allocation of \$500,000 for street repair, but Walker sits on \$300,000 unappropriated funds from the Capital Improvement Tax that he refuses to spend on streets.

And what about the Summer Camp? There is no budget line for the Camp, although it is mentioned in the narratives. What kind of a budget is this that does not have a line item for a \$100,000 expense? And what happened to a fundraiser that Walker promised to hire in February? My wife, Suzanne Greenwald, even found the fundraiser from St. Louis City who raises \$17 million a year to fund totally free camps in the City, and he applied for the position at U. City. This is, virtually, money in U. City's pocket, but Walker refuses to act.

But Walker has budget money for a private businessmen's organization, the Chamber of Commerce, and money for entertainment in the park, but not for the essential services that the taxpayers not only expect, but wholly pay for.

This is the policy of British politician Edmund Burke who believed the purpose of government was to aid private business, not provide services to the people. Every significant change in the 2017 Budget is a reduction in services to the public. Remember Edmund Burke's infamous dictum: "Commerce is the Law of Nature, and that is the Law of God." Once again, they are serving Mammon, not the people.

(Those of you who wish to learn more about Edmund Burke, please contact me at suz836@hotmail.com or 725-5429.)

(City Clerk, please enter this statement into the minutes as written. Thank you.)

May 23, 2016

Regarding the lease of 601 Trinity to University City; this property, which was the playground for Delmar-Harvard school for many years, was recently sold to a local developer. The developer is now leasing it back to the city for temporary housing of the U City Police Dept. Part of this property falls within the indenture of University Heights neighborhood. The U Heights Trustees have met with city officials and reached an agreement about the language in the contract. A promise was made by the city to the University Heights Trustees that all reference to the land as a 'parking lot' be removed from the lease before signing. The council also passed this agreement unanimously. All of this was disregarded by the City Manager who signed the lease in violation of the council's agreement and included language referring to the property as parking lot.

It would be remarkable and unexpected if the city would void the current lease and rewrite the lease as was instructed by the council. This would be the right thing to do and I urge the Mayor and the City Manager to do this. How is it that the City Manager is allowed to disregard the council's decisions with no repercussions? This is unthinkable and makes me question the Mayor's judgment and her ability to function as Mayor.

Rinbana Chikawa

May 23, 2016

I am concerned about the alleged nomination of Michael Glickert for Mayor pro tem and feel strongly that this is a poor choice for an important position. Currently Mr. Glickert is being charged with a misdemeanor assault. This charge stems from an incident that took place at a Police Focus Group meeting on March 22. I witnessed the assault when Mr. Glickert aggressively shoved Mr. Stewart a U City citizen who was also attending the meeting. This assault was unprovoked as Mr. Glickert was sitting two rows in front of me and Mr. Stewart was standing to my left. Mr. Glickert was never in physical danger and Mr. Stewart actually had his hands folded on his chest or over his head as Mr. Glickert pushed him. Mr. Stewart never touched Mr. Glickert. This was an act of violence.

After the incident, Mr. Glickert was allowed to return to the meeting and Mr. Stewart was not allowed back in. This made no sense. Later there was no discussion of a sanction or any other action taken by the mayor or the council to address Mr. Glickert's aggressive behavior. By doing nothing the city was condoning violence. If Mr. Glickert were to be appointed Mayor pro tem the city would be rewarding violence. Mr. Glickert's behavior was inexcusable and not what any of us expect from our elected officials. Please don't make this situation any worse by even considering Mr. Glickert for mayor protem.

Barbara Chicharo

**Judith Gainer to University City City Council
May 23, 2016**

I would like to speak to the item placed on the agenda by Councilmen Kraft and Jennings to appoint Councilman Glickert as mayor pro tem.

After the April election, there seemed to be a palpable and welcome change in the tone of council interactions. There was hope that the clear mandate of the voters--reflected in the large majorities by which Councilpersons Carr and Crow had been reelected and Prop H had been passed—that this mandate would bring an end to the on-going saga of polarization and recrimination. The most distressing example of that era was the malicious censure of Councilman Crow. The minutes of the December 14 council meeting record the Mayor Welch’s lament that Councilman Crow’s email constituted “egregious behavior” by a member of the council, that her actions derived from her duty in having “taken an oath to follow the law and serve the interests of the city”, and her satisfaction that members of the council “had the courage to make the difficult decision to protect the interest of the city.”

In that same meeting Councilman Glickert expressed *his* shock, his belief that Councilman Crowe’s email “has resulted in an injustice to the city”, and his conviction that it was “his job to do what needs to be done!”

In that same meeting, Councilman Jennings was righteous in proclaiming how seriously he takes *his* oath, and how “shocked and disturbed” he was” by Councilman Crowe’s statement, ‘Does this help?’”

Now here we are with a proposal to **honor** Councilman Glickert who has been charged with criminal misdemeanor assault of a citizen of the 2nd ward!

I could--and part of me wants—to rail at the absence of outrage at Mr. Glickert’s behavior, regardless of the outcome of the court proceedings, and, in the

context of that behavior, at the absence of a sense of duty to the oath you all took to follow the law and to serve the interests of the city.

But I, and all of us, ought to resist that impulse to rail. What all of us, citizens and representatives of this community that we have all long felt is somehow better than... others ...what we need, really, is for all of us to act and to speak in ways that are thoughtful, measured and respectful, and **always mindful of the impact of our words and actions on the citizens of this community.** So, in the spirit of a change in tone of council interactions, I will forgo the impulse to rail, and instead respectfully urge that

- you, Councilman Kraft, not make this your parting gesture, and
 - you, Councilman Jennings, please **do** strive to take your oath to serve this community seriously and give a **lot of thought** to what that really means, and that
 - you, Councilman Glickert, do what needs to be done in the face of an injustice to a citizen of this city.
- So...please withdraw this agenda item that would honor a council member whose honor is very much in question.
- Please, find *another* way to address the issue of mayor pro tem.
- Please, put your energy **into restoring the dignity and integrity** of this council and **the reputation of this city.**
- Please, stop playing games and learn how to work together. **That's why you were elected! That's what we as citizens have a right to expect!**
- And please, don't dismiss as a disaffected minority those of us who attend council meetings and who speak out. Anyone who takes the democratically elected privilege of governing seriously should be grateful that citizens care enough to participate.

My name is Lisa Hummel and my address is 7575 Stanford Avenue. I have ^{in Word 2} come to express my concern about the nomination of Councilman Glickert for Mayor Pro Tem. In light of the many citizens who witnessed him shoving a citizen at a public meeting, then shoving him again, and in light of the criminal charges that have been brought for this action, it strikes me as very inappropriate that Mr. Glickert be given this honor and this responsibility at this time.

I would like to say that this nomination is the most outrageous thing that the mayor and council majority have done, but it's not even close. To name a few recent egregious actions, there was the throwing of a water bottle at a citizen by Mr. Kraft; there was the use of an expletive towards a citizen by Mr. Kraft; there were the refusals to reprimand him for it; there was the fiasco of the mayor's quo warranto petition against Mr. Crow; there were the unjust and expensive suspensions of our firefighters; there was the outsourcing of our ambulance service to an inferior provider; there were the attempts to limit citizen participation in meetings; and there were attempts to keep councilmembers from putting items on the agenda. So many outrageous actions by this council majority! So many things that have left us angry and flabbergasted! And this is not an exhaustive list.

But I don't bring these things up in order to beat a dead horse. Rather, I'd like to make a point about the faith that citizens have in our local government. In the last election, the voters soundly rejected the council majority by voting in candidates who take issue with government actions ^{that} hurt our city. The voters also rejected the majority by passing a proposition that was opposed by the mayor, a proposition that provides a check on the power of the mayor and the majority to make decisions about our public buildings. It is my hope that these election results will restore some of the faith that citizens have lost in our city government due to outrageous actions like the ones I just listed. Honoring Michael Glickert and having him run council meetings from time to time would be a step backwards as our city tries to repair the trust that has been damaged. Many citizens saw with their own eyes what Mr. Glickert did to Mr. Stewart, and it would not engender confidence or a sense of fairness if these same citizens were

to come to a council meeting and see Mr. Glickert presiding over it. In fact, Mr. Glickert should really consider resigning his position in light of what he did.

For the sake of the legitimacy and dignity of our city's government, I urge you to choose another candidate, such as veteran council members Paulette Carr or Terry Crow, for the position of Mayor Pro Tem. Even Rod Jennings or Bwayne Smotherson, who haven't been on the council as long, would be a better choice than Mr. Glickert, since neither is charged with assaulting one of his constituents.



Council Agenda Item Cover

MEETING DATE: June 13, 2016

AGENDA ITEM TITLE: 2017 Community Development Block Grant Allocation

AGENDA SECTION: Public Hearing

CAN THIS ITEM BE RESCHEDULED? : No

BACKGROUND REVIEW: Below is the CDBG proposed budget for calendar year 2017, along with the approved budgets for 2015 and 2016 for comparison. The fund will be allocated to the police overtime and street, sidewalks and alleys improvements.

Public comment will be taken at the Public Hearing during the Council Meeting.

FY17 Proposed CDBG Allocation:

<u>Activity</u>	<u>2015</u>	<u>2015</u>	<u>2017</u>
Public Service			
Police overtime	\$25,000	\$25,000	\$25,000
Street Improvements			
Streets, Sidewalks and Alleys	78,400	78,400	78,400
TOTAL	\$103,400	\$103,400	\$103,400

**ST. LOUIS COUNTY DEPARTMENT OF PLANNING
OFFICE OF COMMUNITY DEVELOPMENT
FISCAL YEAR 2017 CDBG ALLOCATIONS**

Municipality	Allocation	Municipality	<u>Allocation</u>
Ballwin	40,400	Kirkwood	46,800
Bel-Nor	20,000	Lakeshire	20,000
Bel-Ridge	38,100	Mackenzie	20,000
Bella Villa	20,000	Manchester	24,300
Bellefontaine Neighbors	29,500	Maplewood	64,000
Bellerive Acres	20,000	Marlborough	27,100
Berkeley	121,600	Maryland Heights	52,800
Beverly Hills	20,000	Moline Acres	32,700
Black Jack	20,000	Normandy	66,000
Breckenridge Hills	36,200	Northwoods	29,000
Brentwood	20,000	Norwood Court	20,000
Bridgeton	31,900	Oakland	20,000
Calverton Park	20,000	Olivette	20,000
Charlack	20,000	Overland	112,000
Chesterfield	41,900	Pagedale	67,700
Clayton	22,500	Pasadena Hills	20,000
Cool Valley	20,000	Pasadena Park	20,000
Country Club Hills	20,000	Pine Lawn	86,700
Crestwood	23,400	Richmond Heights	20,000
Creve Coeur	20,000	Riverview	24,000
Crystal Lake Park	20,000	Rock Hill	20,000
Dellwood	20,000	Shrewsbury	20,000
Edmundson	20,000	St. Ann	92,700
Ellisville	20,000	St. John	21,400
Eureka	20,000	Sunset Hills	22,000
Fenton	20,000	Sycamore Hills	20,000
Ferguson	155,300	University City	103,400
Flordell Hills	20,000	Uplands Park	20,000
Frontenac	20,000	Valley Park	20,000
Glen Echo Park	20,000	Velda City	20,000
Glendale	20,000	Velda Village Hills	20,000
Grantwood Village	20,000	Vinita Park	24,300
Green Park	20,000	Vinita Terrace	20,000
Greendale	20,000	Webster Groves	33,300
Hanley Hills	20,000	Wellston	87,100
Hazelwood	65,490	Wildwood	25,500
Hillsdale	40,000	Winchester	20,000
Jennings	186,800	Woodson Terrace	29,700
Kinloch	20,000		

These allocations are based on a per capita amount tied to census data which tabulates the number of low and moderate income residents for each city in St. Louis County. The allocations for those municipalities which census data indicated had population concentrations of low and moderate income residents that were greater than 50% had allocations calculated by multiplying the low/mod population by factors varying from 2 to 5 based on the percentage of low/mod population in the municipality.

PUBLIC NOTICE

The CITY OF UNIVERSITY CITY will hold a public hearing to discuss the allocation of \$103,400 in Community Development Block Grant funds which will become available after January 1, 2016. The public hearing will be held at 6:30 p.m. on June 13, 2016, at the City Hall, 5th Floor, 6801 Delmar Blvd. University City, MO 63130. To further its commitment to fair and equitable treatment of all citizens, the **CITY OF UNIVERSITY CITY** has enacted and/or enforces the following:

A Fair Housing Ordinance prohibiting unlawful discrimination against any person because of race, sex, color, religion, disability, familial status or national origin;

A Policy of Nondiscrimination on the Basis of Disability in the admission or access to, or employment in, its federally assisted programs or activities;

A Policy of Equal Opportunity to Participate in Municipal Programs and Services regardless of race, color, religion, sex, age, disability, familial status, national origin, or political affiliation;

A requirement for bidding on CDBG activities that promotes employment opportunities created by HUD funding and that these opportunities be afforded low-income community residents and business.

If you would like information regarding the above policies or if you believe you have been unlawfully discriminated against, contact the following municipal official or employee who has been designated to coordinate compliance with equal employment opportunity requirements referenced above.

Tina Charumilind, Director of Finance
TITLE

6801 Delmar Blvd., University City, MO 63130
ADDRESS CITY STATE ZIP

(314) 862-6767
PHONE

If you are a person with a disability or have special needs in order to participate in this public hearing, please contact Joyce Pumm at (314) 505-8605 no later than June 10, 2016.

For More Information Call:

314-862-6767

Voice

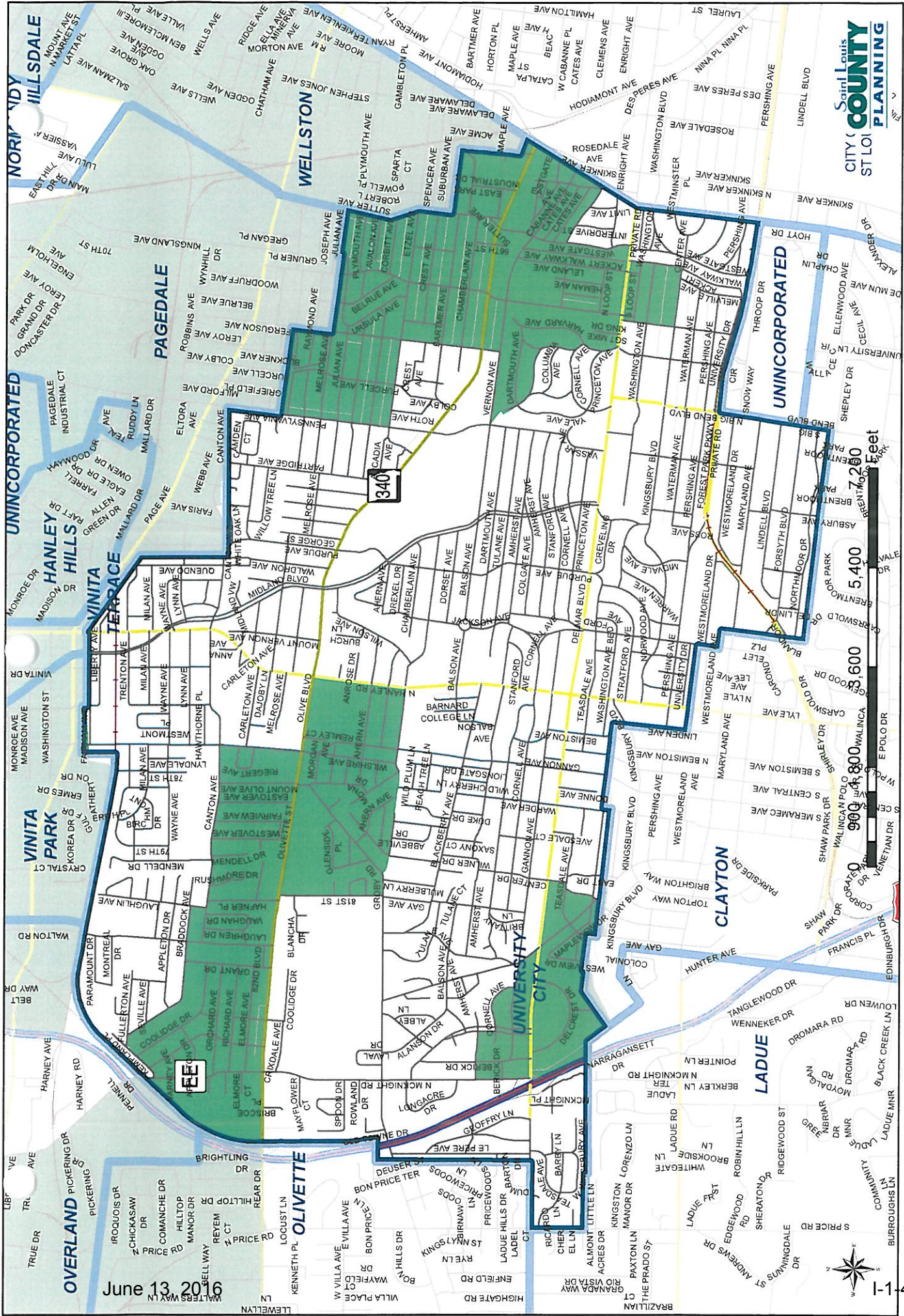
800-735-2966

TDD

800-735-2966

Relay Missouri

EQUAL OPPORTUNITY EMPLOYER



June 13 2016

Low to Moderate Income by Census Block Group
City of University City

Office of Community Development, St. Louis County Department of Planning, April 2015

 Municipal Boundary
 51% to 100% Low-Mod





Council Agenda Item Cover

MEETING DATE: June 13, 2016

AGENDA ITEM TITLE: Asphalt Resurfacing Project – Project #1258

AGENDA SECTION: City Manager’s Report

CAN THIS ITEM BE RESCHEDULED?: YES

BACKGROUND: The City resurfaces streets that are beyond routine maintenance such as pot hole patching and spot repairs. Every two years, the City rates streets on a scale of 1 (poor condition) to 10 (excellent condition), using the Pavement Surface Evaluation and Rating (PASER) method developed by the University of Wisconsin’s Transportation Information Center. After PASER street ratings are completed city-wide streets are prioritized for maintenance and repair and programmed into the City’s capital improvement plan. The budget for this project is \$400,000.00 and will come from account number 12-40-90_8080 – Street Construction.

The City advertised for bids to resurface asphalt streets and opened them on May 10, 2016. The tabulation of bid proposals is as follows:

Contractor	Base Bid Price
Ford Asphalt Company	\$321,000.00
Gershenson Contracting	\$346,057.00
Spencer Contracting	\$354,850.00
Krupp Construction	\$449,700.00

The low bidder Ford Asphalt Company previously completed University City asphalt resurfacing projects to the City’s specifications with one project in fiscal year 2013 and two projects in fiscal year 2014.

RECOMMENDATION: After review of the bid amounts in comparison to the budget, an additional block (6500 block of Corbitt Ave.) is proposed to be added to the list of streets for asphalt resurfacing work. The 6500 block of Corbitt is rated at PASER 2 and its Americans with Disabilities Act (ADA)-required curb ramp work has already been completed under other projects so it is ready for pavement resurfacing. The low bidder’s unit pricing as in the above construction bid was expanded for the adjusted work scope within budget and this would make Ford Asphalt’s contract amount \$370,390.00.

It is recommended that the City Council approve the award for the Asphalt Overlay Project to the lowest responsible bidder, Ford Asphalt Company in the amount of \$370,390.00 for the expanded scope of work.

ATTACHMENT: Project Location List (as below)

Project 1258 Asphalt Overlays Project Locations

BLOCK	STREET	FROM	TO
7000-7200	Northmoor	Big Bend	De-Lin
7000-7200	Maryland	Big Bend	Dead end
800	Oakbrook	Delmar	Gannon
8300	Archer	Grant	Coolidge
6500	Corbitt	Kingsland	Sutter



Council Agenda Item Cover

MEETING DATE: June 13, 2016

AGENDA ITEM TITLE: Community Development Block Grant – Resurfacing 1200 Hafner Pl. and 6500 Bartmer Ave. with Ultrathin Bonded Asphalt Wearing Surface

AGENDA SECTION: City Manager’s Report

CAN THIS ITEM BE RESCHEDULED?: Yes

BACKGROUND: As part of the preventative maintenance program on the City’s roadway infrastructure, The City uses Ultrathin Bonded Asphalt Wearing Surface, which is an application of a bonding agent followed immediately by an ultrathin overlay of hot asphalt concrete.

Ultrathin Bonded Asphalt Wearing Surface provides a homogeneous wearing surface, where the bonding agent or Polymer Emulsion Membrane ensures that any underlying cracks are addressed. The finished wearing course has a thickness of ½ inch and can be opened to traffic immediately upon sufficient cooling (30 minutes). The end product will maintain a friction resistant surface (high wet friction co-efficient) throughout the service life of the Ultrathin Bonded Asphalt Wearing Surface.

Every year the City receives funds from the St. Louis County Office of Community Development and the Public Works and Parks Department receives a portion of that funding. This year the funding allowance for this department is \$70,000.00, which is proposed to be used towards this project.

The City advertised for bids for the Community Development Block Grant (CDBG) Ultrathin Bonded Asphalt Wearing Surface project and opened bids on June 1, 2016; the tabulation of the only bid proposal is as follows:

Contractor	Base Bid Price
NB West Contracting Co.	\$62,810.00

RECOMMENDATION: It is recommended that the City Council approve the award for the CDBG Ultrathin Bonded Asphalt Wearing Surface Project to the lowest responsible bidder NB West Contracting Co., in the amount of \$62,810.00.



Council Agenda Item Cover

MEETING DATE: June 13, 2016

AGENDA ITEM TITLE: Project 1267 Crack Sealing

AGENDA SECTION: City Manager's Report

CAN THIS ITEM BE RESCHEDULED?: Yes.

BACKGROUND: In an effort to preserve the City's roadway infrastructure cracks on asphalt pavement surfaces are sealed. The intent of this project is to clean and seal existing joints and cracks, and apply hot poured elastic-type crack sealer to 7 miles of road pavement.

The City advertised for bids for the Crack Sealing project and opened bids on May 31, 2016. The tabulation of bid proposals is as follows.

Contractor	Bid Price
Sweetens Concrete	\$35,350.00
NuCoat Sealing	\$38,479.00
PLM	\$46,900.00

RECOMMENDATION: It is recommended that the City Council approve the award for this Crack Sealing project to Sweetens Concrete, in the amount of \$35,350.00. After review by City staff, Sweetens Concrete is the lowest and responsible bidder.

ATTACHMENT: Project Locations List

Project #1267 – Cracksealing Locations:

Street	Block	From	To	Length	Width
66th Street	1000	Olive Blvd	Chamberlain Ave	354	22
81st	1100	Olive	Blancha	281	30
82nd		Paramount	City Limits	200	27
Alta Dena	400	Pershing	Cul-de-sac	270	20
Amherst Ave	7400	Hanley Rd	Jackson	1102	26
Amherst Ave	7900	Wilner	Center	288	30
Amherst Ave	8000	Center	Gay	666	33
Anna Ave	7400	Mount Vernon Ave	Hanley Rd	363	24
Appleton	8000	Laughlin	Cul de saq	531	28
Appleton	8100	82nd	Laughlin	659	28
Asbury	100	Lindell	Maryland	391	25
Balson Ave	7400	Hanley Rd	Jackson Ave	986	40
Balson Ave	8200	Swarthmore	Old Bonhomme	578	
Bartmer Ave	6800	Purcell Ave	Ferguson Ave	707	26
Bartmer Ave	6900	Olive Blvd	Purcell Ave	570	26
Bartmer Industrial Dr	6300	Sutter Ave	City Limits	1279	35
Belrue Ave	1100	City limits	Kingsland Ave	1193	25
Bemiston	700	Cornell	Gannon	365	27
Bemiston	700	Cornell	Stanford	287	27
Benlou	700	Gannon	Cornell	700	26
Benlou	750	Cornell	Stanford	310	26
Braddock	8000	Laughlin	Cul de saq	509	27
Braddock	8100	Laughlin	82nd	649	28
Braddock	8200	Appleton	82nd	1330	33
Braddock	8300	Appleton	Seville	477	33
Briar Ct	8000	Rushmoore	Cul de saq	166	28
Burr Oak	7700	Wild Cherry	Warder	464	27
Cabanne		Eastgate	City Limits	452	26
Cornell		Oakbrook	cul-de-sac	263	26
Cornell Ave	7600	Bemiston	North and South	407	27
Cornell Ave	7600	Hanley	Bemiston	961	27
Crest Ave	6500	Kingsland Ave	Sutter Ave	1332	27
Crest Ave	6700	Sadler Ave	Kingsland Ave	696	25
Crest Ave	6800	Purcell Ave	Ferguson Ave	848	27
Drexel Dr	7300	Purdue Ave	Jackson Ave	854	22
Drexel Dr	7400	Hanley Rd	Wilson Ave	692	26
East Park Industrial Dr	1000	Bartmer Ave	Olive Blvd	790	30
Eastover	12-1300	Canton	Olive	1362	26

Elmore	8300	Coolidge	Grant	942	25
Fullerton	8400	Kempland	Braddock	182	25
Gannon Ave	7500	Bemiston	Hanley	798	27
Grant	1200	Elmore	Olive	301	27
Grant	1200	Orchard	Richard	290	27
Grant	1200	Richard	Elmore	291	27
Grant	1300	Archer	Orchard	270	27
Jackson Ave	1050	Chamberlain Ave	Ahern Ave	565	22
Julian Ave	6500	Kingsland Ave	City Limits	1174	24
Corbitt Ave	6800	Purcell Ave	Ferguson Ave	822	26
Julian Ave	6900	Pennsylvania Ave	Purcell Ave	777	27
Kingsbury	7500	Hanley	Linden	488	30
Kingsland		Kingsbury	Washington	294	30
Kingsland Ave	1000	Etzel Ave	Olive Blvd	1458	35
Lamb	1400	Lynn	Canton	369	24
Lamb	1400	Wayne	Lynn	351	24
Lamb	1500	Milan	Wayne	371	27
Lamb	1500	Trenton	Milan	370	27
Laughlin	1400	Noel	Parkway	274	27
Laughlin	1400	Appleton	Milan	281	27
Laughlin	1400	Braddock	Appleton	270	27
Laughlin	1400	Canton	Braddock	306	27
Laughlin	1400	Milan	Noel	255	27
Laughlin	1500	Parkway	Parkway	440	27



Council Agenda Item Cover

MEETING DATE: June 13, 2016

AGENDA ITEM TITLE: Asphalt Rejuvenation Project – Project #1265

AGENDA SECTION: City Manager's Report

CAN THIS ITEM BE RESCHEDULED?: Yes.

