



MEETING OF THE CITY COUNCIL  
CITY HALL, Fifth Floor  
6801 Delmar Blvd.  
University City, Missouri 63130  
**October 10, 2016**  
**6:30 p.m.**

- A. MEETING CALLED TO ORDER**
- B. ROLL CALL**
- C. APPROVAL OF AGENDA**
- D. PROCLAMATIONS**
- E. APPROVAL OF MINUTES**
  - 1. September 26, 2016 Study session minutes
  - 2. September 26, 2016 Regular session minutes
- F. APPOINTMENTS to BOARDS & COMMISSIONS**
  - 1. Peggy Shamleffer nominated for appointment to the Board of Trustees Retirement Boards by Mayor Welsch, replacing Matthew Fillo.
- G. SWEARING IN to BOARDS & COMMISSIONS**
- H. CITIZEN PARTICIPATION (Total of 15 minutes allowed)**
- I. PUBLIC HEARINGS**
- J. CONSENT AGENDA**
- K. CITY MANAGER'S REPORT**
  - 1. Approval of liquor license for Cicero's, 6691 Delmar Blvd, with a change in management  
*VOTE REQUIRED*
- L. UNFINISHED BUSINESS**
  - 1. **Bill 9294** – An ordinance amending Section 355.040 – disable parking, Chapter 355 Traffic Code, of the University City Municipal Code, to revise traffic regulation as provided herein.
- M. NEW BUSINESS**  
*RESOLUTIONS*  
  
*BILLS*
  - 1. **BILL 9295** - An ordinance amending Chapter 2.52 of the University City Municipal code relating the Committee for Access and Local Origination Programming, by repealing Section 2.52.050 thereof, relating to membership and appointment, and enacting in lieu thereof a new section to be known as "Section 2.52.050 membership and appointment," thereby amending said section so as to remove Charter Communications; referred to as the "The Company".
- 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
  - Evaluation of City Council Employees: City Manager and City Clerk - requested by Councilmembers Carr and Crow.  
*DISCUSSION and VOTE*

**P. COUNCIL COMMENTS**

**Q. ADJOURNMENT**

UNIVERSITY CITY COUNCIL STUDY SESSION  
5<sup>th</sup> Floor of City Hall 6801 Delmar Blvd  
**September 26, 2016**

The City Council Study Session was held in the Council Chamber, 5<sup>th</sup> floor of City Hall, on Monday, September 26, 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 Bwayne Smotherson  
Councilmember Michael Glickert  
Councilmember Rod Jennings

Councilmember Crow was excused.

Mayor Welsch opened the study session at 5:31 p.m. She asked if anyone had any changes they would be suggesting for the agenda tonight.

Councilmember Carr said she would be adding the reappointment of Luther Baker to the Park Commission to the agenda.

Mayor Welsch said she would be adding the swearing in of John Owens to the Board of Adjustment and will note that Jeff Mishkin was sworn in to the Traffic Commission at City Hall by the City Clerk.

Councilmember Smotherson said he wanted to make a request to move the Roll Call vote to go into a Closed Session to the beginning of the agenda because of possible technical difficulties where Councilmember Crow's connection might be lost.

Mayor Welsch noted that each amendment to the agenda would be dealt with separately at the meeting.

Mayor Welsch then turned the meeting over to City Manager Lehman Walker.

Mr. Walker said the purpose of this study session was for the Green Practices Commission (GPC) to provide an update to the University City Council.

Mr. Walker said Lois Sechrist from the Green Practices Commission would begin the commission's presentation.

Ms. Sechrist provided a brief history of the Green Practices Commission and their sustainability, mission, vision and values. She stated that the members worked on five categories: Ecosystems/Habitats, Education/Communication/Advocacy, Energy, Waste/Resource Conservation and Water/Stormwater.

Ms. Sechrist said the general concept of sustainability means that we look toward the future with the decisions that the committee has made today. This means the financial sustainability, the environmental sustainability, as well as the social impact.

The members presented in the five categories of the commission's work. The first presenter was Dr. Dianne Benjamin who talked about Ecosystems and Habitats.

Dr. Benjamin said the strategic plan across all the categories looked at three different areas:

- public spaces, municipal- owned property, schools, libraries, etc.
- residences, apartment buildings, places where people live
- businesses and other privately-owned property

The program the GPC endorsed and promoted is “Bring Conservation Home”. The commission has been instrumental in having three gardens pollinatory and monarch gardens installed around the City.

Their first goal is planting native plants in public spaces in order to reduce City’s need to mow. The second goal is to work with U City In Bloom and the Community Development Department in increasing the native mix of plantings on municipal-owned property. The third goal is to continue to promote the Bring Conservation Home program.

Scott Edison spoke on education and communication advocacy as another one of the commission’s objectives. The main points on the advocacy side were special-interest presentations and collaboration with groups inside and outside of the City. The commission is presently working on a commercial recycling task force that has been set up to work with business owners in University City. The commission has worked on outreach to residents and communication through multiple different means.

Councilmember Jennings asked if the commission was working with the school system?

Councilmember Glickert spoke on the organization “Lions Against Litter” that he and Councilmember Jennings are involved with and suggested that the commission might also work with this organization.

Mayor Welsch asked if the GPC worked in coloration with other environmental groups in the City other than U City In Bloom, like the Green Center, the River des Peres Watershed Coalition, etc. Mr. Edison noted they do.

Tim Michels spoke on energy. He noted GPC accomplishments in this area as assisting the City in energy efficiency and the reduction of greenhouse gases. They helped the City to secure a loan from the state to invest in energy efficiency; and introduced to the City the PACE programs and the 100 percent financing that is available for projects that show they can provide positive cash-flow in terms of energy efficiency. Mr. Michels said the main goal of the GPC is to set a net-zero energy goals for all of City buildings, reaching those goals by 2025. They encourage the use of LED bulbs in all City owned street lights and encourage the City to keep trying to acquire Ameren-owned street lights. The GPC encourages the City to look at electric- powered vehicles. The commission would like the City to include a ½ -time staff position to work on projects to save energy for the City and residents.