BACKGROUND: In an effort to preserve the City's roadway infrastructure the City an Asphalt rejuvenating agent is applied on pavement surfaces. The asphalt rejuvenation of streets slows down pavement deterioration and extends the life of the roadway.

The City opened bids for the Asphalt Rejuvenation Project on May 31, 2016; the tabulation of bid proposals is as follows:

Contractor	Bid Price
Corrective Asphalt Materials	\$60,000.00

RECOMMENDATION: It is recommended that the City Council approve the award for Asphalt Rejuvenation Project to Corrective Asphalt Materials LLC, in the amount of \$60,000.00. After review by City staff, Corrective Asphalt Materials LLC is the lowest and responsible bidder. Corrective Asphalt Materials has performed work for the City for the past 3 years.

ATTACHMENT: Project Locations List

Project #1265 – Asphalt Rejuvenation Locations:

STREET	BLOCK	FROM	TO
Coolidge	1100	Olive	Crixdale
Crixdale	1400	Mcknight	Coolidge
Gannon	7500	Bemiston	Hanley
Nixon Ave	1400	North City Limits	Cul de sac
Balson	7700	Wild Cherry	Warder
Balson Ave	7800	Warder	Duke
Amherst	8100	Gay	Swarthmore
Drexel	7800	Ahern	Raisher
Gannon	7700	North & South	Warder
Gannon	8000	Center	Gay
Gannon	7800	Warder	Benlou
Grant	1200	Elmore	Olive
Grant	1200	Orchard	Richard
Grant	1200	Richard	Elmore
Grant	1300	Archer	Orchard
Melville		Kingsbury	Washington
Melville		Loop South	Delmar
Melville		Washington	Loop South
Waterman	7000	Big Bend	Williams
Waterman	7100	Williams	Wellesley
Waterman	7200	Wellesley	Rossi
Tulane Ave	7300	Jackson Ave	Purdue Ave
Julian Ave	6900	Pennsylvania Ave	Purcell Ave
Purdue Ave	1100-1200	Olive	Wellington
Purdue Ave	1300-1400	Wellington Canton	Canton
White Oak Lane	7200	Farris	Purdue Ave
Wellington	1300	George	Purdue Ave
Mt Vernon	1200	Olive	Wellington
Melrose	7300	Midland	Mt Vernon
Melrose	7400	Mt Vernon	Midland
Chamberlain	6700	Kingsland	Ferguson
Chamberlain ct	6800	Ferguson	Cul de sac
Amherst	7500	Hanley	North and South
Barkley Square	850	Amherst	Dead end



City Manager's Report Agenda Item Cover

MEETING DATE: June 13, 2016

AGENDA ITEM TITLE: Liquor License for **Đào Tiên, 8600 Olive Blvd**

AGENDA SECTION: City Manager's Report

CAN THIS ITEM BE RESCHEDULED? : Yes

BACKGROUND REVIEW: **Đào Tiên**, has applied for a liquor license as a result of changing the management. Mr. Brannon Matthew is a new Managing Officer.

- A background check by the Police Department revealed no disqualifying information.
- Department approval was granted from Community Development, with no additional comments.
- Recommendations from University City citizens are included.
- Commercial occupancy has been applied for and approved.
- A petition by surrounding property owners was submitted in favor of the license.
- A current Certificate of No Sales Tax Due issued by the Missouri Department of Revenue was received relative to the business.
- 2015 personal property tax record for the applicant indicate payment of taxes.
- Current voter registration documentation for the applicant was provided.

ATTACHMENTS: Background Check
Department Approvals

RECOMMENDATION: Approval

Liquor License Applicant Information

Business Name: Daò Tiên

Location: 8600 Olive Blvd

Managing Officer: Tran Dang Hoang

Type of Business: Daò Tiên is a Vietnamese restaurant seeking to add liquor sales to their daily business operations. Business hours are 10:00am – 9:00pm Monday through Thursday, 10:00am-10:00pm Friday through Saturday. This business has ten (10) employees including the owner of the business.

Estimate of annual sales = \$120,000

Business Details: This is an existing business

Building Information: 1,826 square feet is located in a building that previously functioned as a restaurant. This business has acquired signatures from businesses located within 200 feet of the primary public entrance. These businesses include:

- Hair Salon
- Restaurant
- Martial Arts Studio



CITY OF UNIVERSITY CITY
APPLICATION FOR LIQUOR LICENSE
University City Municipal Code, Chapter 5 Section 8

INSTRUCTIONS: Read each question carefully. Make certain that each question is answered completely and correctly before you submit this application. If you need additional space, use the additional sheet provided at the end of this application. If a question does not apply to you, write N/A in the space, do not leave any blank fields. Submit all documents as requested. **PLEASE PRINT CLEARLY.**

Please note that this application may only be completed and filed by a sole proprietor, corporate officer, managing partner, or managing officer of the business applying for this license.

◇ AN APPLICANT IS NOT PERMITTED TO OPERATE UNTIL LICENSE IS ISSUED ◇

Applications must be accompanied by a non-refundable application filing fee of:

- i. Type 2, 4, 12 \$ 25.00
- ii. Type 9, 10, 11, 15 \$ 10.00
- iii. Type 16, 17 \$ 5.00

Type of license requested- separate license shall be obtained for each of the following classes of sales:
(Please check each classification that applies)

- 2- All kinds of intoxicating liquor, by the drink, retail \$450.00
- 4- CLUB: All kinds of intoxicating liquor, by the drink, retail 200.00
- 5- Malt liquor not in excess of 5% alcohol wholesaler to wholesaler 75.00
- 6- Intoxicating liquor not in excess of 22% alcohol wholesaler to wholesaler 150.00
- 7- Malt liquor not in excess of 5% alcohol wholesaler to retailer 75.00
- 8- Intoxicating liquor not in excess of 22% alcohol wholesaler to retailer 150.00
- 9- Malt liquor in excess of 3.2% and not in excess of 5% alcohol, by the package, retail 22.50
- 10- Malt liquor in excess of 3.2% and not in excess of 5% alcohol, by the drink, retail 52.50
- 11- Malt liquor not in excess of 5% beer and 14% wine, by the drink, retail 52.50
- 12- Intoxicating liquor not more than 22%, by the package, retail 75.00
- 13- Intoxicating liquor of all kinds, wholesaler to wholesaler 375.00
- 14- Intoxicating liquor of all kinds, wholesaler to retailer 500.00
- 15- Intoxicating liquor of all kinds, by the package, retail 150.00
- 16- Malt liquor not in excess of 3.2% alcohol, by the package, retail 22.50
- 17- Malt liquor not in excess of 3.2% alcohol, by the drink, retail 37.50
- Sunday Liquor License 300.00

I. BUSINESS APPLYING FOR LICENSE:

A. BUSINESS NAME AND TYPE

Dao Tien Vietnamese Bistrot LLE

- Sole Owner
- Partnership
- Corporation
- Limited Liability Company

B. DESCRIPTION OF PREMISES AND ADDRESS:

DESCRIPTION: Dao Tien Bistrot
 ADDRESS: 8600 Olive Blvd, University, MO 63132
 HOURS OF OPERATION: Tue - Sat 11AM-3pm 5pm-9pm Sunday 12pm-8pm

C. PHONE: 314-995-6960

II. MANAGING OFFICER:

A. NAME: (LAST) Brannon (FIRST) Matthew (MIDDLE INITIAL) M

B. ADDRESS, CITY & ZIP CODE: 2115 Maverick Dr. Apt C Maryland Heights, MO 63043 C. PHONE: 314-556-1351

D. DATE OF BIRTH: 08/16/1978 F. BUSINESS PHONE (IF DIFFERENT FROM ABOVE) _____

G. PREVIOUS ADDRESS, (IF NOT AT PRESENT ADDRESS FOR 5 YEARS OR MORE) _____

H. IF FOREIGN BORN, PLEASE STATE COUNTRY, PLACE AND STATE OF NATURALIZATION:

Phillippines St. Louis MO

I. MISSOURI RESIDENT SINCE (MONTH & YR) 7/89 K. TOWNSHIP: _____ L. COUNTY: _____

M. CURRENT BUSINESS OR OCCUPATION OF APPLICANT:

manager

N. NAME OF CORPORATION, PARTNERSHIP OR CLUB: (IF APPLICABLE) _____

FOR PARTNERSHIP OR LIMITED PARTNERSHIP

NUMBER OF MEMBERS: _____

A2 STATE NAMES, ADDRESSES, PHONE NUMBERS AND DATES OF BIRTH OF ALL PARTNERS: (USE PAGE 7 IF NECESSARY)

FOR CORPORATION OR LIMITED LIABILITY COMPANY

NUMBER OF MEMBERS: _____

A3 STATE NAMES, ADDRESSES, PHONE NUMBERS AND DATES OF BIRTH OF ALL OFFICERS, DIRECTORS AND STOCKHOLDERS OWNING 1% OR MORE INTEREST IN THE CORPORATION OR MEMBERS OF A LIMITED LIABILITY COMPANY (USE PAGE 7 IF NECESSARY)

OTHER PERSONS

NUMBER OF MEMBERS: _____

A4 LIST NAMES, ADDRESSES, PHONE NUMBERS AND DATES OF BIRTH FOR ALL OTHER PERSONS WHO HAVE AN INTEREST IN THE BUSINESS FOR WHICH LICENSE IS REQUESTED. (USE PAGE 7 IF NECESSARY)

B4 IN WHAT TYPE OF BUSINESS IS EACH OF THE ABOVE PERSONS ENGAGED? (USE PAGE 7 IF NECESSARY)

III. OTHER INFORMATION

A. IS APPLICANT A QUALIFIED VOTER IN THE STATE OF MISSOURI?
 YES NO

B. IS APPLICANT AN ASSESSED, TAX PAYING CITIZEN IN THE STATE OF MISSOURI?
 YES NO

C. HAS APPLICANT PREVIOUSLY HELD A LIQUOR LICENSE OF ANY TYPE?

D. EXPLAIN (WHEN, WHERE?)

YES NO (IF YES, EXPLAIN, SEE ITEM D)

E. HAS APPLICANT, OR ANY EMPLOYEE, OR PROPOSED EMPLOYEES, EVER BEEN DENIED A LIQUOR LICENSE, OR HAD A LICENSE TO SELL LIQUOR REVOKED?

F. EXPLAIN (WHEN, WHERE?)

YES NO (IF YES, EXPLAIN, SEE ITEM F)

G. HAS APPLICANT EVER BEEN EMPLOYED IN ANY CAPACITY BY A BUSINESS WITH A BEER, WINE OR LIQUOR LICENSE?

H. EXPLAIN (WHEN, WHERE?)

YES NO (IF YES, EXPLAIN, SEE ITEM H)

I. HAS THE APPLICANT, EMPLOYEE, OR PROPOSED EMPLOYEE EVER BEEN CONVICTED OF A VIOLATION OF ANY LAW REGULATING, CONTROLLING, OR PROHIBITING THE SALES OR MANUFACTURING OF INTOXICATING LIQUOR?

YES NO (IF YES, EXPLAIN. USE PAGE 7 IF NECESSARY)

J. HAS ANY DISTILLER, WHOLESALER, WINE MAKER, BREWER OR ANY EMPLOYEE, OR AGENT THEREOF, HAVE OR PROPOSE TO HAVE, ANY FINANCIAL INTEREST IN THE BUSINESS TO WHICH THIS APPLICATION APPLIES?

YES NO (IF YES, EXPLAIN. USE PAGE 7 IF NECESSARY)

K. INDICATE THE TYPE OF BUSINESS, IF ANY, APPLICANT PROPOSES TO CONDUCT ON PREMISES IN ADDITION TO SALE OF INTOXICATING LIQUOR:

- RESTAURANT _____
- HOTEL DINING ROOM _____
- OTHER (PLEASE EXPLAIN) _____

L. STATE ESTIMATE OF ANNUAL SALES VALUE: FOOD \$ _____ OTHER (INCLUDING LIQUOR) \$ _____

M. IS THERE A SCHOOL, CHURCH, SYNAGOGUE, PUBLIC PARK OR PLAYGROUND WITHIN ONE HUNDRED FIFTY (150) FEET OF THE PROPOSED BUSINESS? YES NO (IF YES, STATE THE NAME AND APPROXIMATE DISTANCES).

N. IS THE APPLICANT INDEBTED TO ANY PERSON FOR MONEY OR PROPERTY, TO BE USED IN THE LICENSED BUSINESS? (IF YES, STATE AMOUNT OF INDEBTEDNESS AND TO WHOM IT IS OWED)

YES NO

AMOUNT OWED:

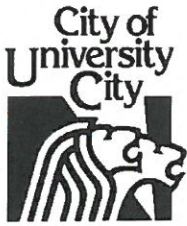
\$

NAME:

ADDRESS, CITY, STATE, & ZIP:

PHONE:

OCCUPATION:



Police Department

6801 Delmar Boulevard, University City, Missouri 63130, Phone: (314) 725-2211

MEMORANDUM

TO: Colonel Charles Adams, Chief of Police

FROM: Lt. Fredrick Lemons II DSN 450

DATE: Update 06/01/2016

SUBJECT: Liquor License Application for Dao Tien Vietnamese Bistro

BUSINESS

Dao Tien Vietnamese Bistro
8600 Olive Blvd.
University City, Missouri
63132-2504

APPLICANT

Matthew Brannon
2115 Maverick Dr. Apt C.
Maryland Heights MO, 63043

Sir, I have reviewed the findings of the investigation completed by Detective Daur Nodari concerning the liquor license application submitted by Mathew Brannon for Dao Tien Vietnamese Bistro located at 8600 Olive Blvd. Det. Daur Nodari's investigation was thorough and several issues arose in regards to the application. The applicant Mathew Brannon is not listed as an operating agent with the Missouri Secretary of State. The state liquor license for the business is expired. These issues may need to be addressed before the proper issuing of a City of University City Liquor License as applied for by Hoang Tran.

Update:

Owner Diane Bui has addressed the above issues. Matthew Brannon has been added to all paperwork and is currently the Operating Manager. All issues have been addressed for the approval of a University City Liquor License.

Respectfully Submitted,


Lt. F. Lemons II DSN 450

6/2/2016
APPROVED
C. Adams

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

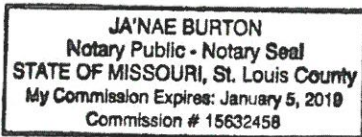
Comes now Matthew Brannon of lawful age, being first duly sworn upon oath, deposes and states that he or she: (1) is the sole proprietor, corporate officer, managing partner, or managing officer of the business applying for this license, (2) is authorized to make this application, (3) has read this application and understands same, (4) knows the contents of this application, (5) swears that the answers and statements contained in this application are true and correct, and (6) on behalf of the applicant, agrees to comply with all laws of the City of University City and the State of Missouri relevant to the applicant's business.

Matthew Brannon
SIGNATURE OF APPLICANT/MANAGING OFFICER

SUBSCRIBED AND SWORN TO BEFORE ME ON THIS DAY 25th OF March 2016

Ja'Nae Burton
NOTARY PUBLIC

MY COMMISSION EXPIRES



THIS SECTION FOR CITY USE ONLY

APPROVALS:

Police Chief	<u>[Signature]</u>	Date: _____
Community Development	<u>[Signature]</u>	Date: <u>4/16/16</u>
City Manager	_____	Date: _____

IV. SUNDAY LIQUOR LICENSE

If application is for Sunday liquor license, complete the following section:

Under the provisions of Chapter 5, Section 8.240 of the Municipal code of the City of University City, application is hereby made for a license to sell intoxicating liquor between the hours of 1.00 P.M. and midnight on Sundays.

A. APPLICANT NAME: (LAST) Brannon (FIRST) Matthew (MIDDLE INITIAL) M

B. BUSINESS NAME: DAO Tien Vietnamese Bistro PHONE NUMBER: 314-995-6960

Type of Liquor License held or applied for:

- 1-2 All kinds of intoxicating liquor, by the drink, retail
- 9 Malt liquor in excess of 3.2% not in excess 5% alcohol, by the package, retail
- 10 Malt liquor in excess of 3.2% not in excess 5% alcohol, by the drink, retail
- 11 Malt liquor not in excess of 5% beer and 14% wine, by the drink, retail
- 12 Intoxicating liquor not more than 22%, by the package, retail
- 15 Intoxicating liquor of all kinds, by the package, retail

For the purpose of obtaining said Sunday Liquor license: applicant states that at least fifty percent (50%) of the gross income of the restaurant bar at the above location is derived from the sale of prepared meals or food consumed on the premises, or which has an annual gross income of at least two hundred seventy-five thousand dollars (\$275,000.00) from the sale of prepared meals or food.

Matthew Brannon

Signature of Applicant

Manager

Title of Applicant

3/25/16

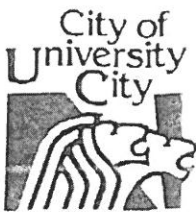
Date

V. RECOMMENDATIONS- COMPLETE IF APPLYING FOR LICENSE TYPE 2, 10, OR 11

Five recommendations are required for Applicants petitioning for a license to sell intoxicating liquor by the drink at retail under section 5.08.060 of University City Municipal Code.

Each of the following recommendations is to be filled in and signed by a creditable resident, real property tax-paying citizen of University City, vouching for the character of the applicant.

- 1) Date: 3/16/2016 Name: Paul Kneeland
Location of University City real property taxed in your name: 701 Oakbrook Ln
How long have you known applicant? 4 yr Are you related? no
Are you aware of any reason to refuse applicant a license to sell intoxicating liquor? no
Do you vouch for applicant's moral character and reputation? yes
Phone Number: 314 66 24642 Signature: Paul Kneeland
- 2) Date: 3/18/16 Name: Stephen E Krietz
Location of University City real property taxed in your name: 7275 Creveling Rd
How long have you known applicant? 4 yr Are you related? no
Are you aware of any reason to refuse applicant a license to sell intoxicating liquor? no
Do you vouch for applicant's moral character and reputation? yes
Phone Number: 314 86 31136 Signature: Stephen E Krietz
- 3) Date: 3/18/16 Name: KEVIN V. FEELY
Location of University City real property taxed in your name: 7320 CORGATE
How long have you known applicant? 3 yrs Are you related? No
Are you aware of any reason to refuse applicant a license to sell intoxicating liquor? No
Do you vouch for applicant's moral character and reputation? YES
Phone Number: 314 882-8212 Signature: Kevin Feely
- 4) Date: 3/24/16 Name: Charles D. Goff
Location of University City real property taxed in your name: 10916 W. McLaughlin Rd
How long have you known applicant? 54 years Are you related? no
Are you aware of any reason to refuse applicant a license to sell intoxicating liquor? _____
Do you vouch for applicant's moral character and reputation? yes
Phone Number: 314-395-7700 Signature: Charles D. Goff
- 5) Date: 3/25/16 Name: Stuart R Berkowitz
Location of University City real property taxed in your name: 542 Overhill
How long have you known applicant? 3 yrs Are you related? No
Are you aware of any reason to refuse applicant a license to sell intoxicating liquor? No
Do you vouch for applicant's moral character and reputation? yes
Phone Number: 314-792-1730 Signature: Stuart R Berkowitz



6801 Delmar Ave
 University City, MO 63130
 Tel: (314) 862-6767
 Fax: (314) 863-0921

VI. PETITION- COMPLETE IF APPLYING FOR LICENSE TYPE 2, 10, OR 11

Under Chapter 5, Section 8.060, a petition must be submitted in favor of the license. **Please Note:** In the absence of valid petitions, the city council must have a five-sevenths vote to approve the license.

The undersigned taxpaying citizens, record owners of property within a radius of 200 feet of the primary public entrance of the premises in which the applicant proposes to sell intoxicating liquor, **and** owners occupying or conducting a business on the main or surface floor of buildings within such radius, hereby approve the foregoing application, and consent to the issuance to the applicant of a license to sell intoxicating liquor by the drink, to be consumed on the premises where sold:

NAME

ADDRESS

NAME	ADDRESS
Accuhealth urgentCare	8612 Olive Blvd
St. Louis BridgeCenter	8616 Olive Blvd.
Tai-ke LLC	8604 Olive Blvd
Youtopia Salon + Spa	1177 N. McKnight
Star KTV	1179 N McKnight Rd

(Attach additional sheet if necessary)

RICHARD H. KELLETT
Chairman

TRUDI MCCOLLUM FOUSHEE
Commissioner

ERIC FEY
Director of Elections

Saint Louis COUNTY ELECTION BOARD

JOHN W. MAUPIN
Secretary

JOHN P. KING
Commissioner

GARY B. FUHR
Director of Elections

CERTIFICATE OF REGISTRATION

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



This is to certify that MATTHEW BRANNON is a resident and registered voter in

Precinct 29 of NORTHWEST Township of the County of St. Louis and the

State of Missouri having registered on 6/2/04 .

I do hereby certify the following to be true and correct information obtained from the voter registration
file and verified by the applicant.

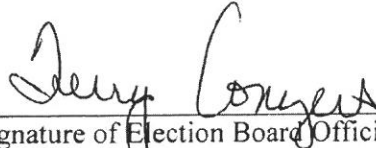
Current Address: 2115 MAVERICK DR APT C

City/State/Zip: MARYLAND HEIGHTS, MO

Date of Birth: 8/16/78

U. S. Citizen: YES

IN WITNESS WHEREOF, I hereunto set my hand and the seal of said Board of Election
Commissioners located in St. Louis County, Missouri, this 29 Day of March
2016.



Signature of Election Board Official

(Seal)

BOARD OF ELECTION COMMISSIONERS

12 Sunnen Drive • Saint Louis, MO 63143 • PH 314/615-1800 • FAX 314/615-1999
RelayMO 711 or 800-735-2966 • web <http://www.stlouisco.com/elections>

CReg 8/1/2013

June 13, 2016

K-5-11

COLLECTOR OF REVENUE
41 S CENTRAL AVE
ST LOUIS MO 63105
(314) 615-5500

ST LOUIS COUNTY, MISSOURI PERSONAL PROPERTY TAX BILL

ADJUSTED TAX YEAR
02/05/2016 2015

ACCOUNT NUMBER	I00016216	TAXING NAME	BRANNON MATTHEW M	SCHOOL/SUB	108N
		LOCATION	2115 MAVERICK DR APT C		

Taxes are based on ownership on January 1 of tax year, and become delinquent at 12:00 midnight December 31.
A paid tax receipt for previous year(s) is needed to license or renew registration on any motor vehicle.

BRANNON MATTHEW M
2115 MAVERICK DR APT C
MARYLAND HEIGHTS MO 63043

TAX DISTRIBUTION	
ST. OF MISSOURI	0.69
COUNTY HEALTH FUND	3.23
CO. PARK MAINT.	1.16
COUNTY BOND RETIRE	0.44
ROAD & BRIDGE	2.43
ST L COMM COLL	5.03
SPEC SCH DIST	28.52
MET ZOO MUS DIST	6.41
COUNTY LIBRARY	5.20
SCH-PARKWAY	97.66
MSD EXTENSION	0.45
FIRE-MARYLAND HTS	35.76
SHELTERED WORKSHOP	2.08
COUNTY GENERAL	4.83

ASSESSED VALUE	TYPE	TAX RATE	SPECIAL ASSESSMENTS
2,310	PERSONAL	8.3935	
TAX AMOUNTS			
CURRENT TAX AMOUNT		\$193.89	
TOTAL DUE		\$193.89	

MO law 139.100, 52.290 mandates the assessment of interest of 2% per month or any part thereof, plus a 2% penalty for all taxes unpaid by 12 midnight December 31 of tax year.

In compliance with State statute 139.100 payments by mail require "postmark" by United States Postal Service on or before December 31.

IMPORTANT: Companies MUST SHOW PROOF of paid business personal property tax when applying for any County issued annual license or permit.

TEAR HERE AND RETURN LOWER PORTION WITH PAYMENT

ACCOUNT NUMBER	SCHOOL/SUB	CITY CODE	SITE CODE	ST LOUIS COUNTY, MISSOURI			ADJUSTED	TAX YEAR
I00016216	108N	104	0926	REG	PERSONAL PROPERTY TAX BILL			02/05/2016 2015
VALUATION	TYPE	RATE PER \$100 =	CURRENT TAX +	INTEREST +	PENALTIES +	TOTAL FEES =	PIN	
2,310	PERSONAL	8.3935	193.89	0.00	0.00	0.00		PAY THIS AMOUNT \$193.89

MUST BE PAID BY

Make checks payable to: COLLECTOR OF REVENUE

PRINT MAILING ADDRESS CHANGE

FEB 29 2016

ST LOUIS COUNTY
100016216-0 - BRANNON MATTHEW M
094821-0125 C M. 02/05/2016
Check: 2055
Payment Amount:

DESCRIPTION OF PROPERTY	VEHICLE FEE	VALUATION
106122 A 04 MITSU ENDEAVOR VIN 4A4MN81S14E018531		97C
151148 A 03 FORD ESCAPE VIN 1FMCU94153KE09463		66C
738376 A 97 LEXUS ES300 VIN JT8BF22G0V5010565		680

BRANNON MATTHEW M
2115 MAVERICK DR APT C
MARYLAND HEIGHTS MO 63043

RY154000011
June 13, 2016

CA51900016216CCCC

DD0000019389

XX1082540 1
K-5-12

TAXATION DIVISION
P O BOX 3666
JEFFERSON CITY MO 65105-3666



Missouri
DEPARTMENT OF REVENUE

Telephone: (573) 751-9268
Fax: (573) 522-1265
E-mail: taxclearance@dor.mo.gov

CERTIFICATE OF NO TAX DUE

DAO TIEN BISTRO
8600 OLIVE BLVD
UNIVERSITY CITY MO 63132

DATE: MARCH 22, 2016

MISSOURI TAX ID NUMBER: 21307199

LOCATION: NON APPLICABLE

To Supervisor of Liquor Control: The Department of Revenue, State of Missouri, certifies that the above listed taxpayer/account has filed all required returns and paid all sales and withholding tax due, including penalties and interest, or does not owe any sales and withholding tax, according to the records of the Missouri Department of Revenue, as of March 21, 2016. These records do not include returns that are not required to be filed as of this date for taxes previously collected or that have been filed but not yet processed by the Department.

This certificate is only for the purpose of obtaining a liquor license and is not pursuant to Section 144.150, RSMo.

This statement only applies to sales and withholding tax due and does not limit the authority of the Director of Revenue to assess, and/or collect liabilities under appeal, in default of an installment agreement entered into with the Director of Revenue or that become known to the Department as a result of audit, review of taxpayers's records, or determination of successor liability.

THIS CERTIFICATE REMAINS VALID FOR 90 DAYS FROM THE ISSUANCE DATE.

Sincerely,

Dwayne Maples
Administrator, Business Tax
Taxation Division

JB:DU1301

CBN020
201608200301008

Steven V. Stenger
County Executive



Gregory F. Quinn
Director of Revenue

State of Missouri
St. Louis County Liquor License

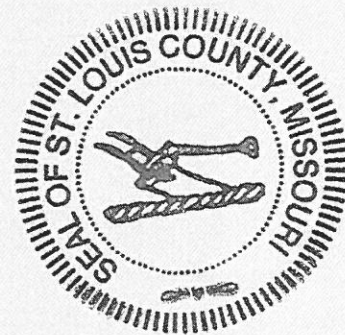
License Number: 80514

Effective: April 01, 2016

Expiration: March 31, 2017

To All Who Shall See These Presents, Greetings

Know Ye, That Dao Tien Bistro, LLC
Doing business as Dao Tien Bistro
Located at 8600 Olive Blvd.
University City, MO 63132





On Premise Described as All of a one story glass and brick building, located at 8600 Olive Blvd.,
University City, MO 63132

having paid to the Director of Revenue, a license and/or permit fee of 201.00 dollars and is hereby granted a license or permit.

Sunday Liquor License
Incorporated St. Louis County

For a period of one year from hereof, subject to the limitations set out in this license and to the provisions and requirements of the State Liquor Control Act, all of which the licensee agrees to observe and obey. This license is neither assignable or transferable on change of ownership, nor may this license be used or liquors sold thereunder at any place other than the place or business described in this license.

IN TESTIMONY WHEREOF, I, THE UNDERSIGNED, Director of Revenue of St. Louis County, Missouri have affixed the seal of said St. Louis County, this Friday, April 22, 2016.

By:  Deputy: 

MISSOURI - DIVISION OF ALCOHOL AND TOBACCO CONTROL - LICENSE

THIS LICENSE MUST BE POSTED ON THE PREMISES IN FULL PUBLIC VIEW

5% BEER BY DRINK - WINE

237119

\$12.50

EXPIRATION DATE: JUNE 30, 2016

EFFECTIVE DATE: APRIL 19, 2016

ST. LOUIS CO.

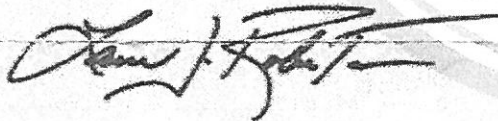
BUS. STRUCTURE: LMTD LIABILITY

MANAGING OFFICER OR PARTNERS: MATTHEW M BRANNON

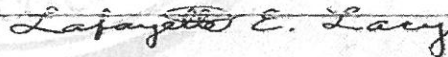
SPECIAL PERMITS:

ALL OF A ONE STORY BUILDING, 8600 OLIVE BLVD., UNIVERSITY CITY, MO.

RENEWAL NOTICES are mailed annually in March. It's the licensee's responsibility to pay the required fee by MAY 1ST of each calendar year. Late fees will be assessed for late renewal after MAY 1ST.



DIRECTOR OF PUBLIC SAFETY



SUPERVISOR OF ALCOHOL AND TOBACCO CONTROL

DAO TIEN BISTRO LLC
DAO TIEN BISTRO
8600 OLIVE BLVD.
UNIVERSITY CITY, MO 63132

LICENSE NOT TRANSFERABLE



Council Agenda Item Cover

MEETING DATE: June 13, 2016

AGENDA ITEM TITLE: Resolution for Engaging a Financial Advisor and Bond Counsel in Connection with the Issuance of General Obligation Bonds or Certificates of Participation to Finance the Construction of the New Police Facility

AGENDA SECTION: Old Business

CAN THIS ITEM BE RESCHEDULED? : Yes

BACKGROUND REVIEW:

On May 9, 2016, City Council held a study session on finance options for the new Police Facility. The decision has not been made between issuance of the General Obligation bonds (GO Bonds) or Certificates of Participation (COPs). Staff and the Financial Advisor provided the estimated amortization of three scenarios for GO Bonds. They are \$7.7 million, \$12.5 million and \$15 million. As described during study session, GO Bonds are generally:

- Low interest for financing.
- Require a supermajority approval of the voters.
- These three scenarios will increase property taxes by \$0.092, \$0.15 and \$0.178 per \$100 of assessed value.
- Provide the City with additional revenue source.

For COPs, the only amortization provided was for \$7.7 million

- The projected interest rate is slightly higher, approximately 0.5% higher at a minimum.
- Payments are made from General Fund or Capital Improvement Sales Tax.

RECOMMENDATION:

Staff recommends hiring Joy Howard from WM Financial Strategies as the City's Financial Advisor based on previous exceptional results in managing the City's rating process in a fashion that results in the highest rating possible.

Staff also recommends engaging Gilmore & Bell as a Bond Counsel based on their reputation of being the first for both number of issues and dollar volume in the State of Missouri. More importantly, Gilmore & Bell assisted the City with the success of the past bond issuances and has a long term relationship with the City since 1994.

Attachment: Resolution 2016-10
Resolution 2016-11

RESOLUTION 2016 - 10

A RESOLUTION OF THE CITY OF UNIVERSITY CITY, MISSOURI ENGAGING A FINANCIAL ADVISOR AND BOND COUNSEL IN CONNECTION WITH THE ISSUANCE OF OLBIGATIONS TO FINANCE A PROJECT FOR THE CITY AND DECLARING ITS OFFICIAL INTENT TO REIMBURSE ITSELF FOR CERTAIN CAPITAL EXPENDITURES RELATED TO THE PROJECT

WHEREAS, the City of University City, Missouri (the “City”) desires to proceed with the issuance and delivery of Certificates of Participation (the “Certificates”) for the purpose of financing the acquisition, construction, renovation, furnishing and equipping of a building for the City’s police department, including acquisition of real estate and easements related thereto, if necessary, and the rehabilitation, remodeling and improvement of the building currently housing the police department (collectively, the “Project”); and

WHEREAS, the City desires to retain the services of WM Financial Strategies to advise and assist the City in structuring the Certificates, to solicit bids from underwriters or other purchasers for the Certificates, and to prepare the Preliminary and Final Official Statements for the Certificates; and

WHEREAS, the City desires to engage Gilmore & Bell, P.C. to proceed with the preparation of all legal proceedings and documents necessary for the issuance and sale of the Certificates.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF UNIVERSITY CITY, MISSOURI, AS FOLLOWS:

Section 1. The City has incurred and expects to make capital expenditures on and after the date of this Resolution relating to the Project, and the City intends to reimburse itself for such expenditures with the proceeds of the Certificates.

Section 2. The maximum principal amount of the Certificates expected to be issued for the Project is \$7,855,000.

Section 3. The City hereby engages WM Financial Strategies as financial advisor for the Certificates (the “Financial Advisor”) in accordance with the terms of the Financial Advisory Agreement attached hereto as **Exhibit A**, which the Mayor or City Manager is authorized to sign on behalf of the City. The Financial Advisor is hereby authorized to prepare and distribute a Preliminary Official Statement and to prepare the necessary documents to solicit bids from underwriters or other purchasers of the Certificates.

Section 4. The City hereby appoints the law firm of Gilmore & Bell, P.C. to serve as the City’s bond counsel with respect to the issuance of the Certificates (“Bond Counsel”) in accordance with the terms of the Proposal for Bond Counsel Services attached hereto as **Exhibit B**, which the Mayor or City Manager is authorized to sign on behalf of the City. Bond Counsel is hereby authorized and directed to proceed with the preparation of all legal proceedings and documents necessary for the issuance and sale of the Certificates.

Section 5. This Resolution shall be in full force and effect immediately upon its adoption.

PASSED by the City Council of the City of University City, Missouri, this ____ day of June, 2016.

MAYOR

(SEAL)

ATTEST:

CITY CLERK

EXHIBIT A

FINANCIAL ADVISORY AGREEMENT

FINANCIAL ADVISORY AGREEMENT

This Financial Advisory Agreement (the "Agreement"), dated as of June 7, 2016, is between Joy A. Howard /dba/ WM Financial Strategies and the City of University City, Missouri (the "City").

The City agrees to hire WM Financial Strategies and WM Financial Strategies agrees to act as financial advisor to the City to provide services relating to the issuance of certificates of participation or general obligation bonds (the "Securities") on the terms set forth below:

1. **SCOPE OF SERVICES.** The City hires WM Financial Strategies to provide services set forth in the Exhibit to this Agreement with regard to the issuance of Securities in connection with construction of a new jail (the "Project").
2. **AGREEMENT TO PROVIDE INFORMATION.** The City agrees to provide WM Financial Strategies with information required to provide the services set forth herein, including financial statements, budgets, and other relevant documents.
3. **ADVISORY FEES.** WM Financial Strategies shall receive a fee equal to \$5,000 within 30 days following execution of this agreement and an additional fee upon the closing of the Securities as follows: \$13,000 upon the closing of the sale of any issuance of General Obligation Bonds and \$15,000 upon the closing of the sale of any issuance of Certificates of Participation.
4. **OUT-OF-POCKET EXPENSES.** Out-of-pocket expenses for courier, reproductions, and postage are included in the fee above.
5. **BILLING STATEMENTS.** The City will receive an invoice upon the closing of the sale of the Securities which shall be paid in full within 30 days after the date of such invoice.
6. **PROPERTY OWNERSHIP.** All reports, studies and data obtained or compiled as part of this Agreement shall be the property of the City. All such reports, studies and data shall be delivered promptly to the City as completed. The City may additionally request receipt of partially completed reports, studies and data in order to assess the status of completion of services.
7. **PAST DUE BALANCES.** Any balance that is thirty days past due shall be subject to a finance charge computed at the rate of .5% per month, which is an annual percentage rate of 6%.
8. **TERMINATION.** Unless extended, this Agreement shall terminate upon the earlier of completion of financing for the Project or January 1, 2018.
9. **MODIFICATION BY SUBSEQUENT AGREEMENT.** This Agreement may be modified by subsequent agreement of the parties only by an instrument in writing signed by both parties.

The City of University City, Missouri

WM Financial Strategies

BY: _____

BY: _____

TITLE: _____

TITLE: _____

EXHIBIT SERVICES

- Securities Structuring

WM Financial Strategies will develop a financing plan or plans which will include recommendations with respect to the timing of the Securities sale, the size of the issue, maturity schedule, redemption features, reserve funding, provisions for additional borrowing, investment provisions, and other covenants required to market the Securities.

- Document Preparation

WM Financial Strategies will assist the City and Bond Counsel (or Special Tax Counsel) in the development of the Securities ordinance and in the case of Certificates of Participation, the lease agreement, indenture, and other documents.

- Official Statement Preparation

WM Financial Strategies will prepare the Preliminary and Final Official Statement (collectively the "Official Statement") to be used in conjunction with the sale of securities. In order to assist the City in fulfilling its disclosure obligations, WM Financial Strategies will prepare the official statement in a form consistent with the Government Finance Officers Association's Disclosure Guidelines. In preparing the Official Statement WM Financial Strategies will collect, research, develop and compile data for use therein and shall attempt to remove as much of this responsibility as possible from the City's staff; however, the City will be responsible for the accuracy of the Official Statement.

- Trustee/Paying Agent Selection

WM Financial Strategies shall assist the City in selecting a Trustee/Paying Agent through a competitive proposal process.

- Securities Marketing

WM Financial Strategies shall develop a marketing plan for the Securities. For a competitive bond sale the arrangements will include preparing the notice of sale and bid form and conducting a competitive bid bond sale. For a negotiated sale, WM Financial Strategies shall prepare a request for proposals, appraise the proposals received, recommend the firm to be selected and negotiate the terms of the sale in the City's best interest.

- Credit Review and Rating

WM Financial Strategies shall use its best efforts in obtaining the highest possible rating for the Securities. The process to be utilized for this purpose will include making a credit review of the City, advising the City of its findings, rehearsing possible rating questions, making an analysis of areas which

can be expected to be raised by the rating agency, preparing supplemental reports and schedules for the rating agency, and preparing for a possible visit to the rating agency, if desirable.

- Market Analysis

In order to appropriately advise the City on the establishment of a desirable sale date and to keep the City abreast of the cost of the financing plan under development, WM Financial Strategies shall monitor the following:

- The general condition and trends in the economy.
- The condition of capital markets including the imposition of any unusual restraints on monetary supply by the Federal Reserve System.
- The status of recently sold competitive bond issues.
- The supply of issues coming to market.

- Mathematical Computations

To analyze different debt patterns, WM Financial Strategies will prepare maturity schedules and other schedules showing mathematical results. These schedules will be prepared using the computer systems and proprietary software maintained by WM Financial Strategies. The schedules will be updated from time to time to reflect changes in market conditions.

- Attendance at Meetings

WM Financial Strategies shall attend meetings to explain the progress of the transaction and the various documents to be adopted by the City.

- Technical Services

WM Financial Strategies provides many technical services required to effectuate the Securities closing. These services include, among others, arranging Securities printing, transfer of funds at the time of the Securities closing, and obtaining CUSIP identification numbers.

- Investments

At the request of the City, and without compensation, WM Financial Strategies shall assist the City with the investment of bond proceeds during the construction period.

- Other Services

WM Financial Strategies shall provide other financial advisory services as mutually agreed to by the City and WM Financial Strategies in writing.

REQUIRED DISCLOSURES

Effective June 23, 2016, the Municipal Securities Rulemaking Board requires disclosures relating to (a) conflicts of interest, (b) disciplinary events filed with the Securities and Exchange Commission, and (c) fee arrangements. These disclosures are set forth below:

- (a) WM Financial Strategies has no known conflicts of interest relating to these transactions.
- (b) Joy A. Howard has not been the subject of any disciplinary event.
- (c) This Financial Advisory Agreement includes a fee, a portion of which, is payable upon the closing of the Securities. The Municipal Securities Rulemaking Board has identified fees contingent on the closing of a transaction as a potential conflict of interest since it could encourage proceeding with a transaction that may not be feasible; however, WM Financial Strategies has a fiduciary duty to serve in your best interest which should mitigate the potential conflict of interest.

EXHIBIT B

PROPOSAL FOR BOND COUNSEL SERVICES

[see attached]



314-436-1000 MAIN
314-436-1166 FAX
GILMOREBELL.COM

GILMORE & BELL PC
ONE METROPOLITAN SQUARE - 211 N BROADWAY, SUITE 2350
ST. LOUIS, MISSOURI 63102-2741

KANSAS CITY
WICHITA
OMAHA | LINCOLN

May 31, 2016

Mr. Lehman Walker
City Manager
City of University City
6801 Delmar Boulevard
University City, Missouri 63130

Re: Proposal for Bond Counsel Services for the City of University City, Missouri –
Certificates of Participation

Dear Mr. Walker:

We are pleased to submit this proposal to serve as bond counsel in connection with the proposed issuance by the City of University City, Missouri (the “City”) of certificates of participation (the “Certificates”). The purpose of this letter is to set forth our responsibilities and fees with respect to the issuance of the Certificates.

Scope of Services

As bond counsel, we are engaged as recognized independent legal counsel whose primary responsibility is to render an objective legal opinion with respect to the authorization and issuance of municipal obligations and the income tax treatment of the interest thereon.

As bond counsel, we will perform the following services:

1. assist and advise the City and WM Financial Strategies (the “Financial Advisor”) on legal matters relating to planning the financing and structuring the financing;
2. examine applicable law as it relates to the authorization and issuance of the Certificates and our opinion, and advise the City regarding the legal authority for the issuance of the Certificates and other legal matters related to the financing;
3. prepare the trust indenture, ground lease, lease/purchase agreement and all other security documents authorizing and securing the Certificates and other authorizing proceedings and legal documents relating to the authorization and issuance of the Certificates;
4. assist in preparing certain portions (described below) of the Official Statement or any other disclosure document to be disseminated in connection with the sale of the Certificates;

June 13, 2016

M-1 & 2-11

5. attend meetings and conferences related to the financing and otherwise consult with the parties to the transaction prior to the issuance of the Certificates;
6. assist the City or others in obtaining from governmental authorities such approvals, rulings, permissions and exemptions as we determine are necessary or appropriate with respect to the financing;
7. review certified proceedings and documents relating to the authorization and issuance of the Certificates;
8. render our legal opinion regarding the validity of the Certificates, the federal and Missouri income tax treatment of interest on the Certificates, and such related matters as may be necessary or appropriate;
9. coordinate the closing of the transaction, and after the closing assemble and distribute transcripts of the proceedings and documentation relating to the authorization and issuance of the Certificates; and
10. undertake such additional duties as we deem necessary to complete the financing and to render our opinion.

Our opinion will be executed and delivered by us in written form on the date the Certificates are exchanged for their purchase price and will be based on facts and law existing as of such date. Upon delivery of the opinion, our responsibilities as bond counsel will be concluded with respect to this financing. Specifically, but without implied limitation, we do not undertake (unless separately engaged) to provide continuing advice to the City or any other party concerning any actions necessary to assure that interest paid on the Certificates will continue to be excluded from gross income for federal income tax purposes or to assure compliance with the continuing disclosure requirements of applicable federal securities laws. Nonetheless, subsequent events may affect the tax-exempt status of interest on the Certificates and compliance with federal securities laws. Consequently, continued monitoring and other action to assure compliance with these requirements may be necessary. Should the City want our firm to assist with such compliance (*e.g.*, arbitrage rebate calculations and ongoing securities law disclosure), our participation in such post-closing matters must be specifically requested, and a separate engagement involving additional compensation will be required.

In rendering our opinion, we will rely upon the certified proceedings and other certifications of public officials and other persons furnished to us without undertaking to verify the same by independent investigation. We do not review the financial condition of the City or the adequacy of the security provided to the purchasers of the Certificates, and we will express no opinion relating thereto.

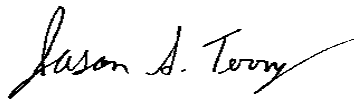
As bond counsel, we will not assume or undertake responsibility for the preparation of an Official Statement or any other disclosure document with respect to the Certificates (except as described herein), nor are we responsible for performing an independent investigation to determine the accuracy, completeness or sufficiency of any such document. However, if a disclosure document will be adopted or approved by the City, our responsibility will include the preparation or review of any description therein of: (i) the terms of the Certificates, (ii) legal matters, (iii) Missouri and federal law pertinent to the validity of the Certificates and the income tax treatment of interest paid thereon and (iv) our bond counsel opinion.

Fees and Expenses

Based upon: (i) our current understanding of the terms, structure and schedule of the financing, including a principal amount of Certificates of approximately \$7,855,000, (ii) the duties we will undertake pursuant to this letter, (iii) the time we anticipate devoting to the financing and (iv) the responsibilities we assume, our fee as bond counsel for the Certificates (inclusive of out-of-pocket expenses) will be \$30,000.

If the foregoing terms of this proposal are acceptable, please have an authorized representative of the City sign below and return a signed copy to me. We appreciate the opportunity to work with the City of University City again.

Very truly yours,



Jason S. Terry

JST:rab

ACCEPTED and APPROVED:

Date: June __, 2016.

CITY OF UNIVERSITY CITY, MISSOURI

By: _____
Title: _____

RESOLUTION 2016 - 11

A RESOLUTION OF THE CITY OF UNIVERSITY CITY, MISSOURI ENGAGING A FINANCIAL ADVISOR AND BOND COUNSEL IN CONNECTION WITH THE ISSUANCE OF OBLIGATIONS TO FINANCE A PROJECT FOR THE CITY AND DECLARING ITS OFFICIAL INTENT TO REIMBURSE ITSELF FOR CERTAIN CAPITAL EXPENDITURES RELATED TO THE PROJECT

WHEREAS, the City of University City, Missouri (the “City”) has determined to submit a general obligation bond issue (the “Bonds”) to the voters residing within the City at the November 8, 2016 election for the purpose of financing the acquisition, construction, renovation, furnishing and equipping of a building for the City’s police department, including acquisition of real estate and easements related thereto, if necessary, and the rehabilitation, remodeling and improvement of the building currently housing the police department (collectively, the “Project”); and

WHEREAS, the City has determined to finance the Project with certificates of participation (the “Certificates” and, together with the Bonds, the “Obligations”) if the bond election is unsuccessful; and

WHEREAS, the City desires to retain the services of WM Financial Strategies to advise and assist the City in structuring the Obligations, to solicit bids from underwriters or other purchasers for the Obligations, and to prepare the Preliminary and Final Official Statements for the Bonds; and

WHEREAS, the City desires to engage Gilmore & Bell, P.C. to proceed with the preparation of all legal proceedings and documents necessary for the issuance and sale of the Obligations.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF UNIVERSITY CITY, MISSOURI, AS FOLLOWS:

Section 1. The City has incurred and expects to make capital expenditures on and after the date of this Resolution relating to the Project, and the City intends to reimburse itself for such expenditures with the proceeds of the Obligations.

Section 2. The maximum principal amount of the Bonds expected to be issued for the Project is \$_____. If the Bond election fails, the maximum principal amount of the Certificates expected to be issued for the Project is \$7,855,000.

Section 3. The City hereby engages WM Financial Strategies as financial advisor for the Obligations (the “Financial Advisor”) in accordance with the terms of the Financial Advisory Agreement attached hereto as **Exhibit A**, which the Mayor or City Manager is authorized to sign on behalf of the City. The Financial Advisor is hereby authorized to prepare and distribute a Preliminary Official Statement and to prepare the necessary documents to solicit bids from underwriters or other purchasers of the Obligations.

Section 4. The City hereby appoints the law firm of Gilmore & Bell, P.C. to serve as the City’s bond counsel with respect to the issuance of the Obligations (“Bond Counsel”) in accordance with the terms of the Proposal for Bond Counsel Services attached hereto as **Exhibit B**, which the Mayor or City Manager is authorized to sign on behalf of the City. Bond Counsel is hereby authorized and directed

to proceed with the preparation of all legal proceedings and documents necessary for the issuance and sale of the Obligations.

Section 5. This Resolution shall be in full force and effect immediately upon its adoption.

PASSED by the City Council of the City of University City, Missouri, this ____ day of June, 2016.

MAYOR

(SEAL)

ATTEST:

CITY CLERK

EXHIBIT A
FINANCIAL ADVISORY AGREEMENT

This Financial Advisory Agreement (the "Agreement"), dated as of June 7, 2016, is between Joy A. Howard /dba/ WM Financial Strategies and the City of University City, Missouri (the "City").