Councilmember Carr inquired about the PACE program, asking if the City qualified as a clean energy city. Mr. Michels said he assumed the City was but was not aware as that being a requirement for the PACE program. She asked about how the financing worked. Mr. Michels stated there are a variety of ways to do it but if it is done as a tax, you will not be able to depreciate it by this method.

Jenny Wendt, the City staff liaison spoke on waste and resource conservation. She said the commission has worked with the Loop to make it a “green” dining district by working with businesses commitment to recycling. They are working with about 90 businesses, including apartment complexes and have 60 of them on board and will continue to educate and encourage the remaining businesses to become part of this alliance. The commission has promoted electronic recycling. The next project they have worked on is the City’s recycling area, making it cleaner and more attractive to residents. The commission will continue to try to educate people to recycle.



Lois Sechrist spoke on water/stormwater. She spoke on the need of collaboration with communities upstream and downstream, with the River des Peres Watershed Coalition, and with the Deer Creek Alliance in order to understand the issues and how you can mitigate our storm water problems. The commission will continue to encourage and educate property owners to maintain storm water on their site by use of rain gardens and rain barrels.

Councilmember Carr asked about the pavement on Midland that directed the water onto Cornell and about talking with the County about the need to regard. She also spoke of another issue of the run-off from Lewis Park onto Yale. She asked if the GPC could look at creating a storm water master plan.

Mayor Welsch asked if the commission has worked with City staff on water quality as in the past there was water run-off from the maintenance facility on Pennsylvania into the River des Peres.

Ms. Sechrist introduced remaining commission members, Robert Elgin and Richard Juang.

Meeting was adjourned at 6:25 p.m.,

Joyce Pumm, City Clerk, MRCC/CMC



**Fall 2016  
Green Practices  
Commission Update  
to  
University City  
Council**

**September 26, 2016**

**Green Practices Commission:**

**Dianne Benjamin**

**Scott Eidson**

**Bob Elgin**

**Richard Juang**

**Tim Michels**

**Jenny Wendt, Staff Liaison**

**Terry Crow, City Council Liaison**



# Sustainability

“Meeting the needs of the present without compromising the ability of future generations to meet their own needs.”

- UN Brundtland Commission, 1983



## ***Mission***

*The mission of the Green Practices Commission of University City is to encourage sustainable practices and programs that improve the health and quality of life of our community; restore and protect our natural resources; and strengthen our economy.*



## ***Vision***

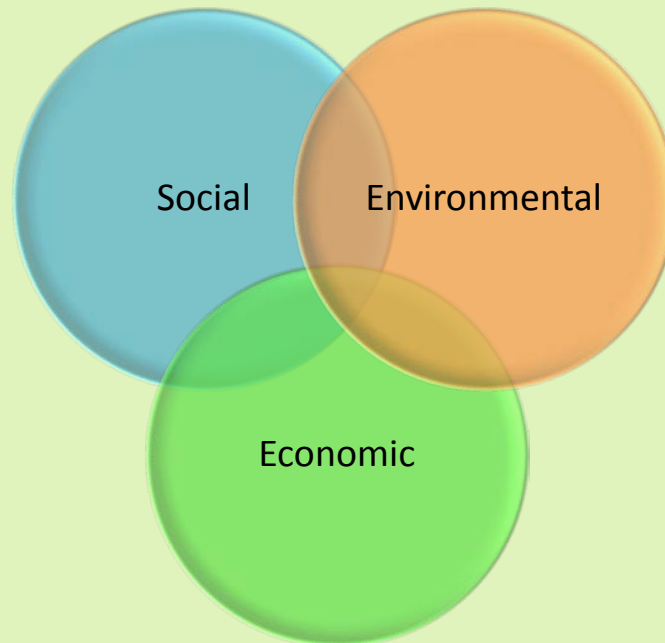
*Our vision for University City is to have a fully engaged community – City government, residents, students, business owners, and visitors that integrates sustainability into every decision made, every action taken.*



# Values

*Our values are three-fold.*

- We believe there is a connection between social, environmental and economic well-being.*
- We believe we must be stewards of our community; therefore, this compels us to use our knowledge to enhance the quality of life of future generations.*
- We believe that local behavior and global development are linked: this requires that we think globally, as we act locally.*





## ***Commission Areas of Focus***

- ❖ ***Ecosystems/ Habitat***
- ❖ ***Education/ Communication/ Advocacy***
- ❖ ***Energy***
- ❖ ***Water/ Stormwater***
- ❖ ***Waste/ Resource Conservation***





# *Ecosystems/ Habitat*



**MONARCH WAYSTATIONS**

CREATE, CONSERVE, & PROTECT MONARCH HABITATS

[www.MonarchWatch.org](http://www.MonarchWatch.org)



**Bring Conservation Home**

A St. Louis Audubon Society Community Partnership



## ***Ecosystems/ Habitat goals:***

- *Propose a written plan to U City for increasing low maintenance, native plantings for municipal-owned property and medians/roadways, by February 1, 2017.*
- *Propose contract requirements for native plantings on municipal owned property and medians/roadways, in collaboration with U City in Bloom and Community Development, when UCB contract is renewed (date to be determined).*
- *Continue to promote Bring Conservation Home and other native plantings (including pollinator gardens) and report these activities in GPC meeting minutes.*



# Education/ Communication/ Advocacy



## University City Green Practices Commission

The Green Practices Commission was formed to help University City residents, businesses, schools and other community institutions reduce their carbon footprints and increase green practices.

Made up of an impressive list of community leaders with backgrounds in engineering, science, architecture and sustainability, the Green Practices Commission's primary responsibilities include:

- Acting in an advisory capacity to the University City Council in regards to all development projects and initiatives.
- Establishing and prioritizing sustainability goals and tracking their progress.
- Encouraging recycling, composting and other sustainable practices that help improve the quality of life in University City, protect and restore its natural resources and strengthen its economy.

*Our vision for University City is to have a fully-engaged community — including city government, citizens, students, business owners and patrons — that integrates sustainability into every decision made and every action taken.*



In 2008, University City's City Hall became the first municipal building in the St. Louis region to receive Leadership in Energy and Environmental Design (LEED) certification from the U.S. Green Building Council.

### Green Practices Commission Meeting Schedule

City Hall - EOC Room, Basement Level  
6801 Delmar Blvd  
University City, MO 63130

2<sup>nd</sup> Thursday of each month at 6:30 p.m.



Printed on recycled content paper using soy based ink

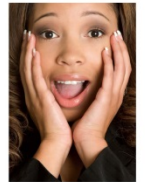


## University City Green Practices Commission

### Continuing the Legacy of Sustainability & Green Practices

[www.universitymo.gov](http://www.universitymo.gov)

## We're throwing away perfectly good money!!!



Believe it or not, **University City buries over \$500,000 every year** in the landfill. For every ton of waste we throw away in the trash, we have to pay a landfill fee. **When we recycle, we don't have to pay that landfill fee!**

## DO YOUR PART...RECYCLE!



### Here are the facts:

- ★ 60-70% of household waste is recyclable
- ★ we could save at least \$200,000 in landfill fees each year if we recycled just 50% of our waste
- ★ if we recycled just 50% of our waste, every year the city could save money that could otherwise be spent on other services, like:
  - 20 new bus shelters
  - 2 new playgrounds in parks
  - 33,000 square feet of new sidewalks
  - 10 new picnic pavilions
  - 2,000 trees trimmed
  - 8 blocks of street repairs



**Please call 314-505-8560  
for a larger recycling cart  
or more information!**



University City  
Department of  
Public Works



## ***Education/Communication/Advocacy:***

- *Ecotalks – Speakers at Green Practice Commission meetings*
- *Collaboration with other communities*
- *Recruit and engage subject matter experts*
- *Seek input from University City citizens*
- *Promote and Publicize Sustainability efforts*
- *Collaborate with City staff on print and social media*



# *Energy*





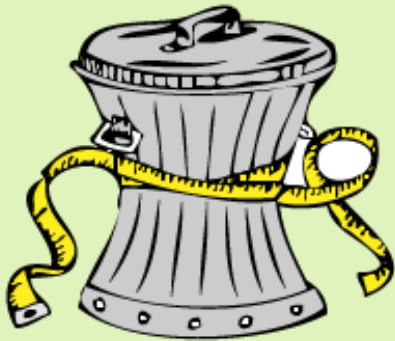


## ***Energy action items:***

- *Set Net-Zero Energy goal for all City buildings and operations by 2025*
- *Replace Ameren street lights with City-owned LED lamps*
- *Advance renewable energy opportunities*
- *Keep building energy codes up to date for whole community*
- *Improve City vehicle and equipment energy usage*
- *Add City Staff position to foster energy-efficiency efforts (1/2 FTE to start)*
- *Maintain Carbon use reporting & documentation*
- *Assist homeowners and businesses with Net-Zero opportunities*
- *Advance PACE program or have City manage Qualified Energy Conservation Bond for homeowners and businesses.*



# Waste/ Resource Conservation



Delmar Loop -  
Green Dining  
District

@GreenDiningDistrict





## ***Waste/ Resource Conservation Action Items:***

- *Promote and Increase Commercial Recycling*
- *Increase education/promotion of Residential Recycling*
- *Continue education of special waste disposal*
- *Evaluate waste-to-energy opportunities*
- *Reduce construction/demolition waste*





# *Water/ Stormwater*



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## ***Water/Stormwater***

- *Municipal Separate Storm Sewer System (MS4)*
- *Rain Barrel education and sponsorship*
- *Water Quality awareness*
- *Stormwater management education for residents*



**Thank You!**

**University City  
Green Practices Commission**

MEETING OF THE CITY COUNCIL  
CITY HALL, Fifth Floor  
6801 Delmar Blvd.  
University City, Missouri 63130  
**September 26, 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, September 26, 2016, Mayor Shelley Welsch, called the meeting to order at 6:30 p.m.

**B. ROLL CALL**

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

Councilmember Rod Jennings  
Councilmember Paulette Carr  
Councilmember Terry Crow (*via video remote*)  
Councilmember Michael Glickert  
Councilmember Bwayne Smotherson

Also in attendance was the City Manager, Lehman Walker.

Mayor Welsch announced that as a result of the participation via video remote, all votes on ordinances will be conducted by Roll Call. In the event a member loses their video connection during a discussion they will not be allowed to take part in the vote.

**C. APPROVAL OF AGENDA**

Councilmember Carr requested that the reappointment of Luther Baker to the Park Commission be added to the agenda.

Voice vote on Councilmember Carr's request carried unanimously.

Mayor Welsch requested that the agenda be amended to include the swearing in of John Owens to the Board of Adjustment, and note that Jeffrey Miskin was sworn in to the Traffic Commission at City Hall by the City Clerk.

Voice vote on Mayor Welsch's request carried unanimously.

Councilmember Smotherson made a motion that the Roll Call Vote to go into closed Session; (*only the vote*) be moved to the beginning of the meeting, to ensure Councilmember Crow's participation. The motion was seconded by Councilmember Carr.

**Point of Information:** Councilmember Crow stated that if Council votes to go into a Closed Session, one-third of the City will not be represented during the session, since he will be unable to participate. His thought was that since this item is not time-sensitive, it did not need to be made at this time.