The City agrees to hire WM Financial Strategies and WM Financial Strategies agrees to act as financial advisor to the City to provide services relating to the issuance of certificates of participation or general obligation bonds (the "Securities") on the terms set forth below:

1. **SCOPE OF SERVICES.** The City hires WM Financial Strategies to provide services set forth in the Exhibit to this Agreement with regard to the issuance of Securities in connection with construction of a new Police Facility (the "Project").
2. **AGREEMENT TO PROVIDE INFORMATION.** The City agrees to provide WM Financial Strategies with information required to provide the services set forth herein, including financial statements, budgets, and other relevant documents.
3. **ADVISORY FEES.** WM Financial Strategies shall receive a fee equal to \$5,000 within 30 days following execution of this agreement and an additional fee upon the closing of the Securities as follows: \$13,000 upon the closing of the sale of any issuance of General Obligation Bonds and \$15,000 upon the closing of the sale of any issuance of Certificates of Participation.
4. **OUT-OF-POCKET EXPENSES.** Out-of-pocket expenses for courier, reproductions, and postage are included in the fee above.
5. **BILLING STATEMENTS.** The City will receive an invoice upon the closing of the sale of the Securities which shall be paid in full within 30 days after the date of such invoice.
6. **PROPERTY OWNERSHIP.** All reports, studies and data obtained or compiled as part of this Agreement shall be the property of the City. All such reports, studies and data shall be delivered promptly to the City as completed. The City may additionally request receipt of partially completed reports, studies and data in order to assess the status of completion of services.
7. **PAST DUE BALANCES.** Any balance that is thirty days past due shall be subject to a finance charge computed at the rate of .5% per month, which is an annual percentage rate of 6%.
8. **TERMINATION.** Unless extended, this Agreement shall terminate upon the earlier of completion of financing for the Project or January 1, 2018.
9. **MODIFICATION BY SUBSEQUENT AGREEMENT.** This Agreement may be modified by subsequent agreement of the parties only by an instrument in writing signed by both parties.

The City of University City, Missouri

WM Financial Strategies

BY: _____

BY: _____

TITLE: _____

TITLE: _____

TITLE: _____

EXHIBIT SERVICES

- **Securities Structuring**

WM Financial Strategies will develop a financing plan or plans which will include recommendations with respect to the timing of the Securities sale, the size of the issue, maturity schedule, redemption features, reserve funding, provisions for additional borrowing, investment provisions, and other covenants required to market the Securities.

- **Document Preparation**

WM Financial Strategies will assist the City and Bond Counsel (or Special Tax Counsel) in the development of the Securities ordinance and in the case of Certificates of Participation, the lease agreement, indenture, and other documents.

- **Official Statement Preparation**

WM Financial Strategies will prepare the Preliminary and Final Official Statement (collectively the "Official Statement") to be used in conjunction with the sale of securities. In order to assist the City in fulfilling its disclosure obligations, WM Financial Strategies will prepare the official statement in a form consistent with the Government Finance Officers Association's Disclosure Guidelines. In preparing the Official Statement WM Financial Strategies will collect, research, develop and compile data for use therein and shall attempt to remove as much of this responsibility as possible from the City's staff; however, the City will be responsible for the accuracy of the Official Statement.

- **Trustee/Paying Agent Selection**

WM Financial Strategies shall assist the City in selecting a Trustee/Paying Agent through a competitive proposal process.

- **Securities Marketing**

WM Financial Strategies shall develop a marketing plan for the Securities. For a competitive bond sale the arrangements with include preparing the notice of sale and bid form and conducting a competitive bid bond sale. For a negotiated sale, WM Financial Strategies shall prepare a request for proposals, appraise the proposals received, recommend the firm to be selected and negotiate the terms of the sale in the City's best interest.

- **Credit Review and Rating**

WM Financial Strategies shall use its best efforts in obtaining the highest possible rating for the Securities. The process to be utilized for this purpose will include making a credit review of the City, advising the City of its findings, rehearsing possible rating questions, making an analysis of areas which

can be expected to be raised by the rating agency, preparing supplemental reports and schedules for the rating agency, and preparing for a possible visit to the rating agency, if desirable.

- Market Analysis

In order to appropriately advise the City on the establishment of a desirable sale date and to keep the City abreast of the cost of the financing plan under development, WM Financial Strategies shall monitor the following:

- The general condition and trends in the economy.
- The condition of capital markets including the imposition of any unusual restraints on monetary supply by the Federal Reserve System.
- The status of recently sold competitive bond issues.
- The supply of issues coming to market.

- Mathematical Computations

To analyze different debt patterns, WM Financial Strategies will prepare maturity schedules and other schedules showing mathematical results. These schedules will be prepared using the computer systems and proprietary software maintained by WM Financial Strategies. The schedules will be updated from time to time to reflect changes in market conditions.

- Attendance at Meetings

WM Financial Strategies shall attend meetings to explain the progress of the transaction and the various documents to be adopted by the City.

- Technical Services

WM Financial Strategies provides many technical services required to effectuate the Securities closing. These services include, among others, arranging Securities printing, transfer of funds at the time of the Securities closing, and obtaining CUSIP identification numbers.

- Investments

At the request of the City, and without compensation, WM Financial Strategies shall assist the City with the investment of bond proceeds during the construction period.

- Other Services

WM Financial Strategies shall provide other financial advisory services as mutually agreed to by the City and WM Financial Strategies in writing.

REQUIRED DISCLOSURES

Effective June 23, 2016, the Municipal Securities Rulemaking Board requires disclosures relating to (a) conflicts of interest, (b) disciplinary events filed with the Securities and Exchange Commission, and (c) fee arrangements. These disclosures are set forth below:

- (a) WM Financial Strategies has no known conflicts of interest relating to these transactions.
- (b) Joy A. Howard has not been the subject of any disciplinary event.
- (c) This Financial Advisory Agreement includes a fee, a portion of which, is payable upon the closing of the Securities. The Municipal Securities Rulemaking Board has identified fees contingent on the closing of a transaction as a potential conflict of interest since it could encourage proceeding with a transaction that may not be feasible; however, WM Financial Strategies has a fiduciary duty to serve in your best interest which should mitigate the potential conflict of interest.

EXHIBIT B

PROPOSAL FOR BOND COUNSEL SERVICES

[see attached]

May 31, 2016

Mr. Lehman Walker
City Manager
City of University City
6801 Delmar Boulevard
University City, Missouri 63130

Re: Proposal for Bond Counsel Services for the City of University City, Missouri – Police Department Project

Dear Mr. Walker:

We are pleased to submit this proposal to serve as bond counsel in connection with the proposed issuance by the City of University City, Missouri (the “City”) of (1) general obligation bonds (the “Bonds”) upon a successful election of a general obligation bond issue to be submitted to the voters residing within the City at the November 8, 2016 election, or (2) certificates of participation (the “Certificates” and, together with the Bonds, the “Obligations”) if the bond election is unsuccessful. The purpose of this letter is to set forth our responsibilities and fees with respect to the issuance of the Obligations.

Scope of Services

As bond counsel, we are engaged as recognized independent legal counsel whose primary responsibility is to render an objective legal opinion with respect to the authorization and issuance of municipal obligations and the income tax treatment of the interest thereon.

As bond counsel, we will perform the following services:

1. prepare the necessary election documents for the Bonds for filing by the City with the St. Louis County Board of Election Commissioners;
2. assist and advise the City and WM Financial Strategies (the “Financial Advisor”) on legal matters relating to planning the financing and structuring the financing;
3. examine applicable law as it relates to the authorization and issuance of the Obligations and our opinion, and advise the City regarding the legal authority for the issuance of the Obligations and other legal matters related to the financing;

4. prepare the Ordinances and all other security documents authorizing and securing the Obligations and other authorizing proceedings and legal documents relating to the authorization and issuance of the Obligations;
5. assist in preparing certain portions (described below) of the Official Statement or any other disclosure document to be disseminated in connection with the sale of the Obligations;
6. attend meetings and conferences related to the financing and otherwise consult with the parties to the transaction prior to the issuance of the Obligations;
7. assist the City or others in obtaining from governmental authorities such approvals, rulings, permissions and exemptions as we determine are necessary or appropriate with respect to the financing;
8. review certified proceedings and documents relating to the authorization and issuance of the Obligations;
9. render our legal opinion regarding the validity of the Obligations, the federal and Missouri income tax treatment of interest on the Obligations, and such related matters as may be necessary or appropriate;
10. coordinate the closing of the transaction, and after the closing assemble and distribute transcripts of the proceedings and documentation relating to the authorization and issuance of the Obligations; and
11. undertake such additional duties as we deem necessary to complete the financing and to render our opinion.

Our opinion will be executed and delivered by us in written form on the date the Obligations are exchanged for their purchase price and will be based on facts and law existing as of such date. Upon delivery of the opinion, our responsibilities as bond counsel will be concluded with respect to this financing. Specifically, but without implied limitation, we do not undertake (unless separately engaged) to provide continuing advice to the City or any other party concerning any actions necessary to assure that interest paid on the Obligations will continue to be excluded from gross income for federal income tax purposes or to assure compliance with the continuing disclosure requirements of applicable federal securities laws. Nonetheless, subsequent events may affect the tax-exempt status of interest on the Obligations and compliance with federal securities laws. Consequently, continued monitoring and other action to assure compliance with these requirements may be necessary. Should the City want our firm to assist with such compliance (*e.g.*, arbitrage rebate calculations and ongoing securities law disclosure), our participation in such post-closing matters must be specifically requested, and a separate engagement involving additional compensation will be required.

In rendering our opinion, we will rely upon the certified proceedings and other certifications of public officials and other persons furnished to us without undertaking to verify the same by independent investigation. We do not review the financial condition of the City or the adequacy of the security provided to the purchasers of the Obligations, and we will express no opinion relating thereto.

As bond counsel, we will not assume or undertake responsibility for the preparation of an Official Statement or any other disclosure document with respect to the Obligations (except as described herein), nor are we responsible for performing an independent investigation to determine the accuracy, completeness or sufficiency of any such document. However, if a disclosure document will be adopted or approved by the City, our responsibility will include the preparation or review of any description therein of: (i) the terms of the Obligations, (ii) legal matters, (iii) Missouri and federal law pertinent to the validity of the Obligations and the income tax treatment of interest paid thereon and (iv) our bond counsel opinion.

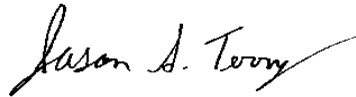
Fees and Expenses

General Obligation Bonds. Based upon: (i) our current understanding of the terms, structure and schedule of the financing, including a principal amount of Bonds between \$12,000,000 and \$15,000,000, (ii) the duties we will undertake pursuant to this letter, (iii) the time we anticipate devoting to the financing and (iv) the responsibilities we assume, our fee as bond counsel for the Bonds (inclusive of out-of-pocket expenses) will be \$22,500.

Certificates of Participation. Based upon: (i) our current understanding of the terms, structure and schedule of the financing, including a principal amount of Certificates of approximately \$7,855,000, (ii) the duties we will undertake pursuant to this letter, (iii) the time we anticipate devoting to the financing and (iv) the responsibilities we assume, our fee as bond counsel for the Certificates (inclusive of out-of-pocket expenses) will be \$30,000.

If the foregoing terms of this proposal are acceptable, please have an authorized representative of the City sign below and return a signed copy to me. We appreciate the opportunity to work with the City of University City again.

Very truly yours,



Jason S. Terry

JST:rab

ACCEPTED and APPROVED:

Date: June ____, 2016.

CITY OF UNIVERSITY CITY, MISSOURI

By: _____

Title: _____



Council Agenda Item Cover

MEETING DATE: June 13, 2016

AGENDA ITEM TITLE: Fiscal Year 2016 - 2017 Budget

AGENDA SECTION: New Business

CAN THIS ITEM BE RESCHEDULED? : Yes

BACKGROUND REVIEW: This resolution approves the FY 17 Budget.

The General Fund operating budget that was submitted by all departments provides a surplus of \$326,000. City Council authorized the City Manager to sign a two year contract with Model Space to lease temporary offices for the Police Department in the amount of \$1,180,000 annually. In addition, the City is required to sign a three year contract to lease a lot from VRE Fiber Optics Ventures, LLC in the amount of \$80,000 annually. As a result of these one-time expenditures, the FY 17 budget will have a deficit in the amount of \$934,000

Total Revenues – General Fund	\$23,320,000
Total Expenditures – General Fund	<u>22,994,000</u>
Budget surplus	\$326,000
Police Facility (one time spending)	<u>(\$1,260,000)</u>
Budget deficit	<u>(\$934,000)</u>

General Fund – Proposed Budget

	Projected FY 2016	Final Proposed FY 2017
Beginning Unassigned Fund Balance	\$ 15,800,000	\$ 6,351,000
Projected Revenue	23,561,000	23,320,000
Projected Expenditures	(23,510,000)	(24,254,000)
Ending Fund Balance	15,851,000	5,417,000
Committed Fund Balance:		
1 July 2015, Police Facilities construction cost	(7,000,000)	-
2 October 2015, Remediation existing Police Dept.	(500,000)	-
3 March 2016, Additional cost for remediation	(2,000,000)	-
Unassigned Fund Balance	\$ 6,351,000	\$ 5,417,000
Fund Balance as a percentage of Annual Expenditures	27%	22%

At the end of FY 2016, the General Fund's expenditures are projected to exceed total revenues by \$2.6 million. This deficit is a result of drawing down the fund reserve to remediate the annex facility.

Below are details of the Capital Improvement Program. The total program cost of \$3.7 million is funded by the Capital Improvement sales tax, Park & Storm Water Sales Tax, Grants, and the Solid Waste Funds in the amounts of \$1,197,400, \$675,500, \$1,711,600 and \$80,000, respectively.

Capital Improvement Program for FY 2017

	PROGRAM	CAPITAL IMPROVEM ENT SALES TAX	PARK SALES TAX	GRANT FUND	SOLID WASTE FUND	TOTAL
	Park Improvement					
1	Fogerty Park	\$ -	\$ 145,500	\$ 525,000	\$ -	\$ 670,500
2	Heman Park Drainage Improvement	-	180,000	-	-	180,000
3	Kaufman Park Tennis Court	-	300,000	-	-	300,000
4	Millar Park Swing Set Installation	-	50,000	-	-	50,000
	Curbs, Sidewalk & Alleys					
5	Sidewalk and Curb Maintenance	400,000	-	75,000	-	475,000
	Street Construction					
6	Forsyth Improvement	4,000	-	16,000	-	20,000
7	Street Resurfacing	300,000	-	-	-	300,000
	Miscellaneous Improvement					
8	Bicycle Facilities (Phase II & Phase III)	33,000	-	-	-	33,000
9	Heman Pool Trash Enclosure	-	-	-	30,000	30,000
10	Morgan-Wilshire Alignment and Drainage	30,000	-	-	-	30,000
11	Transfer Station	-	-	-	50,000	50,000
	Bridge Construction					
12	Kingsland Avenue Bridge	430,400	-	1,095,600	-	1,526,000
		\$ 1,197,400	\$ 675,500	\$1,711,600	\$ 80,000	\$ 3,664,500

Additionally, summaries of revenues and expenditures for all funds are illustrated on the next page.

RECOMMENDATION: Approval

ATTACHMENT:

- Revised budget items from the Proposed Budget submitted in February 2016
- The detail of Economic Development Retail Sales Tax budget recommended by the boards is also attached.

All Funds Summary of Revenues and Expenditures

Revenues	FY 2017 Budget
General	\$ 23,320,000
Capital Improvement Sales Tax	2,300,000
Park and Stormwater	1,250,000
Grants	1,745,100
Library	1,874,600
Solid Waste	3,488,000
Public Parking Garage	200,000
Loop Business District	250,600
Parkview Gardens Special District	85,000
Economic Development Sales Tax	651,000
Sewer Lateral	585,000
Total	\$ 35,749,300

Expenditures	FY 2017 Budget
General	\$ 24,254,000
Capital Improvement Sales Tax	1,983,000
Park and Stormwater	1,249,300
Grants	1,745,100
Library	1,888,100
Solid Waste	3,488,000
Public Parking Garage	167,300
Loop Business District	250,600
Parkview Gardens Special District	85,000
Economic Development Sales Tax	650,000
Sewer Lateral	585,000
Total	\$ 36,345,400

Changes to Proposed Budget

Proposed Budget :

Total Budget - All Funds	Revenues	\$36,698,300
	Expenditures	<u>(\$36,698,300)</u>
	Balance	-0-
General Fund Budget	Revenues	\$23,420,000
	Expenditures	<u>(\$23,420,000)</u>
	Balance	-0-

Revised Proposed Budget :

Total Budget - All Funds	Revenues	\$35,749,300
	Expenditures	<u>(\$36,345,400)</u>
	Deficit	(\$596,100)
General Fund Budget	Revenues	\$23,320,000
	Expenditures	<u>\$22,994,000</u>
	Balance	\$326,000
Police Facility (One time spending)		<u>(\$1,260,000)</u>
	Deficit	<u>(\$934,000)</u>

REVENUE:

Sales Tax

The Missouri Senate has approved a change to the St. Louis County system for distributing a one cent sales tax. The bill would allow pool cities to keep at least 50% of sales generated in their cities. This change would likely result in sales tax revenue decrease for University City by nearly \$100,000.

Golf Course Fees

- Proposed budget includes an estimate for Golf Course fee increases. The Park Commission recommended fee increases in April 2016, and was approved by the City Council. This fee increase would generate revenue increase of approximately \$30,000.

Solid Waste Fees

- The proposed budget includes rate increase of 12% from the current rate. This increase generates additional revenue of \$348,000 for Solid Waste Management Fund.

EXPENDITURES:

Non-Uniformed Pension Plan

Increase the City's contribution to Non-Uniformed Pension Plan to \$1,026,700 or approximately 13% of total compensation.

Reduction in Force

The City is not replacing vacant positions in several departments across the City. This action resulted in a cost savings of approximately \$560,000 in General Fund and \$90,000 in the Solid Waste Enterprise Fund.

Fire Equipment

Fire Department has been using the Ladder Truck that was purchased in 2004. It has been repaired constantly. The department spent over \$200 thousands in repair cost. Staff recommended leasing a new one that would cost approximately \$80,000 annually.

Police Facility

- Temporary Building rental is estimated to be \$1,180,000 annually
- The lease for 601 Trinity is projected to be \$80,000 annually



MEETING OF THE CITY COUNCIL
CITY HALL, Fifth Floor
6801 Delmar Blvd.
University City, Missouri 63130
May 23, 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 26, 2016 Regular session minutes
2. May 9, 2016 Study session minutes
3. May 9, 2016 Regular session minutes

F. APPOINTMENTS to BOARDS & COMMISSIONS

1. Clarence Olsen is nominated for appointment to the Park Commission by Mayor Welsch, replacing Kimberly Jones.

G. SWEARING IN to BOARDS & COMMISSIONS

1. Richard Massey is to be sworn in to the Arts & Letters Commission

H. CITIZEN PARTICIPATION (Total of 15 minutes allowed)

I. PUBLIC HEARINGS

1. Proposed FY 17 City Budget

J. CONSENT AGENDA

K. CITY MANAGER'S REPORT

1. Approval to purchase a 2016 Chevrolet Suburban for \$42,060, from Don Brown Chevrolet.
VOTE REQUIRED
2. Approval to purchase two (2) $\frac{3}{4}$ -ton trucks and two (2) 1-ton dump trucks for a total of \$145,520 from Don Brown Chevrolet.
VOTE REQUIRED
3. Approval to award contract to lowest bidder, Ford Asphalt Company for the City's Asphalt Overlays Project 1258, in the amount of \$321,000.00.
VOTE REQUIRED
4. Approval to grant the City Manager authority sign and enter into supplemental agreement with the Engineering Services' contract for \$45,000.00. The City's 20% portion is \$9,000.00.
VOTE REQUIRED

5. Approval to purchase two (2) refuse transfer trailers for \$115,912.00 from Downing Sales and Service.

VOTE REQUIRED

L. UNFINISHED BUSINESS

M. NEW BUSINESS

RESOLUTIONS

1. **RESOLUTION 2016 – 9** A resolution authorizing the City to conduct a greenhouse gas inventory and develop a climate action plan.

BILLS

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
 - Nominate Councilmember Michael Glickert as Mayor Pro-Tem requested by Councilmember Jennings and Kraft.

P. COUNCIL COMMENTS

Q. ADJOURNMENT

BUDGET HEARING POSTING

Economic Development Retail Sales Tax FY17 Recommended Budget - 11-45-78

<u>Project or Program</u>	<u>Project Sponsor</u>	<u>Budget</u>	
Advertising, PR	U City Chamber	\$ 30,000	6010 Professional Services
Loop Marketing	Loop Special Business District	\$ 5,000	6010 Professional Services
Marketing	Community Devel	<u>\$ 10,123</u>	6010 Professional Services
			\$ 45,123
Midtown Farmer's Market - events and marketing	Midtown Farmer's Market	\$ 21,000	6040 Events & Receptions
Training Programs	U City Chamber	\$ 10,000	6040 Events & Receptions
Lunar New Year Celebration	U City Chamber	\$ 15,000	6040 Events & Receptions
Taste of U City	U City Chamber	\$ 7,000	6040 Events & Receptions
Loop Events	Loop Special Business District	<u>\$ 60,000</u>	6040 Events & Receptions
			\$ 113,000
Loop Planters - existing maintenance	U City in Bloom	\$ 8,008	6050 Maintenance Contract
Olive Gardens - City - owned properties	U City in Bloom	\$ 14,218	6050 Maintenance Contract
Olive Tree Care	U City in Bloom	\$ 8,109	6050 Maintenance Contract
Olive Planters - Midland to Grant	U City in Bloom	\$ 20,140	6050 Maintenance Contract
Olive Planters - existing maintenance	U City in Bloom	\$ 9,997	6050 Maintenance Contract
Olive Ground Cover	U City in Bloom	<u>\$ 7,808</u>	6050 Maintenance Contract
			\$ 68,280
Ad in Official Visitor's Guide	Loop Special Business District	<u>\$ 10,500</u>	\$ 10,500 6130 Advertising
Loop Brochures	Loop Special Business District	<u>\$ 14,000</u>	\$ 14,000 6150 Printing
Façade Improvement Program - Olive Boulevard	Community Development	\$ 60,000	8100 Misc. Improvement
Create Space - EntrepreneurSHIP	Create Space	\$ 100,000	8100 Misc. Improvement
Delmar Blvd. Pedestrian Lights	Public Works and Parks	\$ 59,097	8100 Misc. Improvement
Olive Boulevard Streetscape	Community Development	<u>\$ 80,000</u>	8100 Misc. Improvement
			\$ 299,097
Administration		<u>\$ 100,000</u>	\$ 100,000 Personnel Services
TOTAL		<u>\$ 650,000</u>	

FY17 EDRSTB RECOMMENDED BUDGET: PROJECT DETAILS

CITYWIDE PROJECTS - \$157,123

Public Relations, Marketing, and Advertising: \$30,000

The Chamber of Commerce has created a robust citywide PR and Marketing, and Advertising Campaign. EDRST funding will enable the Chamber to build an annual marketing plan with quarterly activities goals and milestones outlined and to finance a citywide advertising campaign.

Training Program: \$10,000

The Chamber will expand upon the existing Small Business Workshop series by offering additional training classes, seminars, and workshops for University City businesses, residents, and others. Training will be curriculum based offering classes in: banking, accounting, legal, marketing, insurance and basic business planning.

Taste of U City: \$7,000

The Chamber would use EDRST funds to advertise and promote the event regionally. Additionally, the Chamber will promote the event City-wide via street banners and through various partnerships most notably with the School District.

City-Wide Marketing: \$10,123

City-wide marketing efforts by the Department of Community Development include business attraction efforts, partnerships for joint advertising to promote citywide programs, Lion Pages printing, etc.

Create Space: \$100,000

Create Space will use the funds to continue development of the SPACE EntrepreneurSHIP program for artists and makers. Currently the program has 24 participants who take businesses development classes and sell products in the retail space in the Delmar Loop. The City will work to retain and expand the Create Space artists in the incubator program. Funds will also be used to finish the Olive Blvd Make and Kitchen Spaces – a co-working concept for makers, bakers, and food truck operators. The program will offers classes and rental spaces to U City residences at a subsidized rate.

DELMAR BOULEVARD PROJECTS - \$177,605

Marketing: \$5,000

EDRST funds will be used for marketing needs by The Loop Special Business District.

Loop Brochures and Directory: \$14,000

The Loop brochure and directory is an important promotional and marketing product. Funds will be used for the printing and distribution of Loop brochures and updating the directories in the Loop. The brochure will also be included in the City's economic development marketing materials.

Loop Events: \$60,000

EDRST funds will be used for four events in the Delmar Loop over the course of the year. The EDRST Board did not specific which events the LSBDD can use the funds. This amount does include funds for the Ice Loop Carnival.

Official St. Louis Visitors Guide: \$10,500

Funds will be used for advertising space in the Official St. Louis Visitors Guide.

Farmers Market Events and Marketing: \$21,000

The Midtown Farmers Market will use the funds to provide additional music events and chef demonstrations at the Saturday Farmers market located in the Delmar Loop.

Delmar Pedestrian Lighting: \$59,097

Funds will allow U City Department of Public Works and Parks to upgrade existing pedestrian lights in The Loop to LED bulbs which provide increased light coverage, safety, energy efficiency, and savings.

Delmar Planters: \$8,008

U City in Bloom will use EDRST funds to provide care and maintenance of 90 existing planters on Delmar.

OLIVE BOULEVARD PROJECTS – \$215,272

Olive Beautification: \$60,272

UCIB will install and maintain hanging baskets on the decorative lampposts between Midland and Grant (\$20,140); Olive Tree Care (\$8,109); care and maintain nine Olive Gardens (\$14,218); install new decorative planters on Olive in the Interchange District (\$9,997); and provide ground cover for the trees on Olive (\$7,808).

Lunar New Year Celebration: \$15,000

The Chamber will organize and market a Lunar New Year celebration on Olive Boulevard. In 2016, the event had record-breaking attendance from the public and wide support.

Olive Streetscape Project: \$80,000

EDRST funds will allow the U City Department of Community Development to install and update 13 high-use frequency bus stops on Olive Blvd. All shelters will receive trash and recycling containers and a decorative art component. Five of the shelters will be completely new.

Façade Improvement Program: \$60,000

The City provides up to \$15,000 to assist a business seeking to restore, replace, or improve, the exterior facade of a property. The existing Façade Improvement Program is out of funds due to the success of the program and interested property owners.

EDRSTB RECOMMENDED BUDGET: USE OF RESERVES

Olive Boulevard Projects: \$118,000

EDRSTB recommends using \$8,000 in Olive Reserves to allow the Chamber to continue to manage and update TheOliveLink.com website. Following an evaluation of performance metrics, an additional \$50,000 will be given to Create Space to allow expand program offerings and management Make and Kitchen Space. The U City Department of Public Works and Parks will utilize \$60,000 to upgrade 120 pedestrian light bulbs on Olive Blvd. to LED which will provide increased light coverage, safety, energy efficiency, and savings.

Delmar Boulevard Projects: \$3,000

EDRSTB recommends allocating an additional \$3,000 from reserves upgrade pedestrian lighting in the Delmar Loop.

Resolution 2016 - 12

***A Resolution Approving the Fiscal Year 2016-2017 (FY 2017) Budget
for the City of University City 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, 2016, as prepared by the City Manager and presented to the City Council on June 13, 2016, after the required advertisement thereof, including any revisions as of this date, is hereby adopted.

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

Adopted this 13th day of June, 2016

Shelley Welsch, Mayor

Attest:

Joyce Pumm
City Clerk



Council Agenda Item Cover

MEETING DATE: June 13, 2016

AGENDA ITEM TITLE: Stop Sign at Westgate Avenue and Enright Avenue intersection

AGENDA SECTION: New Business

CAN THIS ITEM BE RESCHEDULED? : Yes

BACKGROUND REVIEW:

The Traffic Commission reviewed a request to approve the permanent installation of stop signs and widen pedestrian crosswalks at Westgate and Enright Avenues to improve the safe crossing of pedestrians and cyclists through the enhancement of the intersection design.

Due to the increased use of Enright Ave, as a pedestrian and bicycle way, and stop sign warrants based on current conditions were met per the Manual on Uniform Traffic Control Devices, the proposed improvements are recommended to be implemented.

At the May 2016 Traffic Commission meeting, the Traffic Commissioners reviewed the request and recommended approval by City Council.

The Traffic Code will have to be amended at Schedule VII, Stop Intersections, Table VII-A Stop Intersections to include this location.

RECOMMENDATION:

Staff recommends approval of this request; therefore amend the Traffic Code Chapter 300 – Schedule VII Stop Intersections, Table VII-A Stop Intersections as proposed.

ATTACHMENTS:

- Bill amending Chapter 300 – Schedule VII Stop Intersections.
- Minutes of the May 11, 2016 Traffic Commission Meeting
- Staff Report



Traffic Commission

6801 Delmar Boulevard, University City, Missouri 63130, Phone: (314) 505-8560, Fax: (314) 862-0694

CITY OF UNIVERSITY CITY MINUTES OF THE TRAFFIC COMMISSION May 11, 2016

At the Traffic Commission meeting of University City held in the Heman Park Community Center, on Wednesday, May 11, 2016, Chairwoman Carol Wofsey called the meeting to order at 6:30 p.m. In addition to Chairwoman Wofsey, the following members of the commission were present:

- Bob Warbin
- Jeff Hales
- Mark Barnes
- Eva Creer
- Derek Helderman

Also in attendance:

- Angelica Gutierrez (non-voting commission member – Public Works Liaison)
- Police Department Sergeant Shawn Whitley (non-voting commission member – Police Department Liaison) (arrived at 6:39pm)

Absent:

- Curtis Tunstall (excused)
- Councilmember Stephen Kraft (non-voting commission member – Council Liaison) (excused)

1. Approval of Agenda

Mr. Barnes moved to approve the agenda. Mr. Hales seconded the motion and was unanimously approved.

2. Approval of the Minutes

A. April 13, 2016 minutes – Amended

Mr. Barnes moved to approve the minutes from the October 14, 2015 meeting as amended. Ms. Creer seconded the motion. The minutes were unanimously approved.

3. Agenda Items

A. Stop Sign request at Julian Ave and Ursula Ave Intersection

Ms. Gutierrez reported a request for a stop sign requested following a recent accident. It was the only accident in the last 3 years. Staff recommended the installation of two yield signs at the intersection giving the right of way to traffic on Ursula Ave.

Dr. Warbin indicated that he believed stop signs would be a better solution because they more force with drivers and expressed concern over two vehicles arriving at the intersection at the same time presenting confusion as to which vehicle should yield.



Traffic Commission

6801 Delmar Boulevard, University City, Missouri 63130, Phone: (314) 505-8560, Fax: (314) 862-0694

Ms. Gutierrez informed the commission that yield signs could be installed right away without council enacting an ordinance as is needed for a stop sign and suggested that the yield signs could be installed and the intersection could be monitored for 60 to 90 days.

Mr. Hales asked if a yield sign was acceptable to the petitioner, Mr. Smotherson.

Ms. Gutierrez indicated that she did not know if the yield signs were acceptable to Mr. Smotherson, but that he had received a copy of the recommendation for yield signs.

Ms. Wofsey has asked if a similar situation has come before the commission in the last few years.

Ms. Gutierrez indicated that the commission has rejected stop sign requests in the past.

Mr. Hales made a motion to approve the staff recommendation of the installation of yield signs as proposed by staff and was seconded by Mr. Barnes. The commission voted to approve the motion. Ayes: Mr. Helderman, Ms. Creer, Ms. Wofsey, Mr. Barnes. Nays: Dr. Warbin

B. Stop Sign request and pedestrian crosswalks at Westgate Ave. and Enright Ave. intersection

Ms. Gutierrez reported that staff received a request to improve pedestrian safety at this location. There is currently one stop sign on westbound Enright. The request would install three additional stop signs as well as pedestrian crosswalks and trim trees and foliage to improve safety.

Mr. Hales indicated that the report indicated there had been seven accidents in three years and asked what staff considers to be a large number of accidents in a three year period.

Ms. Gutierrez indicated that more than five accidents in three years is considered to be a large number of accidents.

Ms. Wofsey asked who owned the trees and foliage.

Ms. Gutierrez indicated that the trees and foliage were in the right of way but maintained by the Parkview Gardens Association.

Ms. Wofsey asked if the association was aware of the proposed changes.



Traffic Commission

6801 Delmar Boulevard, University City, Missouri 63130, Phone: (314) 505-8560, Fax: (314) 862-0694

Ms. Gutierrez indicated that the association was not yet aware but would be made aware before implementation.

Dr. Warbin stated there was an existing sign post at the southwest corner of the intersection with no sign on it and asked if there was an existing ordinance for a stop sign that is no longer there.

Ms. Gutierrez stated that she had checked and the existing ordinance only covers the one existing stop sign at the intersection.

Petitioner Cheryl Adelstein spoke to the commission and provided additional context for the request. She discussed the recent loft project and construction of a mixed use bike/pedestrian sidewalk. Additionally, the recent implementation of the alternative bike route for Delmar routes bike traffic down Enright. They want to encourage all pedestrian and bike traffic to safely cross. She also indicated that Washington University planned to do all ADA upgrades at that intersection as part of the project.

Mr. Barnes made a motion to approve the recommendation as proposed and was seconded by Dr. Warbin. The motion was unanimously approved.

C. Forsyth Blvd. and Bland Drive Intersection – No Left Turn from Gas Station Driveway

Ms. Wofsey received an email late that afternoon that the owner of the gas station has just received notice of the request and has requested additional time to respond. She indicated that Ms. Gutierrez advised that the commission would wait until the June meeting to address the request.

Dr. Warbin strongly recommended that the commissioners go the site and observe the intersection.

Mr. Hales moved to postpone consideration of this request until the next meeting and was seconded by Mr. Barnes. The motion was unanimously approved.

Ms. Wofsey also recommended that each commissioner visit the site.

D. Delcrest Dr. Parking Restriction

Ms. Gutierrez indicated that affected property owners were notified of the changes following the April meeting advising them of the proposed parking restrictions. Staff did not receive any feedback from residents. She indicated that she had heard from the petitioner requesting an update on when the signs would go in and was advised that commission had requested the affected residents be notified and given the opportunity for input.



Traffic Commission

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Mr. Hales stated that he recalled that the commission had approved the recommended parking restrictions on a temporary for 90 days.

Mr. Hales asked if the commission needed to approve the recommended permanent restrictions.

Dr. Warbin recalled that the commission recommended that the signs be installed on a temporary basis for 60 to 90 days to allow for feedback and the commission would revisit making the recommendation permanent.

Dr. Warbin moved to make the proposed parking restriction recommendation permanent and was seconded by Mr. Helderman. The motion passed unanimously.

4. Council Liason Report

None

5. Miscellaneous Business

Ms. Wofsey expressed concern about pedestrian crossings on Delmar, not just in the Loop but across from Lewis Park and out west and heard from numerous concerned residents and suggested the commission take a look at the issue.

Mr. Hales shared his concerns about the crosswalks in the western section of Delmar as well as the crosswalk at Gannon and North and South. He asked if there is any way the city could urge the county to install solar crosswalk lights, particularly on the Delmar crosswalks.

Ms. Wofsey believes it is a persistent problem and perhaps the county council representatives should be contacted.

Ms. Gutierrez indicated that staff is well aware of the issues and have contacted the county for signals as well as wider crosswalks without success. The county maintains the crossings meet MUTCD standards. She indicated that the crosswalk at Delmar and Center is particularly concerning because of the hill and the sitelines. She indicated that when she first raised concerns to the county, the county indicated that as many as 30 years ago, the city requested the crosswalks on Delmar for the synagogues. She indicated that she had approached the Rabbi at Agudas Israel about removing the crosswalks out of safety concerns or installing electronic solar signals and was advised that they wanted the crosswalks to remain but that they could not use the electronic signals at certain times because of their religious beliefs, even if the signal had a sensor that would detect their presence at the crosswalk. She indicated that the options are limited and it's a challenging issue.



Traffic Commission

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Dr. Warbin asked if there was any state requirement to stop while pedestrians are in the crosswalk and inquired if a yellow sign could be placed in the center of the road that instruct traffic to stop for pedestrians.

Ms. Gutierrez informed the commission that that was one of the first requests she made to the county and the county did not want to do that because it would have complicated maintenance such as snow plowing.

Sgt. Whitley discussed the challenges of the Delmar Crossings which include poor lighting at night, traffic volume, traffic speed, visibility and the fact that many of those who use the crosswalks wear traditional clothing that is mostly black which makes them difficult to see after dark. He indicated that cars are required to yield to pedestrians in the crosswalk and that it is a problem and informed the commission that he would take the commissions feedback to the police department to see what additional efforts could be taken.

Ms. Wofsey also stated that she had heard complaints that the signal at Old Bonhomme and Delmar is too short for pedestrians to cross.

Ms. Gutierrez indicated that the timing had been adjusted in the last several years at the request of the synagogue.

Mr. Hales stated that he believed signalized crosswalks was extremely important on Delmar because it is a four lane road and while a truck, van or SUV may be slowing down in the outside lane for a pedestrian, traffic in the inside lane may have an obstructed view of the pedestrians in the crosswalk because of the vehicle in the outside lane which can potentially make it impossible to see the pedestrians until you are nearly at the crosswalk.

Sgt. Whitley stated that pedestrians often can see one car yielding to them and enter the crosswalk and other cars fail to yield.

Mr. Barnes stated that he believed the traffic light timing at Vernon and Kingsland had been changed and thanked the staff for the change as the red light used to last for 3 minutes.

Mr. Barnes asked for an update on the Starbucks traffic issue on North and South.

Ms. Gutierrez indicated that there was an email sent to the commission with an update. Starbucks made a number of improvements to their lot and widened the driveway. Additionally, an additional lane was striped for southbound traffic.

6. Adjournment.

The meeting was adjourned at 7:11 pm

Minutes prepared by Jeff Hales, Traffic Commission Secretary

STAFF REPORT

MEETING DATE: May 11, 2016
APPLICANT: Matthew Bernstine, Washington University in St. Louis
Location: Intersection of Westgate and Enright Avenues
Request: Stop Sign installation
Attachments: Traffic Request Form

Existing Conditions:

Westgate Ave and Enright Ave intersection – Stop sign location request



At this intersection, there is a Stop Sign on Enright at Westgate Ave, but there are no Stop Signs on Westgate at Enright Ave. It is a wide intersection with visibility problems for Enright westbound traffic upcoming traffic viewing both Westgate Ave north and south bound approaches.

Per the University City Police Department, there were seven (7) accidents reported for the last 3 years.

According to the Manual on Uniform Traffic Control Device MUTCD, the use of YIELD or STOP signs should be considered at the intersection of two minor streets or local roads where the ability to see conflicting traffic on an approach is not sufficient to allow a road user to stop or yield in compliance with the normal right-of-way rule if such stopping or yielding is necessary; the conditions to consider are: Accident history (more than 5 accidents in the last 3 years), visibility conditions, vehicular and pedestrian conflicts, unusual conditions and unique geometrics.

Request:

Install Stop Signs on both north and south bounds of Westgate Ave at Enright Ave.

Conclusion/Recommendation:

It is recommended that stop signs be installed as requested. The warrants for stop signs are met per the Manual on Uniform Traffic Control Devices based on current conditions. There are more than 5 accidents, pedestrian/bicycles conflicts exist at the intersection, which will benefit from the Stop Signs and pedestrian crosswalks installation, and there is a sight distance problem at the intersection.

Westgate & Enright Intersection Improvements Drawing Narrative

The proposed changes to the intersection as shown on the preliminary plan are described below:

- At the northeast corner of the intersection it is proposed to widen the width of the two existing ramps from 5 foot to 10 foot wide to make more accessible for pedestrians and bikes. Also the existing stop sign on Enright is proposed to be relocated to the east slightly and a stop bar added for this new wider crosswalk.
- At the southeast corner it is proposed to widen the width of the existing ramp from 5 foot to 10 foot wide to make more accessible for pedestrians and bikes. It is also proposed to add a new 10 foot wide ramp to the west for the crossing of Westgate. A stop sign and stop bar are also proposed at this location for this new crosswalk crossing Westgate, as shown.
- At the southwest corner it is proposed to remove and relocate the existing curb inlet to the south on Westgate to allow for a proposed larger, more accessible ramp as shown, like the ramp at the northwest corner of the intersection. There will be some street pavement and curb removal and replacement required at this location to slightly adjust the grades to allow for positive drainage to the new inlet location, as shown.
- At the northwest intersection it is proposed to reconstruct the existing ramp as shown to make it larger and more accessible for pedestrians and bikes. It is also proposed to add a stop sign and stop bar at this location for the proposed crosswalk crossing Westgate at this location.
- The plan also proposes to add 10 foot wide crosswalks connecting all 4 corners of the intersection, as shown, to allow for pedestrian and bike crossings.

DATE: 04/22/16
 DRAWN BY: JRM
 CHECKED BY: JRM
 PROJECT: 2011906

Westgate & Fairlight Intersection Improvements
 Westgate Avenue & Fairlight Avenue
 University City, MO 63108

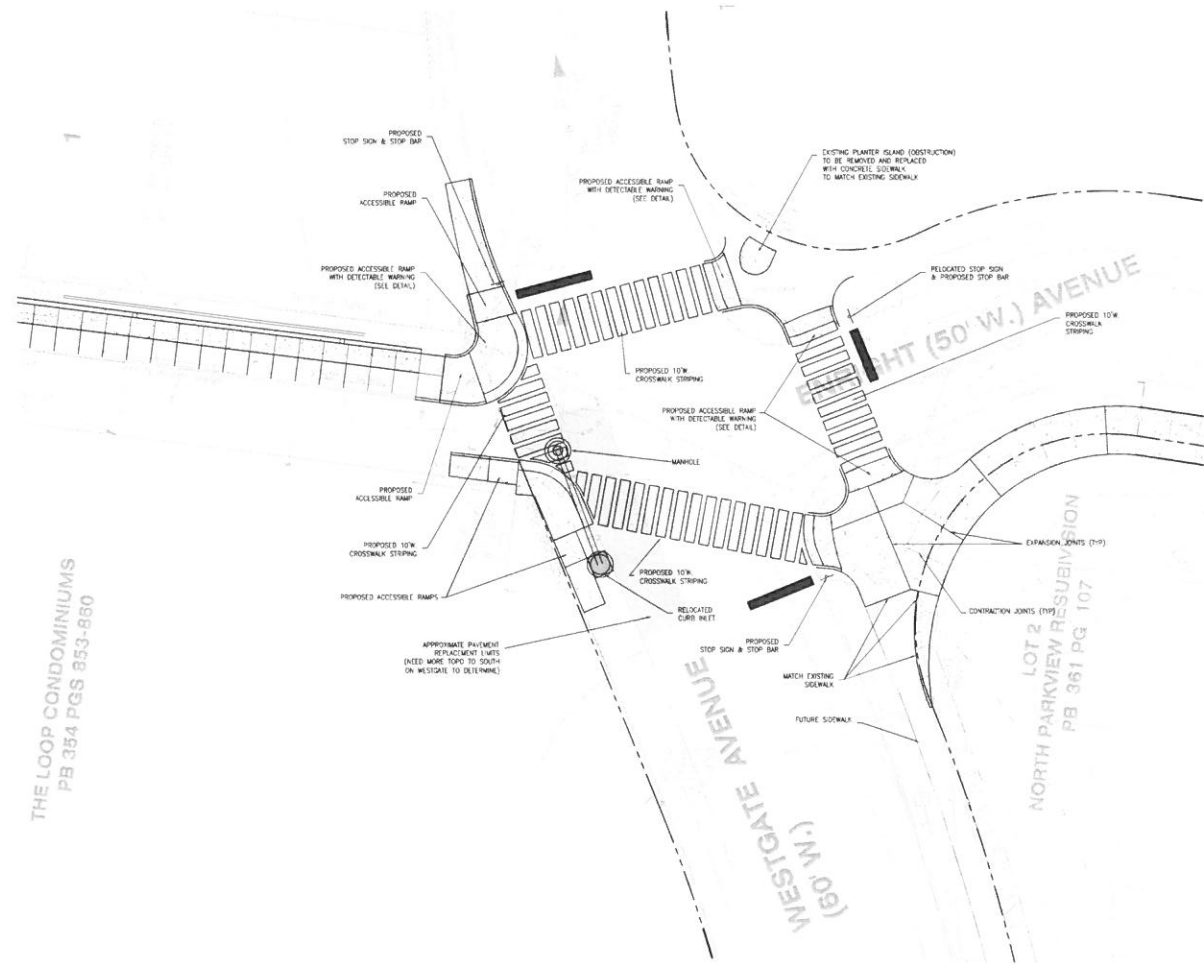
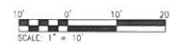
PRELIMINARY

REVISIONS

DATE: 04/22/16
 DRAWN BY: JRM
 PROJECT: 2011906

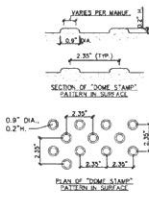
APRIL 22 2016
 SCALE: N.T.S.

C3.0

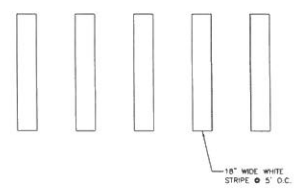


CURB RAMP MUST HAVE A DETECTABLE WARNING FEATURE EXTENDING THE FULL WIDTH AND DEPTH OF THE RAMP. THE DETECTABLE SURFACE MUST CONSIST OF RAISED TRUNCATED DOMES WITH A DIAMETER OF NOMINAL 0.9 INCHES, A HEIGHT OF NOMINAL 0.2 INCHES AND A CENTER-TO-CENTER SPACING OF NOMINAL 2.35 INCHES. THE FEATURE OF THE DETECTABLE WARNING FEATURE MUST CONTRAST WITH THE SURROUNDING SURFACES (EITHER LIGHT-ON-DARK OR DARK-ON-LIGHT).

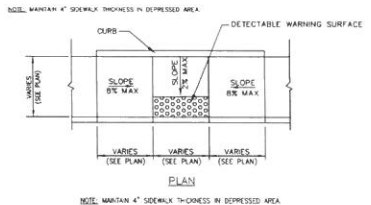
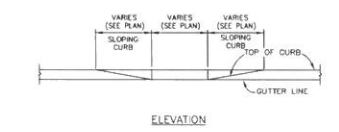
(REFER TO COUNTY STANDARDS FOR DETECTABLE WARNING SURFACE WITHIN ROW)



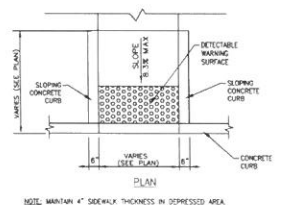
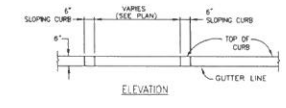
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 SCALE: N.T.S. REF. DWG. C3.0



3 CROSSWALK DETAIL
 SCALE: N.T.S. REF. DWG. C3.0



2 ACCESSIBLE RAMP DETAIL
 SCALE: N.T.S. REF. DWG. C3.0



1 ACCESSIBLE RAMP DETAIL
 SCALE: N.T.S. REF. DWG. C3.0

INTORDUCED BY:

DATE: June 13, 2016

BILL NO. 9286

ORDINANCE NO. _____

AN ORDINANCE AMENDING SCHEDULE VII, TABLE VII-A – STOP INTERSECTIONS, CHAPTER 300 TRAFFIC CODE, OF THE UNIVERSITY CITY MUNICIPAL CODE, TO REVISE TRAFFIC REGULATION AS PROVIDED HEREIN.

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

Section 1. Schedule VII, Table VII-A. Stop Intersections of Chapter 300 of the Traffic Code, of the University City Municipal Code is amended as provided herein. Language to be added to the Code is **emphasized**. This Ordinance contemplates no revisions to the Code other than those so designated; any language or provisions from the Code omitted from this Ordinance is represented by an ellipsis and remains in full force and effect.

Section 2. Chapter 300 of the University City Municipal Code is hereby amended to add a new location where the City has designated as a stop intersection, to be added to the Traffic Code – Schedule VII, Table VII-A, as follows:

Schedule VII: Stop Intersections

Table VII-A. Stop Intersections

Stop Street	Cross Street	Stops
Enright Ave	Westgate Avenue	ALL WAY

* * *

Section 3. This ordinance shall not be construed so as to relieve any person, firm or corporation from any penalty heretofore incurred by the violation of the sections revised by this amendment nor bar the prosecution for any such violation.

Section 4. Any person, firm or corporation violating any of the provisions of this ordinance shall be punished in accordance with the provisions of the University City Municipal Code.

Section 5. This ordinance shall take effect and be in force from and after its passage as provided by law.

PASSED THIS _____ day of _____ 2015

MAYOR

ATTEST:

CITY CLERK

CERTIFIED TO BE CORRECT AS TO FORM:

CITY ATTORNEY



Council Agenda Item Cover

MEETING DATE: June 13, 2016
AGENDA ITEM TITLE: Solid Waste Fee Increase
AGENDA SECTION: New Business

CAN THIS ITEM BE RESCHEDULED? : Yes

BACKGROUND REVIEW: In the FY 2009 Budget the City established a separate Solid Waste Fund establishing the goal that this fund will be self-sustainable. Revenue generated through solid waste management will pay for the cost of the refuse collection and billing services. Recent efforts toward collection of delinquent payments have brought many customers to a current status in their billings, and these efforts will continue. The last rate increase was in 2009 for 6.5%.

For FY 2017, staff has estimated the need for a 12.0% rate increase as provided in the final budget. Attached are refuse fee comparisons to prior years. Below is a schedule of projected revenues and expenditures for the Solid Waste Fund for FY 2017:

Revenue	
Yard Waste	\$ 80,000
Solid Waste Fees	3,248,000
Interest and Penalties	60,000
Salvage	30,000
Transfer Station Fees	40,000
Miscellaneous Waste Services	30,000
Total Revenue	<u>\$ 3,488,000</u>
Expenditures	
Administration	\$ 440,000
Operations	2,456,000
Leaf Collection	462,000
Capital Improvement	130,000
	<u>\$ 3,488,000</u>

Note: The rate increase of 12% will generate additional \$348,000 to Solid Waste revenue.

Proposal for Rate Increase as of 9/1/2016

Rate	9/1/2007	9/1/2008	9/1/2009	9/1/2016	Monthly Change
Single and 2-Family	\$ 14.61	\$ 15.05	\$ 16.03	\$ 17.95	\$ 1.92
Single and 2-Family - Senior	12.33	12.70	13.53	15.15	1.62
Single and 2-Family Alley	15.75	16.22	17.27	19.34	2.07
Single and 2 - Family Alley - Senior	13.58	13.99	14.90	16.69	1.79
3 + w/Alley mechanical	10.34	10.65	11.34	12.70	1.36
3 + w/mechanical box	6.17	6.36	6.77	7.58	0.81

RECOMMENDATION: Staff recommends increasing refuse fees by 12.0% to provide for self-sufficiency of the Solid Waste Management Fund.

INTRODUCED BY: _____

DATE: June 13, 2016

BILL NO.: 9287

ORDINANCE NO.: _____

AN ORDINANCE AMENDING CHAPTER 8.12 OF THE UNIVERSITY CITY MUNICIPAL CODE, RELATING TO SOLID WASTE MANAGEMENT AND DISPOSAL, BY ESTABLISHING AND IMPOSING FEES FOR SOLID WASTE COLLECTION SERVICES, EFFECTIVE SEPTEMBER 1, 2016.