Councilmember Jennings questioned whether the topic being discussed in the Closed Session even required a vote? Mayor Welsch stated that no one knows what might happen during the session and we should not discuss that in open session. Councilmember Jennings stated now that the City is using an outside company to assist with conducting its video conferencing, Councilmember Crow should be able to participate. Mayor Welsch acknowledged that the City

was trying out a new system, and we are not anticipating any problems with tonight's connection.

Voice vote on Councilmember Smotherson's motion failed.

**D. PROCLAMATIONS**

**E. APPROVAL OF MINUTES**

1. September 12, 2016 Regular session minutes were moved for approval by Councilmember Jennings, was seconded by Councilmember Smotherson and the motion carried unanimously.

**F. APPOINTMENTS to BOARDS & COMMISSIONS**

1. Luther Baker was nominated for reappointment to the Park Commission by Councilmember Carr, was seconded by Councilmember Glickert and the motion carried unanimously.

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

1. John Owens was sworn in to the Board of Adjustment.
2. Jeffrey Miskin was sworn in to the Traffic Commission at City Hall by the City Clerk.

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

**Tom Sullivan, 751 Syracuse, University City, MO**

Mr. Sullivan expressed concerns regarding the overhead wires associated with the Loop trolley; traffic conditions at the roundabout; inadequate street sweeping services; landscaping issues associated with the Laclede Gas upgrades; and the amount of taxpayer dollars spent on the temporary Police Station and Social House, while there are so many significant needs throughout the City that are being ignored.

**Joe Adams, 924 Wild Cherry Lane, University City, MO**

Mr. Adams stated that he wished to clarify some of the statements made in Ms. Jan Adams' letter to Council regarding the public meeting conducted at Heman Park Community Center on August 30th. He stated that he had been invited to the meeting in his capacity as the State Representative for this district. However, the only subjects he addressed were the rights of development and demolition by neglect. Mr. Adams stated that he specifically did not make comments about any candidates running for office, including himself, because he did not want anyone to think that he was trying to interfere with the City's progress.

**I. PUBLIC HEARINGS**

1. Proposed Property Tax Rates

Mayor Welsch opened the public hearing at 6:46 p.m., and hearing no requests to speak the hearing was closed at 6:46 p.m.

**J. CONSENT AGENDA**

**K. CITY MANAGER'S REPORT**

1. Green Practices Commission Update Summary.

Mr. Walker stated that this update was provided during the Study Session, so there was nothing more to report.

Mayor Welsch encouraged her colleagues to pass any additional questions or concerns related to tonight's presentation to Mr. Walker.

**L. UNFINISHED BUSINESS**

1. **BILL 9292** – An ordinance vacating and surrendering fifteen feet wide north/south public alley Right-Of-Way located on the south side of Delmar Boulevard and adjacent to the west boundary of Lot 17 of Block 4 of Delmar Heights subdivision and adjacent to the east boundary of lots 14, 15 and 16 of Block 4 of Delmar Heights Subdivision; reserving any public easements, and directing that this ordinance be recorded in the office of the Recorder of Deeds of St. Louis County, Missouri. Bill 9292 was read for the second and third time.

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

**Roll Call Vote:**

**Ayes:** Councilmembers Jennings, Carr, Crow, Glickert, Smotherson and Mayor Welsch.

**Nays:** None.

2. **BILL 9293** – An ordinance amending Chapter 400 of the Municipal Code of the City of University City, relating to zoning, by amending Section 400.1740; thereof, relating to the Civic Complex Historic District; containing a savings clause and providing a penalty. Bill 9293 was read for the second and third time.

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

**Roll Call Vote:**

**Ayes:** Councilmembers Jennings, Carr, Crow, Glickert, Smotherson and Mayor Welsch.

**Nays:** None.

**M. NEW BUSINESS**

**RESOLUTIONS**

*Introduced by Councilmember Glickert*

1. **Resolution 2016 – 23** A resolution approving the 2016 annual property tax rates. The motion was seconded by Councilmember Jennings.

Voice vote on the motion carried unanimously.

**BILLS**

*Introduced by Councilmember Smotherson*

2. **Bill 9294** – An ordinance amending Section 355.040 – disable parking, Chapter 355 Traffic Code, of the University City Municipal Code, to revise traffic regulation as provided herein. Bill 9294 was read for the first time.

Mayor Welsch stated that before the next meeting she would like a confirmation on whether this ordinance had been reviewed by the Traffic Commission, and a clarification as to whether this proposal infringes on any Federal laws related to disabled parking.

Councilmember Smotherson stated that the intent of his proposal is to supplement the City's current ordinance by implementing a system to ensure that residential disabled parking signs are only utilized by the resident who was granted approval to have the sign installed. The suggested amendment was taken from a St. Louis City ordinance that addressed this particular problem by assigning matching numbers for the posted sign and the disabled resident's parking sticker. Councilmember Smotherson stated that while conducting his research he found no Federal law that prohibited this practice.

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

**O. COUNCIL REPORTS/BUSINESS**

1. Boards and Commission appointments needed

Mayor Welsch made the appointments that were needed.

2. Council liaison reports on Boards and Commissions

3. Boards, Commissions and Task Force minutes

Mayor Welsch noted that Council had received some minutes in this week's packet.

4. Other Discussions/Business

- Evaluation of City Council Employees: City Manager and City Clerk  
*Discussion and Vote requested by Councilmembers Carr and Crow*

Councilmember Carr stated that on June 13th of this year she informed Council of their obligation to conduct yearly performance evaluations on its two employees; the City Manager and City Clerk. Therefore, she made a motion that Council initiate these evaluations within 10 days, and that they be completed within the normal timeframe. The motion was seconded by Councilmember Smotherson.