WHEREAS, the cost of the services provided by the City to its residents for the collection and disposal of solid waste and for the administration of the City's solid waste management program exceeds the fees collected for such services; and

WHEREAS, the City Council desires to increase the fees for solid waste management services as provided herein; and

WHEREAS, the fee increases reflected in this ordinance are designed and intended to recoup the City's costs for the provision of these services, and the City Council finds and determines that the increases provided for herein are reasonable and necessary for such recoupment and reflect the actual value of the services so rendered.

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

Section 1. The collection fees established in the attached Exhibit A, incorporated by reference, are hereby ratified, established, and imposed as authorized by Section 8.12.200.A of the University City Municipal Code to cover the cost of providing solid waste management services.

Section 2. This ordinance shall take effect and be in force from and after its passage as provided by law.

PASSED this _____ day of _____, 2016.

MAYOR

ATTEST:

CITY CLERK

CERTIFIED TO BE CORRECT AS TO FORM:

CITY ATTORNEY

Exhibit A

University City refuse collection rates effective September 1, 2016:

Type	Monthly Rate
a. Single or two-family units and buildings with three or more units with curb line pick up, per unit, per 90 gallon cart	\$17.95
Senior rate (available to a residential unit occupied by no more than two persons, one of whom is at least sixty-five (65) years of age), per unit, per 60 gallon cart	15.15
b. Single or two-family units with alley line mechanical box pick up, per unit	19.34
Senior rate	16.69
c. Three or more units with alley line mechanical box pick up, per unit	12.70
d. Three or more units with mechanical box pick up and waste reduction, per unit	7.58

Meeting Minutes – University City Green Practices Commission

April 14, 2016

DRAFT

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

1. Meeting called to Order, Roll Call at 6:06 p.m.
2. Opening Round
 - a) Jeff attended the University City Chamber of Commerce Meeting. He also mentioned “Happy Birthday” to Lois.
 - b) Tim will be attended a session at Hawthorn Foundation organization that promotes economic development for Missouri with an emphasis on encouraging more renewable energy.
 - c) Dianne attended the Recycling Extravaganza and talked to P2D2 (Prescription Pill and Drug Disposal) about prescription drug disposal. At this point University City Police are not part of P2D2. However, Olivette, Overland, and other nearby municipalities are part of P2D2.
 - d) Bob attended a housing code meeting at St. Louis County headquarters. No firm decision was made on building code pertaining to energy efficiency for residential housing.
 - e) Jenny announced the Loop Clean-up Event on April 23rd in relation to Earth Day as well as the Electronics Recycling Event on May 7th.
3. Approval of Minutes
 - a) February 11, 2016 Meeting Minutes were approved.
 - b) March 10, 2016 Meeting Minutes were approved.
4. Special Presentations
 - a) None
5. New Business
 - a) US Green Building Council – Missouri Gateway Chapter – Regional Environmental Internship Program (REIP) resolution
 - i. Jenny discussed the need for a resolution stating that the City is interested in reducing climate change and agrees to utilize the REIP for a greenhouse gas inventory.
 - ii. The Commission moved that the City Council pass a resolution fostering collaboration with United States Green Building Council (USGBC) to secure an intern for the purposes of an energy consumption and carbon pollution inventory to help develop carbon pollution reduction plan.
 - iii. The Commission requests that staff create exact language from a draft resolution provided by REIP and bring this to City Council for approval.
 - b) Schedule Council Meeting and Study Session
 - i. The Commission tentatively decided that a Study Session and Council presentation be scheduled for either the June 13 or 27 City Council meeting date to

review the GPC's successes and future goals.

- c) Decision/Consensus on Ameren Pure Power
 - i. The Commission agreed that the City should not join the Ameren Pure Power Challenge and will not endorse the program through City avenues.
 - ii. The Commission agreed that money should go toward its own renewable projects. Ameren's advertising opportunities are such that the City's endorsement is not needed for that program's success. .
 - iii. In addition, if the City endorses this program, an opening is created for other requests for endorsement.
 - d) Discussion – Waste to Energy (Sebright Industries)
 - i. The Commission would like to know more details about the process before any further discussion.
 - ii. Sebright has been asked to provide information to the Commission.
6. Old Business – NONE
- a) Proposed Solar Installations - Tabled
7. Reports – NONE
- a) Ecosystems/ Habitat – Dianne Benjamin
 - i. Majerus Park Master Plan – Dianne expressed the need for GPC to have a representative at the April 19th public meeting to cover items such as: Solid waste collection, stormwater management, energy efficient lighting, native planting, etc. Jenny will be present and will make sure these items are included.
 - ii. Dianne found the Parks Master Plan on the City's website and found that there was no mention of sustainability. Jenny will find out when the next Master Plan is due.
 - iii. Weeding was successfully completed at the butterfly garden on Vernon – about a dozen volunteers attended. A similar garden will soon be planted at the Sutter-Meyer House.
8. Closing Round – Commission unanimously agreed that Councilmember Kraft will be missed as he was very dedicated to the Commission's goals and encouraging the Commission's endeavors.
9. Meeting adjourned at 6:52pm

Meeting minutes of the Board of Trustees for the University City Public Library for
April 13, 2016

Members Present: Edmund Acosta, Deborah Arbogast, Dorothy Davis, Joan Greco-Cohen, Luise Hoffman, Joy Lieberman, Rosalind Turner

Members Absent: LaTrice Johnson, Rubina Stewart-McCadney

City Council Liaison: absent

Library Staff: Patrick Wall – Director, Christa Van Herreweghe, Cynthia Scott

The meeting was called to order at 5:15pm by Edmund Acosta, President

Minutes - The minutes from the March 9, 2016 meeting were approved.

Correspondence – We received two notes from patrons (one happy with the library, one not); several donations in memory of Cecil (Gough) Raw, a thank you from the Red Cross for hosting a blood drive, and thank yous to LaRita and Stephanie for storytelling.

Friends' Report – Friends presented checks to the Library at their annual meeting. They are planning Trivia Night for May 14th.

Council Liaison Report – None.

Librarian's Report – Written report was reviewed. We will be encouraging state representative Stacey Newman to support the Senate position on the HB 2012 bill, which would increase State Aid to libraries. Additional programs: May 4th – Remembrance Day event at 7pm, May 7th – Barnes & Noble bookfair 11am-3pm.

Discussion Items – Strategic Planning community meetings are scheduled for Monday, April 25 at 6pm and Tuesday, May 3rd at 10am.

Action Items – Nomination of officers – The same slate as last year has been submitted. Voting will occur at the May meeting.

Purchase of a large-format printer (for printing banners and posters 2feet wide) was approved by the board.

President's Report –None.

Committee Reports – None.

There being no further business, the meeting adjourned at 6:44pm.



Commission on Senior Issues

6801 Delmar Boulevard, University City, Missouri 63130, Phone: (314) 505-8777

The Commission did not have quorum present to hold the May 16, 2016 meeting. No official business was discussed and no minutes were taken.



Traffic Commission

6801 Delmar Boulevard, University City, Missouri 63130, Phone: (314) 505-8560, Fax: (314) 862-0694

CITY OF UNIVERSITY CITY MINUTES OF THE TRAFFIC COMMISSION April 13, 2016

At the Traffic Commission meeting of University City held in the Heman Park Community Center, on Wednesday, April 13, 2016, Commissioner Jeff Hales served as the Acting Chairperson and called the meeting to order at 6:30 p.m. In addition to Acting Chairperson Hales, the following members of the commission were present:

- Eva Creer
- Bob Warbin
- Derek Helderman

Also in attendance:

- Angelica Gutierrez (non-voting commission member – Public Works Liaison)

Absent:

- Carol Wofsey (excused)
- Curtis Tunstall (excused)
- Mark Barnes (excused)
- Councilmember Stephen Kraft (non-voting commission member – Council Liaison) (excused)
- Police Department Sergeant Shawn Whitley (non-voting commission member – Police Department Liaison) (excused)

1. Approval of Agenda

Prior to the approval of the agenda, Mr. Hales welcomed newly appointed commissioner Derek Helderman and thanked longtime commission member Jackie Womack for his years of service. Dr. Warbin moved to approve the agenda and was seconded by Ms. Creer and unanimously approved.

2. Approval of the Minutes

A. December 9, 2015 minutes

Ms. Creer moved to approve the minutes from the December 9, 2015 meeting and was seconded by Dr. Warbin. The minutes were unanimously approved.

3. Agenda Items

A. Delcrest Drive Parking Restriction

Ms. Gutierrez presented the parking restriction request for a 25ft parking restriction on either side of the entrances to the Vanguard Crossing Apartment entrances. The staff recommendation was to recommend implementing the restrictions as requested.



Traffic Commission

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Dr. Warbin asked if 25ft was an adequate distance and indicated that from his visit, he thought it might be too small of a distance and found it very difficult to see in either direction and recommended a greater distance out of concerns for safety.

Ms. Gutierrez suggested the commission could recommend two car lengths, or 40ft instead.

Mr. Hales found the street visibility to be better because of the curved nature of the street and indicated he was pleased with the recommendation not to seek 75% of the property owners in favor of giving notice to the property owners and residents of the apartment buildings and the opportunity to come to the next traffic commission meeting for consideration. Mr. Hales asked if the commission needed to pick a distance or notify residents that the commission was considering a restriction of 25 to 40 ft.

Dr. Warbin stated that there were a car length open space on each side of the driveway on his visit and he found it difficult to see and asked if we needed to know the proposed distance restriction by the next meeting.

Ms. Gutierrez asked if the commission wanted to delay consideration of the recommendation until the next meeting.

Mr. Hales stated that his thought was to inform the property owners and renters of the proposed restriction and notice of the proposed restriction at the next commission meeting to give them an opportunity to attend.

Ms. Gutierrez indicated that staff was requesting a recommendation at the meeting so that they could get the signs installed.

Ms. Creer asked if the petitioner was satisfied with the 25ft proposed restriction.

Dr. Warbin stated that the petitioner is asking for 25ft but he found that to be too short a distance to provide an unobstructed view, but indicated that he was comfortable with 25ft as requested.

Ms. Gutierrez indicated that the MUTCD code recommends 125ft for clear visibility, but that is not necessarily wanted by residents.

Mr. Hales asked Ms. Gutierrez if she was asking the commission for a recommendation on the proposed restriction distance or asking the commission for a recommendation on the proposed restriction for the council.

Ms. Gutierrez stated that the commission has the authority to make the recommendation and that she was requesting the commission to make the



Traffic Commission

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recommendation and determine the list of affected households to notify citizens of the recommended restriction and implementation. Since the 25ft restriction is compliant with the city traffic code, a recommendation to restrict parking can be implemented immediately without going to the council for approval.

Mr. Hales expressed while he didn't have a concern about the proposed restrictions, he was concerned about making a recommendation without giving notice to the affected residents prior to voting on a recommendation. Mr. Hales stated he would be more comfortable if the affected properties could be notified and given the opportunity to come to the next commission meeting.

Ms. Creer stated that she agreed, and thought we should seek input from the affected residents before making a recommendation.

Mr. Hales asked if the commission should consider codifying a standard for applying the 25ft city code when new apartment complexes are built.

Dr. Warbin stated that he believed that there should be something in the city code to provide for adequate visibility and parking restrictions along the driveways of apartment complexes like the Vanguard and should be approved as part of the planning process.

Ms. Gutierrez agreed and said she would make a note and stated that she believed that this decision could be made since it only restricted three parking spaces; if it were 20 spaces, she would recommend notifying residents first.

Mr. Helderman asked if both apartment owners had been notified of the proposed restriction. Ms. Gutierrez indicated they had not yet been notified.

Dr. Warbin indicated 3 spaces or 20 spaces presented a slippery slope. Dr. Warbin stated that the restriction can be implemented without any council action and asked if the commission was being asked to put a stamp of approval on the recommendation and asked why if the city has the authority to restrict parking according to the city traffic code, why the city does not just do so.

Ms. Gutierrez stated that this was an unusual circumstance and the city would like to provide notice.

Mr. Hales agreed with Dr. Warbin and stated he would be more comfortable if there were something codified to implement parking restrictions on driveways for multifamily buildings of a certain size, or that are on streets less than a certain width, or have speed limits of more than a certain speed, so that the code is applied uniformly.



Traffic Commission

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Ms. Creer asked to Ms. Gutierrez to clarify what the commission was being asked to do.

Ms. Gutierrez said that the staff was seeking a recommendation from the commission about the affected households for notification of the restriction.

Mr. Hales suggested the two properties should be 8342 Delcrest Dr. and 4 Delcrest Ct. but indicated he was uncomfortable with the process and felt the process would be better if notice were given to the affected residents prior to implementing a restriction.

Dr. Warbin stated that the issue of process is something the commission should consider, but that is separate from what the commission was being asked to do. Dr. Warbin suggested that the notice to the residents include the intention to restrict parking and questioned whether this should come before the traffic commission.

Ms. Gutierrez stated that the city could also implement the restriction on a temporary basis.

Mr. Hales asked if the restriction could be done on a temporary basis so that notice could be given to the affected residents and the item placed on the next meeting agenda so residents can have the opportunity to come to the meeting.

Dr. Warbin expressed that the notice to the commission was effectively a courtesy and the city has the right to implement the restrictions pursuant to the city traffic code and found it logical that that be done and questioned the need for it to come before the commission.

Mr. Hales agreed that it would be logical to implement the restriction in accordance with the code, but expressed concern that the code is not applied uniformly and suggested the commission recommend approving the temporary implementation of the signs and that the residents be notified and the issue restriction placed on the next agenda so that residents have an opportunity to speak to the commission.

Mr. Helderman agreed with Mr. Hales' suggestion and indicated that if there was no opposition from residents, the commission could recommend the implementation be permanent at the next meeting.

Mr. Helderman moved that the commission recommend implementation of the parking restrictions as recommended by staff on a temporary basis and that notice be given to the owners and residents of 8342 Delcrest Dr. and 4 Delcrest Ct. for the restriction to be discussed at the next commission meeting



Traffic Commission

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at which time the commission could make a recommendation on making the restriction permanent. Ms. Creer seconded the motion.

Ayes: Ms. Creer, Mr. Helderman, Mr. Hales

Nays: Dr. Warbin

4. Council Liaison Report

None

5. Miscellaneous Business

A. Loop Trolley Update

1. Bicycle Safety – Alternate Bicycle Route Implementation

Ms. Gutierrez presented the alternate bicycle route implementation to avoid bicycle traffic on Delmar because of the safety concerns presented by the trolley tracks.

6. Adjournment.

The meeting was adjourned at 7:13 pm

Minutes prepared by Jeff Hales, Traffic Commission Secretary



Traffic Commission

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CITY OF UNIVERSITY CITY MINUTES OF THE TRAFFIC COMMISSION May 11, 2016

At the Traffic Commission meeting of University City held in the Heman Park Community Center, on Wednesday, May 11, 2016, Chairwoman Carol Wofsey called the meeting to order at 6:30 p.m. In addition to Chairwoman Wofsey, the following members of the commission were present:

- Bob Warbin
- Jeff Hales
- Mark Barnes
- Eva Creer
- Derek Helderman

Also in attendance:

- Angelica Gutierrez (non-voting commission member – Public Works Liaison)
- Police Department Sergeant Shawn Whitley (non-voting commission member – Police Department Liaison) (arrived at 6:39pm)

Absent:

- Curtis Tunstall (excused)
- Councilmember Stephen Kraft (non-voting commission member – Council Liaison) (excused)

1. Approval of Agenda

Mr. Barnes moved to approve the agenda. Mr. Hales seconded the motion and was unanimously approved.

2. Approval of the Minutes

A. April 13, 2016 minutes – Amended

Mr. Barnes moved to approve the minutes from the October 14, 2015 meeting as amended. Ms. Creer seconded the motion. The minutes were unanimously approved.

3. Agenda Items

A. Stop Sign request at Julian Ave and Ursula Ave Intersection

Ms. Gutierrez reported a request for a stop sign requested following a recent accident. It was the only accident in the last 3 years. Staff recommended the installation of two yield signs at the intersection giving the right of way to traffic on Ursula Ave.

Dr. Warbin indicated that he believed stop signs would be a better solution because they more force with drivers and expressed concern over two vehicles arriving at the intersection at the same time presenting confusion as to which vehicle should yield.



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Ms. Gutierrez informed the commission that yield signs could be installed right away without council enacting an ordinance as is needed for a stop sign and suggested that the yield signs could be installed and the intersection could be monitored for 60 to 90 days.

Mr. Hales asked if a yield sign was acceptable to the petitioner, Mr. Smotherson.

Ms. Gutierrez indicated that she did not know if the yield signs were acceptable to Mr. Smotherson, but that he had received a copy of the recommendation for yield signs.

Ms. Wofsey has asked if a similar situation has come before the commission in the last few years.

Ms. Gutierrez indicated that the commission has rejected stop sign requests in the past.

Mr. Hales made a motion to approve the staff recommendation of the installation of yield signs as proposed by staff and was seconded by Mr. Barnes. The commission voted to approve the motion. Ayes: Mr. Helderman, Ms. Creer, Ms. Wofsey, Mr. Barnes. Nays: Dr. Warbin

B. Stop Sign request and pedestrian crosswalks at Westgate Ave. and Enright Ave. intersection

Ms. Gutierrez reported that staff received a request to improve pedestrian safety at this location. There is currently one stop sign on westbound Enright. The request would install three additional stop signs as well as pedestrian crosswalks and trim trees and foliage to improve safety.

Mr. Hales indicated that the report indicated there had been seven accidents in three years and asked what staff considers to be a large number of accidents in a three year period.

Ms. Gutierrez indicated that more than five accidents in three years is considered to be a large number of accidents.

Ms. Wofsey asked who owned the trees and foliage.

Ms. Gutierrez indicated that the trees and foliage were in the right of way but maintained by the Parkview Gardens Association.

Ms. Wofsey asked if the association was aware of the proposed changes.



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Ms. Gutierrez indicated that the association was not yet aware but would be made aware before implementation.

Dr. Warbin stated there was an existing sign post at the southwest corner of the intersection with no sign on it and asked if there was an existing ordinance for a stop sign that is no longer there.

Ms. Gutierrez stated that she had checked and the existing ordinance only covers the one existing stop sign at the intersection.

Petitioner Cheryl Adelstein spoke to the commission and provided additional context for the request. She discussed the recent loft project and construction of a mixed use bike/pedestrian sidewalk. Additionally, the recent implementation of the alternative bike route for Delmar routes bike traffic down Enright. They want to encourage all pedestrian and bike traffic to safely cross. She also indicated that Washington University planned to do all ADA upgrades at that intersection as part of the project.

Mr. Barnes made a motion to approve the recommendation as proposed and was seconded by Dr. Warbin. The motion was unanimously approved.

C. Forsyth Blvd. and Bland Drive Intersection – No Left Turn from Gas Station Driveway

Ms. Wofsey received an email late that afternoon that the owner of the gas station has just received notice of the request and has requested additional time to respond. She indicated that Ms. Gutierrez advised that the commission would wait until the June meeting to address the request.

Dr. Warbin strongly recommended that the commissioners go the site and observe the intersection.

Mr. Hales moved to postpone consideration of this request until the next meeting and was seconded by Mr. Barnes. The motion was unanimously approved.

Ms. Wofsey also recommended that each commissioner visit the site.

D. Delcrest Dr. Parking Restriction

Ms. Gutierrez indicated that affected property owners were notified of the changes following the April meeting advising them of the proposed parking restrictions. Staff did not receive any feedback from residents. She indicated that she had heard from the petitioner requesting an update on when the signs would go in and was advised that commission had requested the affected residents be notified and given the opportunity for input.



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Mr. Hales stated that he recalled that the commission had approved the recommended parking restrictions on a temporary for 90 days.

Mr. Hales asked if the commission needed to approve the recommended permanent restrictions.

Dr. Warbin recalled that the commission recommended that the signs be installed on a temporary basis for 60 to 90 days to allow for feedback and the commission would revisit making the recommendation permanent.

Dr. Warbin moved to make the proposed parking restriction recommendation permanent and was seconded by Mr. Helderman. The motion passed unanimously.

4. Council Liason Report

None

5. Miscellaneous Business

Ms. Wofsey expressed concern about pedestrian crossings on Delmar, not just in the Loop but across from Lewis Park and out west and heard from numerous concerned residents and suggested the commission take a look at the issue.

Mr. Hales shared his concerns about the crosswalks in the western section of Delmar as well as the crosswalk at Gannon and North and South. He asked if there is any way the city could urge the county to install solar crosswalk lights, particularly on the Delmar crosswalks.

Ms. Wofsey believes it is a persistent problem and perhaps the county council representatives should be contacted.

Ms. Gutierrez indicated that staff is well aware of the issues and have contacted the county for signals as well as wider crosswalks without success. The county maintains the crossings meet MUTCD standards. She indicated that the crosswalk at Delmar and Center is particularly concerning because of the hill and the sitelines. She indicated that when she first raised concerns to the county, the county indicated that as many as 30 years ago, the city requested the crosswalks on Delmar for the synagogues. She indicated that she had approached the Rabbi at Agudas Israel about removing the crosswalks out of safety concerns or installing electronic solar signals and was advised that they wanted the crosswalks to remain but that they could not use the electronic signals at certain times because of their religious beliefs, even if the signal had a sensor that would detect their presence at the crosswalk. She indicated that the options are limited and it's a challenging issue.



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Dr. Warbin asked if there was any state requirement to stop while pedestrians are in the crosswalk and inquired if a yellow sign could be placed in the center of the road that instruct traffic to stop for pedestrians.

Ms. Gutierrez informed the commission that that was one of the first requests she made to the county and the county did not want to do that because it would have complicated maintenance such as snow plowing.

Sgt. Whitley discussed the challenges of the Delmar Crossings which include poor lighting at night, traffic volume, traffic speed, visibility and the fact that many of those who use the crosswalks wear traditional clothing that is mostly black which makes them difficult to see after dark. He indicated that cars are required to yield to pedestrians in the crosswalk and that it is a problem and informed the commission that he would take the commissions feedback to the police department to see what additional efforts could be taken.

Ms. Wofsey also stated that she had heard complaints that the signal at Old Bonhomme and Delmar is too short for pedestrians to cross.

Ms. Gutierrez indicated that the timing had been adjusted in the last several years at the request of the synagogue.

Mr. Hales stated that he believed signalized crosswalks was extremely important on Delmar because it is a four lane road and while a truck, van or SUV may be slowing down in the outside lane for a pedestrian, traffic in the inside lane may have an obstructed view of the pedestrians in the crosswalk because of the vehicle in the outside lane which can potentially make it impossible to see the pedestrians until you are nearly at the crosswalk.

Sgt. Whitley stated that pedestrians often can see one car yielding to them and enter the crosswalk and other cars fail to yield.

Mr. Barnes stated that he believed the traffic light timing at Vernon and Kingsland had been changed and thanked the staff for the change as the red light used to last for 3 minutes.

Mr. Barnes asked for an update on the Starbucks traffic issue on North and South.

Ms. Gutierrez indicated that there was an email sent to the commission with an update. Starbucks made a number of improvements to their lot and widened the driveway. Additionally, an additional lane was striped for southbound traffic.

6. Adjournment.

The meeting was adjourned at 7:11 pm

Minutes prepared by Jeff Hales, Traffic Commission Secretary

RULES OF ORDER AND PROCEDURE
OF THE COUNCIL OF UNIVERSITY CITY

Approved July 14, 2014

Section I

MISSOURI LAW AND THE CHARTER

Rule 1

Rules of the Council must conform to the provisions of Missouri State Law. Specifically, the Council must act in accord with the Sunshine Law and its rules for public and private meetings and adequate notice of meetings, which generally refers to Missouri Open Meetings and Records Act as found in Sections 610.010 through 610.035 of the Revised Missouri Statutes. The Sunshine Law pertains to e-mail messages that re-transmitted among the members of public governmental bodies. Any member of a public body that transmits an e-mail to at least three other members of the body so that when counting the sender, a majority of members are copied, a copy of the e-mail or the member forwarding the business related e-mail to additional member(s), which would constitute the majority, shall be sent to either the custodian of records, or the members' public office computer. Any such message, subject to the exceptions of Section 610.021, shall be considered a public record upon receipt by the custodian or at the public member's computer.

Rule 2

Rules of the Council must conform to the provisions of the Charter of University City, Missouri. Specifically, the Mayor and Councilmembers must act in accord with Article II of the Charter.

Section II

MEETINGS

Rule 3

The Council shall meet in Regular Session in the Council Chambers on the fifth floor of City Hall or other posted location on at least one and usually two Monday nights of every month at 6:30 p.m. The Council may, by motion, dispense with any regular meeting, but at least one meeting must be held in each month. A schedule of regular meetings will be determined during the preceding year by the City Council and printed in the City Calendar City website and on the City marquee. A majority of the Councilmembers elected (or appointed) shall constitute a quorum to do business, but a smaller number may adjourn such meetings. If Councilmembers know in advance they cannot attend a specific Council meeting, they must inform the Mayor and/or City Clerk.

Rule 3-A

All efforts should be expended to ensure that a quorum of Councilmembers is physically present at all meetings. In case of an emergency situation or other circumstances preventing physical attendance, Councilmembers may attend meetings and vote via video conference transmission. If at any time during a meeting one or more of the elements of a video conference becomes compromised (e.g. if any participants are unable to see, hear or fully communicate), then the video conference participant is deemed immediately

Rule 19 Except as provided in the Sunshine Law or as otherwise provided by law, all votes shall be recorded, and if a roll call is taken, as to attribute each 'aye' and 'nay' vote to the name of the individual Councilmember.