Councilmember Glickert stated that while he would agree that Council has been lax on performing these evaluations, he would like to suggest that the evaluations be initiated within 14 days rather than 10 days. Councilmember Carr stated that she would be amenable to Councilmember Glickert's amendment. The motion was seconded by Councilmember Jennings.

Mayor Welsch stated that she also had no problem with Councilmember Carr's motion, but believed Council should discuss how the process will be initiated and implemented. Mayor Welsch stated that as a result of her current personal situation she would be unable to work on this issue until next week.

Councilmember Carr stated that guidelines had been established three years ago, wherein Council had completed a list of objectives for the City Manager, but no further action was taken, the process was "thrown under the bus".

Councilmember Jennings requested that he and Councilmember Smotherson be provided with a copy of the list of objectives and suggested that a Study Session be established to discuss them in more detail.

Mayor Welsch stated that she would provide Councilmembers Jennings and Smotherson with a copy of the objectives. However, she does not think that the process that initiated in November of 2014 was thrown under the bus, but rather, that one Councilmember simply failed to complete the process with respect to the City Clerk's objectives.

Voice vote on Councilmember Carr's amended motion carried unanimously.

**P. COUNCIL COMMENTS**

Councilmember Crow complimented the Public Works Department and Ford Asphalt Company for the overlay they performed on Maryland Avenue.

Councilmember Smotherson informed Council that the Traffic Commission had been briefed on the Centene Project, and his hope is that its impact to residents on Forsyth, Jackson and Pershing, was explained to their satisfaction. He stated that at this point, Council needed to carefully review the plans and make a determination as to whether there are any matters that need to be addressed prior to granting approval.

Councilmember Jennings stated that the Police Facility Analysis Report conducted by Ross & Bazzani determined that it would be substantially more expensive to renovate and add a

addition to the existing facilities versus developing a new facility on a remote site. Now that Council has received two reports from independent consultants stating that the City would get the most bang for its buck by constructing a new police station, he would like to see this project move forward with a goal of reducing the amount of time officers have to remain in this temporary facility.

Mayor Welsch stated that she had received a number of phone calls regarding the correct spelling of Karen Larsen Neilson's name, as identified in the minutes. Therefore, she asked that a copy of Ms. Neilson's LinkedIn page be made a part of the record. Mayor Welsch also asked that a copy of the Attorney General's letter, referenced at the last meeting, and a copy of the City Clerk's response to that letter, be made a part of the record.

Councilmember Carr stated that Ms. Neilson has personally provided her with the correct spelling of her name and asked that she make the correction.

**Q. ROLL CALL VOTE TO GO INTO A CLOSED SESSION authorized by Section 610.021 (2) Real Estate; according to RSMo 610.021; Real Estate (2).**

Councilmember Jennings moved to go into executive session and was seconded by Councilmember Glickert.

Councilmember Crow reiterated his comment made at the beginning of the meeting regarding his inability to participate in Closed Session discussions via video conference. He then requested that this matter not be discussed until the 1st Ward could be properly represented.

**Roll Call Vote:**

**AYES:** Councilmembers Jennings, Glickert and Mayor Welsch.

**NAYS:** Councilmembers Smotherson, Carr and Crow.

*(Motion failed)*

**R. ADJOURNMENT**

Mayor Welsch adjourned the meeting at 7:05 p.m.

Respectfully submitted,  
Joyce Pumm  
City Clerk, MRCC/CMC



Professional Women Only - You're Invited to Join the Professional Women's Network | Read More »

**Karen Larsen Neilson**  
Non-Profit Organization Management Professional  
Greater St. Louis Area | Civic & Social Organization

Previous Clayton Chamber of Commerce, KETC-TV Channel 9, PBS affiliate  
Education Drake University

Connect

106 connections

https://www.linkedin.com/in/karen-larsen-neilson-0a83159

Background

Experience

**Executive Director**  
Clayton Chamber of Commerce  
1985 - 1999 (11 years)

**Educational Consultant**  
KETC-TV Channel 9 - PBS affiliate  
1974 - 1978 (4 years)

Skills

Top Skills

- 11 Community Development
- 8 Strategic Planning
- 6 Non-profits
- 4 Nonprofits
- 3 Organizational
- 2 Public Policy
- 2 Community Outreach
- 2 Event Management
- 1 Writing
- 1 Program Development



Education

Drake University



People Also Viewed

- Matthew Tao**  
Farm Hand at Six River Farm
- Miguel Ángel Jara Serradilla**  
Delegado técnico Comercial Alucoil
- Mary Eileen Burke**  
CEO at Academy of Science - St Louis
- Elizabeth Robb**  
Owner E Robb Inc
- Stuart Zimmerman CPA/PFS**  
Executive in Residence, Olin School of Business at Washington University in St. Louis
- Susan Block**  
owner at The Designing Block
- Richard Jensen**  
Vice President at Fine Art Covers, LLC
- Alex Berger III, SPHR**  
Strategic HR Consultant
- Linda D Schumacher**  
TV and radio broadcast professional
- Kathy Beilein**  
President at Laura McCarthy Realtors

People also viewed  
Matthew Tao Farm Hand at Six River Farm

September 16, 2016

*DELIVERED VIA EMAIL: [Casey.Lawrence@ago.mo.gov](mailto:Casey.Lawrence@ago.mo.gov)*

Ms. Casey Lawrence  
Sunshine Law Coordinator  
Attorney General's Office  
P.O. Box 899  
Jefferson City, Missouri 65102

**Re: University City Sunshine Law Complaint**

Dear Ms. Lawrence:

I am in receipt of your September 2, 2016 correspondence regarding the City of University City's (the "City") response to three open records requests. The first issue relates to a request made by Mr. Hales on or about August 19, 2016. Mr. Hales requested:

Gateway Ambulance Monthly Response Reports for the months of April 2016, May 2016, and June of 2016. The monthly response reports referenced are those specifically on page 3, number 9 of the signed contract between the City of University City and Gateway Ambulance.