Section IV
RIGHTS TO THE FLOOR

Rule 20

Any member of the public may speak at a Council Regular Session at the times listed in Rule 10 and Rule 14, under the following conditions:

- 1) Speakers must fill out a written form, available at the entrance, and place the completed form in the respective inbox for either "agenda" or "non-agenda" items.
- 2) The Mayor will call speakers to the microphone at the appropriate time.
- 3) A member of the audience may also be called to the microphone to answer specific questions at the discretion of the Council. A City employee should be called forward only if the City Manager requests the Mayor to do so.
- 4) All speakers must give their name and address.
- 5) All speeches are limited to five (5) minutes or less.
- 6) When warranted the City Manager will send a letter, e-mail or place a phone call to the speaker in answer to his/her comments.

Rule 21

All special committees shall be proposed by the Mayor or any two members of Council and approved by a majority of Council.

Rule 22

By consent of a majority of the Council, a special committee may be appointed at any time to hold public hearings for the Council upon any matter pending before it.

Section VI
CITY OFFICERS

Rule 23

The City Manager shall attend all meetings of the Council unless excused by the Council. The City Manager shall keep the Council fully advised of the financial condition and needs of the City. The City Manager shall make recommendations to the Council and may take part in discussions on all matters concerning the welfare of the City, but shall have no vote in the meetings of the governing board.

Rule 24

In advance of each meeting of the Council, the City Manager shall prepare an agenda of matters, including ordinances and resolutions, to be presented to the Council at each such meeting. Members of the Council desiring reports or a discussion upon any matter involving the administrative offices of the City shall notify the City Manager in time to include such matter upon the agenda. **An ordinance or resolution will be placed on the agenda at the request of two members. Any resolution that has**

been finally disposed of at a meeting may not be brought back or renewed at a subsequent meeting for 12 months and any resolution that is the same or essentially the same will be considered out of order during that time period.

The agenda should be received at least ten days before the meeting. Copies of the agenda shall be accessible at City Hall, in the Library and on the website as soon as possible in advance of each Council meeting and e-mailed or hand-delivered to all members of Council.

Section VII **COUNCIL OFFICERS**

Rule 25

The City Clerk shall be ex-officio clerk of the Council and shall perform such duties as may be provided by the Charter or by job description. The City Clerk shall keep a journal of the proceedings of the Council including the kind of meeting, date, time and place, presence of participants. The body of the minutes should identify all speakers, including an abstract or text of each address, and include motions made, any amendments thereto, points of order, dispositions of these matters, and the time of adjournment. The format of the journal can only be changed by a vote of the majority of the Council. The minutes of the meetings shall be transcribed within a reasonable period after each meeting. The Clerk shall furnish each Councilmember with a copy of the minutes of the preceding meeting.

Rule 26

The City Clerk is responsible for preparing and maintaining the final agenda which includes Proclamations, Minutes, Appointments, Swearing In, Public Hearings, Consent Agenda, City Manager's Report, Unfinished Business and New Business which was previously approved by the City Manager.

Rule 27

The City Clerk shall post copies of notices of all Council meetings on the City Council's bulletin board on the lower level of City Hall, at the University City Library and on the City's website and alternate locations as Council deems appropriate.

Section VIII **NON-PARTISAN COUNCIL**

Rule 28

Members of the City Council serve in a non-partisan capacity.

Rule 29

Mayoral and Councilmember elections are non-partisan.

Rule 30

When members of the Council engage in partisan political endorsements and activities, they should make it as clear as possible that they are acting as individuals, in a non-City official capacity and do not represent the Council or City. City letterhead and logos are to be used only for official City business and are not to be used in

UNIVERSITY CITY COUNCIL
STUDY SESSION
5th Floor of City Hall
6801 Delmar
June 30, 2014
6:00 p.m.

The City Council Study Session held in the Council Chamber, 5th floor of City Hall, on Tuesday, May 27, 2014. Mayor Shelley Welsch called the meeting to order at 5:33 p.m. In addition to the Mayor the following members of the Council were present:

Mr. Rod Jennings
Dr. Paulette Carr
Mr. Stephen Kraft
Mr. Terry Crow
Mr. Michael Glickert
Mr. Arthur Sharpe, Jr.

Also in attendance were the City Manager Lehman Walker and the City Attorney Katie Forster.

Mayor Welsch took a few minutes at the beginning to provide some background information on what was being discussed at the meeting as incorrect information has been sent out.

- On June 16th, Councilmembers Sharpe and Jennings asked the City Council to consider a number of changes to the Council Rules of Order and Procedures. They agreed to amend their resolution per Councilmember Mr. Glickert's and Mayor Welsch's request to retain the two separate Citizen Participation sections on Council's agenda. Mayor noted that this was her addition to Council Rules in 2010. By a unanimous vote, Council agreed, so there would be no discussion at tonight's meeting on removing the second section of Citizen Participation from the agenda. On the 16th, Councilmember Glickert moved the continuation of the rules discussion to a Council Study session which was approved by a majority of Council. Mayor Welsch said tonight's meeting is the study session for continuation of the discussion of the three proposed changes to Council Rules and Procedures suggested by Councilmembers Sharpe and Jennings and one suggested by Councilmember Carr.

Sharpe and Jennings proposed changes included:

1. Recording minutes of the meeting in format suggested by Robert's Rules which the City Council follows and had been recommended by the previous City Attorney.
 - ✓ Taking of minutes was changed to its current format in 2012 by a majority vote. Prior to this date, minutes were recorded as in Robert's Rules and before Robert's Rules existed, in a format similar.
2. **Recommendation that it would take three members of Council to put an item on the agenda instead to the current two.**
 - ✓ Present Council in 2011 changed the rules to allow two members of Council to put items on the agenda. Prior to that time it was the City Manager who put items on the agenda although a member of Council could request reports or items for discussion be put on the agenda.
3. Move Council Reports and Business section farther down the agenda before Citizen Participation.
 - ✓ Council added the section of Council Reports and Business to the agenda in 2010.

Councilmember Carr requested:

4. Councilmember Carr asked to consider a rule change to allow members of the Council to take part in Council meetings and vote via video conferencing.

Mayor Welsch reminded everyone the meeting was a Study session and there would be no citizen participation. The resolution being discussed was open for comments at the June 16th Council meeting.

The first proposed change was in Rule 5 of Council Rules of Order and Procedure. Addition to that rule would be, As per Robert's Rules of Order, Newly Revised 11th Edition, page 468, the minutes of the meetings of the City Council "shall be a record of what was done at a meeting, not what was said by the members".

Mr. Crow asked for the pros and cons of the rule changes being presented.

Mr. Jennings noted they are following the attorney's recommendation and also it was his experience as to how the school board minutes were done. He said you still get the same information but in a box score format. All meetings are recorded so if anyone wants to hear complete detail of a meeting, they can get an audio recording.

Dr. Carr differed with Mayor Welsch stating to go back and look at the minutes as she has, they are in great detail of who said what and why. She noted that minutes were never just the motion, second and what the vote was and would be a loss of transparency and accountability. She noted the school district has different rules and processes and are sued for a lot more things than the City. Dr. Carr noted the City Attorney who made the recommendation is no longer with the City. She stated it is bad for anyone who wants to look back and see why a decision was made. Dr. Carr said listening to the audio takes hours as compare to a quick skim through the minutes.

Mayor Welsch stated she too has gone back into the minutes for many decades and Council has never kept verbatim minutes and that is what this Council has asked to be done. She noted Robert Rules does not just say a motion was made and passed but rather provides a summary of what was said.

Dr. Carr called for a Point of Order. She stated that Mayor is not to intervene in this discussion until all of Council has spoken.

Mayor Welsch reminded Dr. Carr that this was a study session and it is appropriate for her to speak.

Continuing, Mayor stated that the way Council minutes should be a summary of discussions and what votes were taken.

Mr. Crow asked if it would be the practice of the City Clerk to keep all audio recordings and for how long.

City Clerk Pumm noted that currently the audio recordings are being kept indefinitely and stored on an external hard drive. Legal advice given to the City Clerks' association is that audio recordings should not be kept for longer than three months.

Mr. Crow asked if there would be a charge for a copy of an audio recording.

Ms. Pumm said she would have to verify it but thought there was a charge according to the City's Sunshine Request form. She would verify that and provide Council with the answer. Ms. Pumm noted that they are also available on the website for a year.

said if Council is changing the way the minutes will be done she noted that there will be a change in the way the audio is kept as well. She said it is inherent on Council to keep the history, foster transparency and allow citizens at any time to seek the information on what goes on at Council meetings without submitting a Sunshine Request.

Dr. Carr called for a Point of Order. She noted that Council has a precedent for not voting in a Study session. If there is a vote then it should be a Regular meeting and open to citizen participation.

Mr. Kraft stated the last three times the Council considered rule changes, Council voted on the rules as they were meeting as a committee of the whole, voted on and then presented later as a resolution at a regular Council meeting.

Mr. Glickert asked to speak to the City Attorney Ms. Forster.

Mr. Glickert asked if Council could vote in a Study session.

Ms. Forster stated the study session was noticed with a discussion and vote. As far as she was aware there was nothing in Robert's Rules prohibiting a vote. It was her understanding from past practice; vote was not usually done in a study session and would be up to Council to decide if they want to take action and vote.

Mr. Crow stated he was confused as to why this meeting was being held and found it odd that Council would deviate from a path normally followed. He noted that it would be better to do by consensus. He noted it was odd to call a special session and have a meeting and not have public comment and take a vote all of which causes a creditability problem with this Council. Mr. Crow was frustrated, noting this was his fifth Council meeting in six weeks.

Mr. Kraft noted that voting on the rules in a study session has been done previously. He stated Council is a committee of the whole and recommends to Council and will be brought forth as a resolution at the next Council meeting. Mr. Kraft stated a study session allows for more discussion back and forth.

Dr. Carr said to Mr. Jennings that this was not the reset button. She stated that at the last study session where she was introducing rule changes everyone walked in late and she finally conducted her rule changes under Council Business at the Regular Council session.

Mayor Welsch noted the meeting tonight was being held after the majority of Council voted to hold a study session on Resolution 2014-26 at the June 16 Special Council meeting.

Point of Order was called by Mr. Crow. He stated a study session would not be held if there were not 250 people present. He again asked why Council was having another special meeting as there was nothing that needed to be rushed.

Mayor Welsch noted that Mr. Glickert and she had asked for a study session based on the vote of June 16 because some members of Council thought it was an important discussion to have.

Point of Order was called by Dr. Carr; she stated that the question had not been called. She noted the City Clerk sent out a notice stating the Council called a study session but Dr. Carr stated she was not consulted about it. She asked that the email chain be attached to the minutes.

Mr. Crow stated the Mayor and Mr. Glickert called a special meeting so that Mr. Sharpe and Mr. Jennings could introduce their resolution did not make sense to him. He was not asked but was told to show up, five times out of six weeks for a special meeting.

Mr. Kraft stated that he had hope this meeting would just be about the discussion of the rules and would like to stick to the agenda.

Mayor Welsch noted that Mr. Sharpe and Mr. Jennings asked that a vote be taken on the motion to add, as per Robert's Rules of Order, Newly Revised 11th Edition, page 468, "The minutes of the meetings of the City Council shall be a record of what was done at a meeting, not what was said by the members".

Roll Call vote:

AYES: Mr. Jennings, Mr. Kraft, Mr. Glickert, Mr. Sharpe and Mayor Welsch

NAYS Dr. Carr and Mr. Crow

Mayor Welsch moved on to Council Rule 10. Citizen Participation will remain as it has been but Council Reports and Business section would move down to just before Council Comments section.

Mr. Crow asked what the benefit was.

Mayor Welsch said the benefit would be doing the business of the City before the business of the Council.

Mr. Crow said that commissions spend a great deal of time and provide Council with the minutes of their meetings and by pushing it further down the agenda does not give credence to commission members. The members spend their time, make their votes and recommendations and then they are not heard from.

Dr. Carr stated that this is where Council has put on things like a vote to add additional police so if moved to end of meeting the thought was that people would get tired a go home and particularly the media leaves. Dr. Carr said was this section is where important business has been added as hiring of police and cameras in the Loop. She noted that she does not bring anything forward that her constituents did not asked for her to do. Dr. Carr noted this was putting down citizen input and representation by the minority.

Mr. Kraft said the Council Reports and Business section should be moved and be placed after what the City Manager asks Council to approve and after voting on the resolutions and ordinances that are actually on the agenda. He noted the unusual way the topics of the cameras and police were brought up, and said that some of Council was not aware of the additions' purpose or expense. Mr. Kraft noted it was Mayor Welsch's suggestion to add this to the Council agenda originally but it needs to go into a more appropriate place on the agenda.

Dr. Carr said it was noticed and was not voted on the first time they brought it up. She said it came back several times and finally was brought up as a resolution. She noted to look at the minutes of October 20, 2012, to see what was done. Dr. Carr said not to marginalize something as important as public safety.

Vote on Rule 10 of Council rules to be moved down on the agenda and placed before Council Comments.

Roll Call Vote:

AYES: Mr. Kraft, Mr. Glickert, Mr. Sharpe, Mr. Jennings and Mayor Welsch

NAYS: Dr. Carr and Mr. Crow

The third suggested rule change was on Council Rule 24. "Including ordinances and resolutions," was added after "In advance of each meeting of the Council, the City Manager shall prepare an agenda of matters". Another change to Rule 24 was it would take three members of Council to place a resolution or ordinance on the agenda instead of two members of Council.

Mayor Welsch noted that this Council, in 2011, voted to allow two members of Council could add something on the agenda. The rules in 2009 and before only had the City Manager adding items to the agenda. Then members of Council could request reports and ask that items be place on the agenda for discussion through the City Manager.

Mr. Jennings made this motion with the hope that it would cause more communication. He said he would not have problem talking with Dr. Carr or any other members of Council for two additional signatures. Mr. Jennings stated that he was going to hit the reset button and change it back to the original two members could add an item onto the agenda and instead his motion would change by adding to his original motion, "Any resolution that has been finally disposed of and any resolution that is the same or essentially the same will be considered out of order during that time period of twelve months".

Mr. Glickert supported Mr. Jennings' motion to leave it at two members of Council to put an item on the agenda but would add at the end, if it was disposed of it could not be brought back again for a period of twelve months. He noted that he did not like three members would be needed to put something on the agenda and thought two was fair. Mr. Glickert noted there have been issues with recent resolutions when Council pulled three resolutions by voting to postpone indefinitely.

Point of Information was called by Dr. Carr. She asked if he said something could be taken off the agenda. He said it was done three times when resolutions were postponed indefinitely. Dr. Carr said it may be what was done but it was not correct. Mayor Welsch asked Mr. Glickert to continue.

Mr. Glickert continued with what he was saying. He said the way this changed would be structured is that it allows an opportunity for members of Council to start lobbying and selling their resolution. If this is not done, there will be a twelve month wait to bring it back.

Mr. Crow asked how the rule change makes Council work more effectively.

Mr. Sharpe spoke of a school board vote brought before Council where the item that was presented was voted down and the presenter then lobbied till he convinced enough board members to vote in favor. It was not until that time that did he bring it back. Mr. Sharpe said what was being said now is to continuing to bring the same item forward meeting after meeting is a waste of Council's time. He stated if it has been voted down why would you immediately bring it back unless you lobbied other members to agree that it would be okay to bring it back. To just keep bringing it back as pushing it on members of council and is just a waste of time.

Mr. Crow spoke on the school board issue and said the details will show that it was never implemented. He asked for anyone to tell him what business of the City he has slowed down by the resolutions he has introduced. He spoke again of three special meetings being called in a month and said he has never asked for a special meeting. Mr. Crow stated he would go as

far as saying if Council would address the conduct of Councilmember Kraft in a vote, he would not even worry about the twelve months.

Mayor Welsch called a Point of Order stating that the study session was a discussion of the suggested rules change and to limit his comments to the rules.

Mr. Crow said the Council with these rules has an obligation to take a vote on the actions of his colleague. He again noted that no one has told him how these changes would make Council work more effectively.

Dr. Carr said Mr. Sharpe noted how it was done previously. One person was change to two Councilmembers somewhere and done. She said Rule 24 was unconstitutional as a single representative should be able to introduce official business. Dr. Carr stated that it was clear that some of the recommendations were made prior to coming to the meeting. She stated that the Sunshine Law RSMo 610 provides for penalties up to \$5000 against the violating person or governmental body and can require person or government body to pay court cost. Dr. Carr said she was being forced to bring up the Sunshine Law violations. She noted that it was not allowed for her to reach out to other members of Council and it is not her job. Dr. Carr noted that she heard that person Mr. Sharpe spoke of, continued to put the item on again and again. She stated the Sunshine Law forbids her to poll her fellow members. She thought it should go to one and her compromise would be to leave it as it is. Dr. Carr stated Council was wrong in removing it from the agenda as it is a draft agenda and the things that can be done as change the order and add things but you cannot take away her right as a member of Council to make a motion to put a resolution on the agenda.

Dr. Carr noted she received Mr. Pace's email on his interpretation of Robert's Rules but noted that he did not have the credentials as an official parliamentarian. She noted that she hired Ms. Dickey who was a registered parliamentarian to help her understand. Dr. Carr said noted she only takes advice from experienced persons. She noted that what Mr. Pace does not understand is that by amending you cannot deny a member's right to make a motion. She stated proper amendments would include changing the order of consideration or adding or changing a specific time on any agenda item. Dr. Carr noted she had a bad habit of consulting experts, consulting the literature and not rely on her own understanding when it comes into question. She noted that to impugn Ms. Dickey's integrity as a professional because she hired her is wrong.

Mr. Kraft noted the resolution says that Council will not be taking things off the agenda but rather, as a compromise, you get one bite of every apple but you cannot bring it back. He noted that there has been no lack of two of his colleagues to consistently try to impugn him and did not feel they had a lack of a chance to attack him and say nasty things about him. He said it looked like a compromise to him: you get one shot at an addition and once it is over it will not be brought back. Mr. Kraft said the compromise of two people or one is academic, as if someone puts something on the agenda and no one seconds it, it is dead.

Mr. Jennings tagged on to his original motion, "that any resolution that is the same or essentially the same will be considered out of order during the twelve month period. He noted that what he has learned from past experience is that the will of the board is the majority rule and when we join the board we have no individual rights. Mr. Jennings said it is the members' job to talk to each other, to work together to make a decision. Each can bring ideas and proposals to the table but it is the will of the board that makes things happen.

Mr. Crow said his question has not been answered as he did not understand how these changes would make Council work more effectively. He said to remove indefinitely is the bite of the apple that he is looking for they were sadly mistaken. Mr. Crow said by the end of the

day this Council has an obligation to uphold the integrity of the City, our honor and decorum that is expected from the elected officials.

Dr. Carr addressed the bite of the apple. She said that to postpone indefinitely just says you don't want to vote on it. She said for the same reason you don't want to keep good minutes and don't want people to know what you are doing. Dr. Carr noted that all her votes are accompanied by correspondence back and forth with her constituents. She stated that none of the people would be here if Council would have just taken a vote.

Mr. Jennings motion for roll-call vote was "Any resolution that has been finally disposed of at a meeting may not be brought back or renewed at a subsequent meeting for 12 months and any resolution that is the same or essentially the same will be considered out of order during that time period."

Roll Call vote:

AYES: Mr. Kraft, Mr. Glickert, Mr. Sharpe, Mr. Jennings and Mayor Welsch

NAYS: Mr. Crow and Dr. Carr

Mr. Kraft asked if Rule 39 could be removed but it was decided that additional rule changes could be done at a later time.

Dr. Carr's suggested rule change that would become Rule 3 – A "All efforts should be expended to ensure that a physical quorum of Councilmembers is physically present at all meetings. In case of an emergency situation or other circumstances preventing physical attendance, Councilmembers may attend meetings and vote via video conference transmission. If at any time during a meeting one or more of the elements of a video conference becomes compromised (e.g. if any participants are unable to see, hear or fully communicate), then the video conference participant is deemed immediately absent and this absence should be reflected in the minutes. Councilmembers attending a meeting via video conference are deemed present for purposes of participating in a roll call vote to the same effect as Councilmembers who are in physical attendance of the meeting. If the video conference fails during the act of voting, the voting shall stop until all of the components of the video conference attendance are restored and the video conference participant's presence is again noted in the minutes. If the video conference cannot be restored during voting, the participant will be deemed immediately absent and will not participate in the vote. Council meeting minutes shall reflect the Councilmember, if any, participating via video conference. Participation and vote by video conferences shall not be permitted in closed meetings of Council".

Dr. Carr said this is referred to as Maria's Law. She noted that it puts no onus on anyone to participate in this manner but does allow for those who might find themselves out of town and feel the need to participate to do so.

Mr. Glickert asked the City Clerk where the City is at for video conferencing. The City Clerk noted that they are in possession of a video cam but did not know how it could be set up for the dais. The other problem would be having speaker connections with the microphone system. Mr. Glickert noted that there presently are some operational issues right now but they can be fixed. Mr. Glickert asked for the difference between excused and absent as it pertains to the video conferencing. It sounded like if there is a malfunction and the onus is on the member's back - you will be counted as absent even though you were present originally. Mr. Glickert also looked for some clarification if a person was on a video conference, was counted as present and the video connection stopped after half-way through the meeting would the minutes reflect that person as absent?

Ms. Forster said it was a benefit of the Council to have a quorum and all of the information for the meeting in case connections were lost and it would not affect whether a quorum was still present.

Mr. Kraft suggested Council require a physical quorum be present at the meeting site.

Mr. Sharpe agreed.

Mr. Crow said most of the organizations getting used to the new rule tend to put in quorum requirement and over a period of time may remove it. He did not believe that this is a system that can be done off of a laptop for Council. He suggested we reach out to the school board and they have made the purchase necessary to provide video conference.

Mr. Jennings was in favor of the video conferencing and agreed that a physical quorum should be present. He asked if the IT department would create a proposal of what would be necessary to have the entire meeting video-taped. Lastly he suggested using the meeting application Board Docs.

Mayor Welsch agreed with the physical quorum. She brought up the idea of cameras at all Council meetings during her first time on the Council and was politely discouraged from pursuing it.

Dr. Carr agreed to add "physical" to make it a physical quorum.

Mr. Sharpe asked for a financial update as to what video conferencing would cost.

Roll Call vote:

AYES: Mr. Crow, Mr. Glickert, Mr. Sharpe, Mr. Jennings, , Mr. Kraft and Mayor Welsch

NAYS: none

Council adjourned to go into a Special session at 7:13 p.m.

Respectfully submitted,

Joyce Pumm
City Clerk, MRCC/CMC

NOTICE OF STUDY SESSION

OF THE

CITY OF UNIVERSITY CITY COUNCIL

Public Notice is hereby given that a Study Session of the City Council of University City will be held on Monday, June 30, 2014, 6:00 p.m., at City Hall, fifth floor, 6801 Delmar, University City, MO.

AGENDA

1. Opening of meeting
2. **Resolution 2014 – 26** Adoption of amended Council Rules of Order and Procedure. Continuing discussion from City Council meeting, June 16, 2014. Introduced by Councilmembers Jennings and Sharpe at the City Council meeting June 16, 2014, and voted by majority to postpone to a Study session
DISCUSSION AND VOTE
3. Consideration of other recommended changes to Council Rules and Procedure
4. Adjourn to go into Special session

This meeting is **OPEN** to the public.

Dated this 27th day of June, 2014.

Joyce Pumm, MRCC, CMC

City Clerk

RULES OF ORDER AND PROCEDURE OF
THE COUNCIL OF UNIVERSITY CITY
APPROVED
NOVEMBER 26, 2012

Section I

MISSOURI LAW AND THE CHARTER

Rule 1

Rules of the Council must conform to the provisions of Missouri State Law. Specifically, the Council must act in accord with the Sunshine Law and its rules for public and private meetings and adequate notice of meetings, which generally refers to Missouri Open Meetings and Records Act as found in Sections 610.010 through 610.035 of the Revised Missouri Statutes. The Sunshine Law pertains to e-mail messages that re-transmitted among the members of public governmental bodies. Any member of a public body that transmits an e-mail to at least three other members of the body so that when counting the sender, a majority of members are copied, a copy of the e-mail or the member forwarding the business related e-mail to additional member(s), which would constitute the majority, shall be sent to either the custodian of records, or the members' public office computer. Any such message, subject to the exceptions of Section 610.021, shall be considered a public record upon receipt by the custodian or at the public member's computer.

Rule 2

Rules of the Council must conform to the provisions of the Charter of University City, Missouri. Specifically, the Mayor and Councilmembers must act in accord with Article II of the Charter.

Section II

MEETINGS

Rule 3

The Council shall meet in Regular Session in the Council Chambers on the fifth floor of City Hall or other posted location on at least one and usually two Monday nights of every month at 6:30 p.m. The Council may, by motion, dispense with any regular meeting, but at least one meeting must be held in each month. A schedule of regular meetings will be determined during the preceding year by the City Council and printed in the City Calendar City website and on the City marquees. A majority of the Councilmembers elected (or appointed) shall constitute a quorum to do business, but a smaller number may adjourn such meetings. If Councilmembers know in advance they cannot attend a specific Council meeting, they must inform the Mayor and/or City Clerk.

Rule 4

Special Sessions may be called by any two members of the Council by written request filed with the City Clerk, who shall thereupon prepare a notice of such Special Session, to make diligent effort to notify each member of the Council, either by telephone or e-mail, of such special session. If a majority (4) of the Council does not attend the called Special Session, then discussion may be held, but decisions voted upon must wait until a majority (4) is present at another special or regular council meeting. Minutes will not be made of any Council meeting when a majority is not present.

Rule 5

Except as otherwise provided by the Charter or by these rules, the proceedings of the Council shall be guided by Robert's Rules of Order, as Revised. The presiding officer shall preserve the decorum and shall decide all questions of order subject to appeal to the Council. Any member may appeal to the Council from a ruling of the presiding officer. If the motion for an appeal is seconded, the member making the appeal may briefly state the reason for the same, and the presiding officer may briefly express the ruling; but there shall be no debate on the appeal and no other member shall participate in the discussion. The presiding officer shall then put the question to vote as to whether the decision of the chair shall be sustained. If a majority of the members present vote "aye" the ruling of the chair is sustained; otherwise, it is overruled.

As per Robert Rules of Order, Newly Revised, 11th Edition, page 468, the minutes of the meetings of the City Council, "shall be a record of what was done at a meeting, not what was said by the members".

Rule 6

The Council is free to use "general consent" or "consensus" in meetings as detailed in *Robert's Rules of Order, Newly Revised, 10th Edition*; page 51. As noted: "In cases where there seems to be no opposition in routine business, time can often be saved by the procedure of unanimous consent, or as it is also called, general consent. Action in this manner is in accord with the principle that rules are designed for the protection of the minority and generally need not be strictly enforced when there is no minority to protect. Under these conditions, the method of unanimous consent can be used either to adopt a motion without the steps of stating the question and putting the motion to a formal vote, or it can be used to take action without even the formality of a motion...Unanimous consent does not necessarily imply that every member is in favor of the proposed action; it may only mean that the opposition, feeling it is useless to oppose or discuss the matter, simply acquiesces. "

Rule 7

No member of the Council may leave the room while in formal session of the Council, as defined by Robert's Rules, without acknowledgement from the presiding officer. If/when a conflict of interest exists on an agenda item, the member of Council affected shall recuse himself/herself and must leave the dais until the vote is concluded.

Rule 8

Notice of a closed meeting must be given by the City Council, including the time, date and place of the closed meeting and the reason for holding it by reference to the specific exception allowed pursuant to the provisions of Section 610.021 RSMo. An example is Section 610.021(1) RSMo, legal actions, causes of action, litigation or confidential legal communications. Notice must comply with the same procedures set forth in Section 610.020 RSMo for notice of a public meeting. See Section 610.022 RSMo. No meeting can be closed without an affirmative public vote of the majority of a quorum of the City Council (four members). The vote of each member on the question of closing a public meeting and the specific reason for closing the public meeting by reference to the specific section of the Sunshine Law must be announced publicly at an open meeting and entered into the minutes. There must be

a motion to close the open meeting, and if any Councilmember believes that such motion, if passed, would be in violation of the Sunshine Law, such Councilmember must state his or her objection to the motion at or before the time the vote is taken on the motion. The City Council must enter in the minutes any objection made. Any Councilmember making such objection must be allowed to fully participate in any meeting that is closed to the public over the Councilmember's objection. In the event the objecting Councilmember also voted in opposition to the motion to close the meeting, the objection as entered into the minutes is an absolute defense to any claim filed against the Councilmember pursuant to the section of the Sunshine Law relating to violations. See section 610.022 RSMo.

Any meeting closed pursuant to the Sunshine Law must be closed only to the extent necessary for the specific reason announced to justify the closed meeting. The City Council must close only an existing portion of the meeting facility necessary to house the Councilmembers in the closed session, allowing members of the public to remain to attend any subsequent open session held by the City Council following the closed session. See Section 610.22 RSMo.

A journal or minutes of closed meetings must be taken and retained by the City Council, including, but not limited to, a record of any votes taken at such meeting. The minutes must include the date, time, place, Councilmembers present, Councilmembers absent and a record of any vote taken. Any votes taken during a closed session must be taken by roll call. When a roll call vote is taken, the minutes must attribute each "aye" and "nay" vote or abstention if not voting to the name of the individual Councilmember. See Sections 610.015 and 610.022 RSMo.

No audio recording of any closed meeting, record, or vote closed pursuant to the Sunshine Law is permitted without the permission of the City Council. Any person who does so is guilty of a State misdemeanor. See Section 610.020 RSMo.

Any Councilmember betraying the confidentiality of a closed session can be censured by the Council to the extent decided upon by the remaining Councilmembers.

Rule 9

For the purposes of obtaining more information on a specific subject, and for the opportunity to ask questions on a subject prior to making a decision, the Council may choose to hold Study Sessions. These sessions can be held at any time, and shall be posted in accordance with the Missouri Open Meetings and Records Act.

Study Sessions held prior to regularly scheduled Council meetings will begin with any questions in regard to the Regular Session's agenda. The Study Session agenda will then proceed as time permits,

Study Sessions shall be designed for Council deliberations and shall not be open for citizen comment, except when such comments are approved by a majority of the Council at a specific meeting. Members of Council and staff shall be prepared to consider any questions arising from a Study Session at the next regularly scheduled Council meeting.

Rule 10

At the Regular meetings of the Council, the order of business shall be as follows (this may be changed or by majority vote of Council after being moved and seconded)

1. Call to Order
2. Roll Call
3. Approval of Agenda.
4. Proclamations
5. Approval of Minutes
6. Appointments
7. Swearing In
8. ~~Citizen Participation~~ REMAINS IS NOT REMOVED
9. Public Hearings
10. Consent Agenda
11. City Manager's Report
12. ~~Council Reports and Business~~
13. Unfinished Business
14. New Business/Bills to be Introduced
15. Citizen Participation ~~(Continued if warranted.)~~Continued if warranted
12. Council Reports and Business
16. Council Comments
17. Adjournment

Rule 11

Routine City business agenda items may be grouped under a Consent Calendar and voted on as one item with no discussion. Any item may be removed from the Consent Calendar and voted on separately by request from a member of the Council.

Rule 12

The Council Reports and Business section of the agenda is designed for members to present Board and Commission liaison reports and to discuss other issues/items which members want to formally present to other members of Council.

- a) The presiding officer will present a list of pending Board and Commission appointments and reappointments to the Council under this section at each session.

Rule 13

The Council Comments portion of the agenda is designed to allow Council- members time to freely express their opinions and ideas on topics of interest to them.

Rule 14 The Citizen Participation sections of the agenda are designed to allow members of the general public time to express their thoughts and concerns to members of Council, staff and the community at large. This section of the agenda is not meant to be time for a discussion between the speaker, members of Council or City staff. This is not to disallow a simple answer.

Section III
ORDINANCES

Rule 15

All proposed ordinances and resolutions shall be introduced in written form and identified as to who proposed: City Manager or member of the City Council. All proposed ordinances shall be prepared by the City Attorney or bear the City Attorney's certification that they are in correct form. A copy of each proposed ordinance shall be sent to each member of the Council prior to the first reading. The first reading is for information and shall have attached to it a brief resume of the bill as prepared by or for the City Manager, together with the reasons for the introduction thereof or, if an amendment of an existing ordinance is proposed, the nature of the change sought to be made. A bill may be "defeated" or "killed" with a motion and a second or by postponing indefinitely with a second.

Rule 16

The City Manager shall not request the introduction and passage of any bill carrying an emergency clause unless a copy of said bill has been delivered to each member of the Council, together with a resume thereof and the reasons for the emergency, at least 24 hours prior to the meeting of the Council at which said bill is to be introduced.

Rule 17

Following the second or third reading of any bill, the question shall be put by the chairman, "What is the pleasure of the Council?" A Councilmember shall motion in the affirmative or negative, if the motion is followed by a second, a roll call vote will be taken to either confirm or deny the passage of the bill.

Rule 18

Any bill shall be subject to amendment until the vote for final passage; however, substantive amendments will require the bill be continued to the next meeting. What is substantive will be decided by vote of the Council.

Rule 19 Except as provided in the Sunshine Law or as otherwise provided by law, all votes shall be recorded, and if a roll call is taken, as to attribute each 'aye' and 'nay' vote to the name of the individual Councilmember.

Section IV
RIGHTS TO THE FLOOR

Rule 20

Any member of the public may speak at a Council Regular Session at the times listed in Rule 10 and Rule 14, under the following conditions:

- 1) Speakers must fill out a written form, available at the entrance, and place the completed form in the respective inbox for either "agenda" or "non-agenda" items.
- 2) The Mayor will call speakers to the microphone at the appropriate time.
- 3) A member of the audience may also be called to the microphone to answer specific questions at the discretion of the Council. A City employee should be called forward only if the City Manager requests the Mayor to do so.

- 4) All speakers must give their name and address.
- 5) All speeches are limited to five (5) minutes or less.
- 6) When warranted the City Manager will send a letter, e-mail or place a phone call to the speaker in answer to his/her comments.

Rule 21

All special committees shall be proposed by the Mayor or any two members of Council and approved by a majority of Council.

Rule 22

By consent of a majority of the Council, a special committee may be appointed at any time to hold public hearings for the Council upon any matter pending before it.

Section VI
CITY OFFICERS

Rule 23

The City Manager shall attend all meetings of the Council unless excused by the Council. The City Manager shall keep the Council fully advised of the financial condition and needs of the City. The City Manager shall make recommendations to the Council and may take part in discussions on all matters concerning the welfare of the City, but shall have no vote in the meetings of the governing board.

Rule 24

In advance of each meeting of the Council, the City Manager shall prepare an agenda of matters, including ordinances and resolutions, to be presented to the Council at each such meeting. Members of the Council desiring reports or a discussion upon any matter involving the administrative offices of the City shall notify the City Manager in time to include such matter upon the agenda. An ordinance or resolution will be placed on the agenda at the request of threetwo members. The agenda should be received at least ten days before the meeting. Copies of the agenda shall be accessible at City Hall, in the Library and on the website as soon as possible in advance of each Council meeting and e-mailed or hand-delivered to all members of Council.

Section VII
COUNCIL OFFICERS

Rule 25

The City Clerk shall be ex-officio clerk of the Council and shall perform such duties as may be provided by the Charter or by job description. The City Clerk shall keep a journal of the proceedings of the Council including the kind of meeting, date, time and place, presence of participants. The body of the minutes should identify all speakers, including an abstract or text of each address, and include motions made, any amendments thereto, points of order, dispositions of these matters, and the time of adjournment. The format of the journal can only be changed by a vote of the majority of the Council. The minutes of the meetings shall be transcribed within a reasonable period after each meeting. The Clerk shall furnish each Councilmember with a copy of the minutes of the preceding meeting.

Rule 26

The City Clerk is responsible for preparing and maintaining the final agenda which includes Proclamations, Minutes, Appointments, Swearing In, Public Hearings, Consent Agenda, City Manager's Report, Unfinished Business and New Business which was previously approved by the City Manager.

Rule 27

The City Clerk shall post copies of notices of all Council meetings on the City Council's bulletin board on the lower level of City Hall, at the University City Library and on the City's website and alternate locations as Council deems appropriate.

Section VIII

NON-PARTISAN COUNCIL

Rule 28

Members of the City Council serve in a non-partisan capacity.

Rule 29

Mayoral and Councilmember elections are non-partisan.

Rule 30

When members of the Council engage in partisan political endorsements and activities, they should make it as clear as possible that they are acting as individuals, in a non-City official capacity and do not represent the Council or City. City letterhead and logos are to be used only for official City business and are not to be used in support of any candidate.

Section IX

COUNCIL POSITIONS ON ISSUES

Rule 31

No member may represent the Council or the City in taking a position on a political issue unless the position has been previously agreed to by a majority of the Council. However, votes taken at meetings of the St. Louis County Municipal League, the Missouri Municipal League, the National League of Cities, Metro Mayors, National Conference of Black Mayors, and United States Conference of Mayors organizations will be decided by a majority of those members of the Council who are members and present at such meetings; unless a position has previously been decided on an issue by the Council as a whole, in which case the latter shall prevail.

Rule 32

- A. When presenting personal positions or views, Councilmembers should make it clear that these are not the positions of the City or Council
- B. Nothing in these rules is meant to limit the First Amendment Speech rights of any individual member of Council

Section X REMUNERATION

COUNCIL'S R

Rule 33 Members of the Council shall receive no remuneration except that specified in the City Charter of University City.

Mayor and Councilmembers salaries can only be changed by a change in the City Charter, which requires a voter approval by the residents.

Rule 34

Members of the Council shall make no personal use of City resources, e.g., supplies, personnel, equipment, facilities, paper. Resources of the City Clerk's office may be used in an official capacity. Resources of the legislative budget may be used according to the rules of the Council's travel and expense policies and guidelines. Members of the City Council shall pay the same fees for City services and facilities as other citizens except for park passes.

Rule 35

No Councilmember should receive any gratuity from anyone doing business with the City.

Section XI

INTERNAL COMMUNICATIONS

Rule 36

As per the City Charter, members of Council have the right to communicate with members of staff for the purpose of inquiry. However, whenever possible, Council inquiries should be channeled through the City Manager's office.

Rule 37

Contents of executive sessions and confidential memos must be kept confidential.

Section XII

APPOINTMENTS TO BOARDS AND COMMISSIONS

Rule 38 - A

1. Each Group A Board or Commission appointment will be linked to a specific Council seat. This will be the "appointing Council member". Appointing Council members elected in 2010 (2014, 2018) will be Ward 1A, Ward 2B, and Ward 3A. Council members elected in 2008 (2012, 2016) will be Ward 1B, Ward 2A, and Ward 3B. Appointments must conform to any special conditions in the City Ordinance
2. The initial linkage of Board and Commission seats is attached (A).
3. When a Board or Commission seat is vacant, the appointing Council member will have 30 days from the date of the vacancy to make an appointment. If there is no appointment after 30 days, the appointment will be transferred to the other Council

member in that Ward. If the seat remains open after an additional 30 days, the appointment will be transferred to the Mayor. The intent of the City Council is that a new appointment to a Board or Commission will be made prior to the expiration of the previous member's term. The above (1, 2, 3) apply to initial appointments

4. It is the intention of the Council that a person serves no more than two terms on the same Board or Commission, except for the Library Board, which allows three terms. The Council Liaison to a Board or Commission can re-appoint a sitting Board or Commission member to a second term. In special circumstances, the re-appointing Council liaison can ask the Council to approve a reappointment for a third term or an extension shorter than a full term.

If the council liaison declines to make a specific re-appointment within thirty days of a vacancy, the seat is declared vacant and the initial appointment process applies.

5. These rules apply to the following (group A) Boards and Commissions:

- Building Code Appeals
- Plan Commission
- Infill Review Board
- CALOP
- Traffic Commission
- Green Practices Committee
- Urban Forestry Commission
- Historic Preservation Commission
- Park Commission
- Commission on Human Relations
- Municipal Commission on Arts and Letters (15 members;
(2 appointments for each Councilmember; 3 for the Mayor)
- Board of Trustees of the Non-Uniformed Employee Retirement Fund
- Board of Trustees of the Police and Firemen's Retirement Fund
- Library Board Seats 1, 2, 3, 4, 5, 6, 7 are subject to the rules in 38-A

Rule 38 – B

1. The definition of Council seats 1A, 1B, 2A, 2B, 3A, 3B in 38-A (1) shall apply to the Civil Service Board. Appointments must conform to any special conditions in City ordinances.
2. Starting with the adoption of these rules, the next appointments to the Civil Service Board will be rotated as follows: 1A, 3A, 2A, 1B, 3B, 2B, M.
3. When a Civil Service Board seat is vacant, the appointing Council member will have 30 days from the date of the vacancy to make an appointment. If there is no appointment after 30 days, the appointment will be transferred to the other Council member in that Ward. If the seat remains open after an additional 30 days, the appointment will be transferred to the Mayor.
4. The above (1, 2 3) apply to initial appointments. It is the intention of Council that a person serves no more than two terms on the same Board or Commission. If the Council liaison declines to make a specific re-appointment within thirty days of a vacancy, the seat is declared vacant and the initial appointment process applies.

5. The Council liaison can re-appoint a sitting Civil Service Board member to a second term.

Rule 38-C

1. Seats 8 and 9 on the Library Board are defined in attachment A
2. Starting with adoption of these rules, the next appointments to seats 8 and 9 of the Library Board will be jointly rotated as follows: 3A, 2B, 1A, 2A, 1B, 3B, M.
3. The appointing Council member will have 30 days from the date of the vacancy to make an appointment. If there is no appointment after 30 days, the appointment will be transferred to the other Council member in that Ward. If the seat remains open after an additional 30 days, the appointment will be transferred to the Mayor.
4. Reappointments to seat 8 and 9 are the responsibility of the Council liaison. If the Council liaison declines to make a specific re-appointment within thirty days of a vacancy, the seat is declared vacant and the initial appointment process applies.

Rule 38-D

A Board or Commission seat shall be declared "vacant":

1. On the date when a member's term expires, or
2. On the date a member resigns, or
3. The date a member is removed by other means

Rule 38-E

If a Board or Commission member has 3 consecutive unexcused absences or 3 unexcused absences in a calendar year, the Council liaison can request that the Council send a letter to that Board or Commission member to determine whether the Board or Commission member wishes to continue serving, or wishes to resign from that Board or Commission. If there is no response to the letter within 3 weeks or if the member continues to be absent without excuse, then the Council can send a follow-up letter informing the member that he/she is deemed to have resigned and will be replaced by the Council.

Rule 38-F

University City citizens may serve on only one University City Board or Commission at a time. Anyone who already serves on one Board or Commission may not be appointed or re-appointed to a second Board or Commission. This rule does not apply to the Mayor or Councilmembers.

Rule 39

Before providing the applications to members of Council, the City Clerk will check to determine whether a nominee has resigned from a board or commission prior to the expiration of his or her term. Failure to complete a term by resignation shall be a disqualification for future appointment unless the failure to complete the term was beyond the individual's control.

Rule 40

Councilmembers are required to serve as liaisons to boards and commissions and will be appointed by the Mayor. These appointments should be rotated every two years, after the April municipal elections.

The liaison serves as a communicator between the Council and the board/commission, and does not vote or participate in the work on the Board or Commission as a full deliberator.

As liaisons, Councilmembers are required to attend Board and Commission meetings and report back to the entire Council on work of those bodies. Such reports shall be presented in the Council Reports and Business section of the agenda of a Regular Council meeting.

**MEMBER LEVELS ESTABLISHED BY UNIVERSITY CITY CHARTER OR BY REVISED STATUTE OF
LIMITATION (RSMO)**

COUNCIL APPOINTMENT SEAT

1 HISTORIC PRESERVATION COMMISSION

- 1A Presently held by Stephen Kraft
- 1B Presently held by Terry Crow
- 2A Presently held by Paulette Carr
- 2B Presently held by Michael Glickert
- 3A Presently held by ~~Byron Price~~Rod Jennings
- 3B Presently held by Arthur Sharpe
- M Presently held by Shelley Welsch

2 CODE OF APPEALS

- 1A Presently held by Stephen Kraft
- 1B Presently held by Terry Crow
- 2A Presently held by Paulette Carr
- 2B Presently held by Michael Glickert
- 3A Presently held by ~~Byron Price~~Rod Jennings
- 3B Presently held by Arthur Sharpe
- M Presently held by Shelley Welsch

3 BOARD OF ADJUSTMENT

- 1A Presently held by Stephen Kraft
- 1B Presently held by Terry Crow
- 2A Presently held by Paulette Carr
- 2B Presently held by Michael Glickert
- 3A Presently held by ~~Byron Price~~Rod Jennings
- 3B Presently held by Arthur Sharpe
- M Presently held by Shelley Welsch
- M Presently held by Shelley Welsch

4 Board of Trustees of the Police & Firemens' Retirement Fund

- 1A Presently held by Stephen Kraft
- 1B Presently held by Michael Glickert
- 2A Presently held by Paulette Carr
- 2B Presently held by Michael Glickert
- 3A Presently held by Byron Price
- 3B Presently held by Arthur Sharpe
- M Presently held by Shelley Welsch
Police Rep

Fire Rep

5 Board of Trustees of the Non-Uniform Employees Retirement Fund

- 1A Presently held by Stephen Kraft
- 1B Presently held by Michael Glickert
- 2A Presently held by Paulette Carr
- 2B Presently held by Michael Glickert
- 3A Presently held by ~~Byron Price~~[Rod Jennings](#)
- 3B Presently held by Arthur Sharpe
- M Presently held by Shelley Welsch
Police Rep
Fire Rep

6 PLAN COMMISSION

- 1A Presently held by Stephen Kraft
- 1B Presently held by Terry Crow
- 2A Presently held by Paulette Carr
- 2B Presently held by Michael Glickert
- 3A Presently held by ~~Byron Price~~[Rod Jennings](#)
- 3B Presently held by Arthur Sharpe
- M Presently held by Shelley Welsch

7 MUNICIPAL COMMISSION ON ARTS & LETTERS

- 1A Presently held by Stephen Kraft
- 1A Presently held by Stephen Kraft
- 1B Presently held by Terry Crow
- 1B Presently held by Terry Crow
- 2A Presently held by Paulette Carr
- 2A Presently held by Paulette Carr
- 2B Presently held by Michael Glickert
- 2B Presently held by Michael Glickert
- 3A Presently held by ~~Byron Price~~[Rod Jennings](#)
- 3A Presently held by ~~Byron Price~~[Rod Jennings](#)
- 3B Presently held by Arthur Sharpe
- 3B Presently held by Arthur Sharpe
- M Presently held by Shelley Welsch
- M Presently held by Shelley Welsch
Rotation

8 CALOP University City Commission for Access & Local Origination Programming

- 1A Presently held by Stephen Kraft
- 1B Presently held by Terry Crow
- 2A Presently held by Lynn Ricci
- 2B Presently held by Michael Glickert
- 3A Presently held by ~~Byron Price~~[Rod Jennings](#)

- 3B Presently held by Arthur Sharpe
- M Presently held by Shelley Welsch
HEC-TV rep
Charter rep
School Liaison

9 PARK COMMISSION

- 1A Presently held by Stephen Kraft
- 1B Presently held by Terry Crow
- 2A Presently held by Paulette Carr
- 2B Presently held by Michael Glickert
- 3A Presently held by ~~Byron Price~~Rod Jennings
- 3B Presently held by Arthur Sharpe
- M Presently held by Shelley Welsch

10 TRAFFIC COMMISSION

- 1A Presently held by Stephen Kraft
- 1B Presently held by Terry Crow
- 2A Presently held by Paulette Carr
- 2B Presently held by Michael Glickert
- 3A Presently held by ~~Byron Price~~Rod Jennings
- 3B Presently held by Arthur Sharpe
- M Presently held by Shelley Welsch

11 L.C.R.A. Land Clearance Redevelopment Authority

- M Presently held by Shelley Welsch
- M Presently held by Shelley Welsch
- M Presently held by Shelley Welsch
- M Presently held by Shelley Welsch
- M Presently held by Shelley Welsch

12 I.D.A. Industrial Development Authority

- M Presently held by Shelley Welsch
- M Presently held by Shelley Welsch
- M Presently held by Shelley Welsch
- M Presently held by Shelley Welsch
- M Presently held by Shelley Welsch
- M Presently held by Shelley Welsch
- M Presently held by Shelley Welsch

13 ECONOMIC DEVELOPMENT RETAIL SALES TAX BOARD

- M Presently held by Shelley Welsch
- M Presently held by Shelley Welsch

- M** Presently held by Shelley Welsch
- M** Presently held by Shelley Welsch
 - Loop SBD
 - OBA
 - School Board

14 URBAN FORESTRY

- 1A** Presently held by Stephen Kraft
- 1B** Presently held by Terry Crow
- 2A** Presently held by Paulette Carr
- 2B** Presently held by Michael Glickert
- 3A** Presently held by ~~Byron Price~~Rod Jennings
- 3B** Presently held by Arthur Sharpe
- M** Presently held by Shelley Welsch

15 GREEN PRACTICES

- 1A** Presently held by Stephen Kraft
- 1B** Presently held by Terry Crow
- 2A** Presently held by Paulette Carr
- 2B** Presently held by Michael Glickert
- 3A** Presently held by ~~Byron Price~~Rod Jennings
- 3B** Presently held by Arthur Sharpe
- M** Presently held by Shelley Welsch

16 COMMISSION ON HUMAN RELATIONS

- 1A** Presently held by Stephen Kraft
- 1B** Presently held by Terry Crow
- 2A** Presently held by Paulette Carr
- 2B** Presently held by Michael Glickert
- 3A** Presently held by ~~Byron Price~~Rod Jennings
- 3B** Presently held by Arthur Sharpe
- M** Presently held by Shelley Welsch

LIBRARY BOARD (SEATS 8, 9 – TO BE ROTATED AS PER Rule 38C-2)

MEMBER LEVELS ESTABLISHED BY UNIVERSITY CITY CHARTER OR BY REVISED STATUTE OF LIMITATION (RSMO)

1 CIVIL SERVICE COMMISSION

- Seat 1
- Seat 2
- Seat 3
- Seat 4
- Seat 5



APPOINTMENTS BY ROTATION

2 LIBRARY BOARD

- Seat 1 **1A** Presently held by Stephen Kraft
- Seat 2 **1B** Presently held by Terry Crow
- Seat 3 **2A** Presently held by Terry Crow
- Seat 4 **2B** Presently held by Lynn Ricci
- Seat 5 **3A** Presently held by Michael Glickert
- Seat 6 **3B** Presently held by Rod Jennings
- Seat 7 **M** Presently held by Arthur Sharpe

- Seat 8
- Seat 9



APPOINTMENTS BY ROTATION