Section 610.026 of the Missouri Revised Statutes states as follows:

Research time required for fulfilling records requests may be charged at the actual cost of research time. Based on the scope of the request, the public governmental body shall produce the copies using employees of the body that result in the lowest amount of charges for search, research, and duplication time. Prior to producing copies of the requested records, the person requesting the records may request the public governmental body to provide an estimate of the cost to the person requesting the records.

Mr. Hales requested Gateway Ambulance Monthly Response Reports, which are provided by Gateway Ambulance to the City's Fire Chief via email. The City's Fire Department does not have a secretary or administrative staff. In order to fulfill Mr. Hales record request, the Fire Chief, who is the individual in possession of the emailed Reports, was the individual required to fulfill the request. Since the Chief is the only employee in possession of the Reports, the Chief was the City employee utilized to fulfill the record request. The Reports needed to be reviewed and the patient information redacted. As such, the cost of the Chief's time was charged for the request. Mr. Hales was provided with the actual cost of the records request prior to receipt of the records.

Second, with regard to the record request by Ms. Ginsberg, the City has previously provided the Attorney General's Office with a response as to why the information was redacted. The records were redacted in compliance with the Health Insurance Portability and

Accountability Act (HIPAA). The Missouri Sunshine Law does not expressly permit the closure or redaction of records based on HIPAA; however, Section 610.021(14) does permit the closure of records “which are protected from disclosure by law.”

HIPPA protects the privacy and security of health information. While the dispatch is not a covered entity, the information relayed by it is recognized by HIPPA as protected health information (PHI). Protected health information is information, *including demographic information*, which relates to:

- the individual’s past, present, or future physical or mental health or condition,
- the provision of health care to the individual, or
- the past, present, or future payment for the provision of health care to the individual, and that identifies the individual or for which there is a reasonable basis to believe can be used to identify the individual.

Protected health information includes many common identifiers (e.g., name, address, telephone number, birth date, Social Security Number) when they can be associated with the health information listed above. Some of the records requested by Ms. Ginsberg contain the name of the patient, location of the patient (address), the phone number and the hospital to which the patient was transported.

While few 911 centers or municipal dispatch agencies are covered by HIPAA, the information relayed is PHI. HIPPA does authorize PHI sharing in order to permit first responders and EMS to communicate with one another without violating HIPPA. These are necessary communications that can be disclosed to others with a “justifiable need to know”. This does not expressly permit PHI to be shared by dispatchers with the public, rather only between entities or persons with a need to know or immediately related to the care of the patient. Disclosure of PHI to a member of the public not connected to the patient or incident does not meet the HIPPA standard that the request be “directly related to a justifiable need”.

PHI may *only* be shared for “*treatment, payment or operational needs*”. Other requests require written consent from the patient. A “*minimum necessary information requirement*” is standard for all use of PHI *outside of treatment*. If PHI needs to be shared with other public safety groups, government agencies or other officials in operational settings such requests *must be directly related to a justifiable “need” as permitted by HIPAA regulations*.

In the present request, Ms. Ginsberg has not provided a justifiable need for the PHI contained in the dispatch records requested, as such, all PHI has been redacted from the dispatch records.

The difference in cost associated with the Mr. Hales and Ms. Ginsberg’s requests are due to the fact that the parties requested two completely different sets of records. Mr. Hales requested three monthly reports generated by Gateway and provided to the City. That is only a ninety (90) day period, which would result in fewer documents needing to be researched and redacted. The Gateway Reports only list the response time for their ambulances in University City. Whereas, Ms. Ginsberg requested the City Fire Department’s response times from the City’s computer aided dispatch system, from September 2015 through March 2016. The City’s

dispatch records include ambulance calls as well as all fire truck responses in University City and mutual aid. Ms. Ginsberg's response requested information over a seven (7) month period and requested substantially more pages of documents than Mr. Hales. Patient information had to be redacted by hand.

Lastly, with regard to a record request obtained by Mr. McMahon on October 29, 2015, the City has no record of a Sunshine request from him on that date. Mr. McMahon made requests in August and September of 2015 for Gateway Response Reports and paid \$40.10 for the records requested. The City has previously provided those for your review.

If you have any additional questions, please contact me.

Sincerely,

Joyce Pumm



ATTORNEY GENERAL OF MISSOURI

CHRIS KOSTER  
ATTORNEY GENERAL

JEFFERSON CITY  
65102

P.O. BOX 899  
(573) 751-3321

September 2, 2016

City of University City  
c/o Ms. Joyce Pumm  
6801 Delmar Boulevard  
University City, MO 63130

Re: Sunshine Law Complaint

Dear Ms. Pumm,

The Missouri Attorney General's Office has received another complaint from a constituent regarding the fees the City of University City is charging to fulfill open records requests.

Mr. Jeff Hales contacted our office on August 19, 2016 and stated that he requested the Gateway Ambulance Response Report for the Months of April, May and June of 2016. These response reports appear to have all of the ambulance response times reported by the private contractor. The city informed Mr. Hales on August 11, 2016, that it would cost \$49.52 for the Fire Chief to research the request for one hour, and that there would be a \$5.60 charge for the 56 pages of information.

Mr. Hales is concerned that the Fire Chief has been assigned the task of looking up three emails, and they are likely the highest paid staff member in the office. The body's response did not indicate that the office would have to spend time redacting the information. Our office would like to know why Mr. Hales is being charged for the Fire Chief's time to fulfill the request. It is likely that the Fire Chief is paid a higher salary than other department employees and the Sunshine Law requires in § 610.026.1(1), RSMo, "Based on the scope of the request, the public governmental body shall produce the copies using employees of the body that result in the lowest amount of charges for search, research, and duplication time."

Currently our office also has been working the city regarding an open records request made by Ms. Aren Ginsberg. Ms. Ginsberg asked to receive copies of the city's ambulance response times recorded in University City's Computer Aided

[www.ago.mo.gov](http://www.ago.mo.gov)

City of University City  
Page 2  
September 2, 2016

Dispatch System. Ms. Ginsberg is being charged over \$700 for these records because the city indicated the records would need to be redacted.

The Missouri Sunshine Law specifically states in § 610.023.4, RSMo, "If a request for access is denied, the custodian shall provide, upon request, a written statement of the grounds for such denial. **Such statement shall cite the specific provision of law under which access is denied** and shall be furnished to the requester no later than the end of the third business day following the date that the request for the statement is received." While our office has received a statement from the city indicating why they believe the information is closed, we have not yet received a specific citation regarding this issue. Please provide our office with the specific citation allowing the city to close this information.

We are aware that Mr. Hales' information would have been provided by Gateway Ambulance Services and Ms. Ginsberg's information would have been created by the public governmental body. Apart from the information origins though, these two requests seem to be very similar. Please provide our office with an explanation stating why there is such a large discrepancy between the costs associated with these two requests.

Our office was also informed that Mr. Steve McMahon received an ambulance response time records on October 29, 2015. It may be helpful to our office to know how much Mr. McMahon was charged for those records. Please provide our office with a copy of the invoice submitted to Mr. McMahon indicating how much the body intended to charge for his request.

We hope to receive your responses as soon as possible, and no later than September 16, 2016.

Sincerely,

CHRIS KOSTER  
Attorney General



Casey Lawrence  
Sunshine Law Coordinator  
(573) 751-8905 Phone  
(573) 751-5660 Facsimile  
Casey.Lawrence@ago.mo.gov



## City Manager's Report Agenda Item Cover

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**MEETING DATE:** October 10, 2016

**AGENDA ITEM TITLE:** Liquor License for **Cicero's, 6691 Delmar Blvd**

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

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

**BACKGROUND REVIEW:** **Cicero's**, has applied for a liquor license as a result of changing the management. Ms. Trisha Jacobs 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



CITY OF UNIVERSITY CITY  
**APPLICATION FOR LIQUOR LICENSE**  
 University City Municipal Code, Chapter 600 Section 600.060

**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 \$25.00

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

- |                                     |     |   |          |
|-------------------------------------|-----|---|----------|
| <input checked="" type="checkbox"/> | 2-  | All kinds of intoxicating liquor, by the drink, retail . . . . .                                | \$450.00 |
| <input type="checkbox"/>            | 4-  | CLUB: All kinds of intoxicating liquor, by the drink, retail . . . . .                          | 200.00   |
| <input type="checkbox"/>            | 5-  | Malt liquor not in excess of 5% alcohol wholesaler to wholesaler . . . . .                      | 75.00    |
| <input type="checkbox"/>            | 6-  | Intoxicating liquor not in excess of 22% alcohol wholesaler to wholesaler . . . . .             | 150.00   |
| <input type="checkbox"/>            | 7-  | Malt liquor not in excess of 5% alcohol wholesaler to retailer . . . . .                        | 150.00   |
| <input type="checkbox"/>            | 8-  | Intoxicating liquor not in excess of 22% alcohol wholesaler to retailer . . . . .               | 300.00   |
| <input type="checkbox"/>            | 9-  | Malt liquor in excess of 3.2% and not in excess of 5% alcohol, by the package, retail . . . . . | 75.00    |
| <input type="checkbox"/>            | 10- | Malt liquor in excess of 3.2% and not in excess of 5% alcohol, by the drink, retail . . . . .   | 75.00    |
| <input type="checkbox"/>            | 11- | Malt liquor not in excess of 5% beer and 14% wine, by the drink, retail . . . . .               | 75.00    |
| <input type="checkbox"/>            | 12- | Intoxicating liquor not more than 22%, by the package, retail . . . . .                         | 75.00    |
| <input type="checkbox"/>            | 13- | Intoxicating liquor of all kinds, wholesaler to wholesaler . . . . .                            | 375.00   |
| <input type="checkbox"/>            | 14- | Intoxicating liquor of all kinds, wholesaler to retailer . . . . .                              | 750.00   |
| <input type="checkbox"/>            | 15- | Intoxicating liquor of all kinds, by the package, retail . . . . .                              | 150.00   |
| <input checked="" type="checkbox"/> |     | Sunday Liquor License . . . . .   | 300.00   |



**I. BUSINESS APPLYING FOR LICENSE:**

**A. BUSINESS NAME AND TYPE**

Cicero's Inc. Restaurant

- Sole Owner
- Partnership
- Corporation
- Limited Liability Company

**B. DESCRIPTION OF PREMISES AND ADDRESS:**

DESCRIPTION: \_\_\_\_\_

ADDRESS: 6691 Delmar Blvd

HOURS OF OPERATION: 11-12:30 AM

**C. PHONE:**

314-862-0009

**II. MANAGING OFFICER:**

**A. NAME: (LAST)**

Jacobs

**(FIRST)**

Trisha

**(MIDDLE INITIAL)**

H.

**B. ADDRESS, CITY & ZIP CODE:**

5446 Walsh

**C. PHONE:**

314-580-4017

**D. DATE OF BIRTH:**

7/1/1971

**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:**

**I. MISSOURI RESIDENT SINCE: (MONTH & YR)**

7/1/1971

**K. TOWNSHIP:**

St. Louis

**L. COUNTY:**

St. Louis

**M. CURRENT BUSINESS OR OCCUPATION OF APPLICANT:**

Restaurant owner

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

Ciceros Inc.

**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)

Currently Cicero's

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 \$ 1.6 OTHER (INCLUDING LIQUOR) \$ 800,000.00

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:



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

Comes now Trisha Jacobs of lawful age, being first duly sworn upon oath, deposes and says 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.

Trisha Jacobs  
SIGNATURE OF APPLICANT/MANAGING OFFICER

SUBSCRIBED AND SWORN TO BEFORE ME ON THIS DAY 20<sup>th</sup> OF July 2016

Jessica Martin  
NOTARY PUBLIC

MY COMMISSION EXPIRES: 2/26/18



THIS SECTION FOR CITY USE ONLY

APPROVALS:

<b>Police Chief</b> _____	<b>Date:</b> _____
<b>Comments:</b>	
<b>Community Development</b> _____	<b>Date:</b> _____
<b>Comments:</b>	
<b>City Manager</b> _____	<b>Date:</b> _____
<b>Comments:</b>	



## Inter-Office Memo

Date: 9/7/2016

To: Colonel Charles Adams

From: Sgt. F. Lemons

Reference: Liquor License Application 6691 Delmar

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I have reviewed the findings of the investigation completed by Detective Shannon Eaton concerning the liquor license application submitted by Trisha Heather Jacobs, Cicero's Inc. Restaurant. Det. Eaton's investigation was thorough and failed to disclose evidence that would justify a denial of the applied for liquor license.

*Detective Lieutenant Fredrick Lemons 99*  
Supervisor Bureau of Investigation

Approved by Chief Charles Adams

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

Comes now Trisha Jacobs of lawful age, being first duly sworn upon oath, deposes and says 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.

Trisha Jacobs  
SIGNATURE OF APPLICANT/MANAGING OFFICER

SUBSCRIBED AND SWORN TO BEFORE ME ON THIS DAY 20<sup>th</sup> OF July 2016

Jessica Martin  
NOTARY PUBLIC

MY COMMISSION EXPIRES: 2/26/18

JESSICA MARTIN  
Notary Public Notary Seal  
STATE OF MISSOURI  
St. Louis County  
My Commission Expires: Feb. 26, 2018  
Commission # 14586172

THIS SECTION FOR CITY USE ONLY

APPROVALS:

Police Chief	_____	Date: _____
Comments:		
Community Development	<u>Andr... [Signature]</u>	Date: <u>7/8/16</u>
Comments:		
City Manager	_____	Date: _____
Comments:		

**IV. SUNDAY LIQUOR LICENSE**

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

Under the provisions of Chapter 600, Section 600.260 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 9:00 A.M. and midnight on Sundays.

A. APPLICANT NAME: (LAST) Jacobs (FIRST) Trisha (MIDDLE INITIAL) H.

B. BUSINESS NAME: Cicero's PHONE NUMBER: 314-862-0009

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.

Trisha Jacobs  
Signature of Applicant

Vice President  
Title of Applicant

9/21/16  
Date



RECEIVED

SEP 22 2016

Finance Department  
City of University City

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 600.080 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: 9/18/16 Name: Joseph Gress  
Location of University City real property taxed in your name: 7406 Wellington Ave  
How long have you known applicant? 12 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? Absolutely!  
Phone Number: 314-315-3926 Signature: Joseph Gress

2) Date: 9/18/16 Name: Steve MACKAY  
Location of University City real property taxed in your name: 7312 Wellington Ave  
How long have you known applicant? 8 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: 314 913 7501 Signature: Smackey

3) Date: 9/21 Name: Brian Adams  
Location of University City real property taxed in your name: 7409 Wellington Ave  
How long have you known applicant? 11 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) 856 5814 Signature: Brian Adams

4) Date: 9/21 Name: Joel Hertenstein  
Location of University City real property taxed in your name: 7011 Dartmouth Ave #JFL  
How long have you known applicant? 5 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: 314-827-4561 Signature: Joel Hertenstein

5) Date: 9/21 Name: George E Conner  
Location of University City real property taxed in your name: 8027 Milan 63130  
How long have you known applicant? 18 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: 314-997-0567 Signature: George E Conner



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 600, Section 600.080, 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
Barbara J. Smith	1050 Groby Rd, 63130
Rebecca L. Hunter	6314 Cabanne 1W 63130
Alvin Rippling (Jimmy Johns)	6681 Delmar Blvd, Ucity, MO 63130
John Fechter (Seoul Taco)	6677 DELMAR BLVD, Ucity, MO, 63130
Jennifer Toje (Craft Alliance)	6665 Delmar BLVD, ST. Louis 63130
Leighann Johnson (McArthur's)	6640 Delmar Blvd St. Louis 63130
T.J. Mann (The Vault)	437 New York St St. Louis 63122
JAFISH KUMAR (Which Wich)	6662 Delmar Blvd St Louis, 63130
Patrick McAdam (Heads & Threads)	6662 Suite C Delmar Blvd 63130
Joe Ross (T. Myrtle)	6662 Delmar Blvd 63130
Mike Hobbs (The Melting Pot)	6683 DELMAR BLVD UCity, MO 63130

(Attach additional sheet if necessary)



6/29/2016

Confirmation Letter

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



STATE OF MISSOURI  
Department of Revenue  
Telephone: (573) 751-9268  
Fax: (573) 522-1263  
E-mail: taxclearance@dor.mo.gov

CICEROS INC  
CICEROS INC  
6691 DELMAR BLVD  
UNIVERSITY CITY , MO 631304544

DATE: June 29, 2016  
MISSOURI TAX ID NUMBER:  
10915303

# CERTIFICATE OF NO TAX DUE

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/use or 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 June 28, 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.

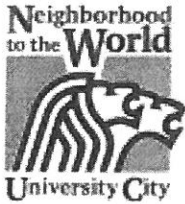
This statement only applies to sales and withholding tax due and does not limit the authority of the ~~Director of Revenue to assess, and/or collect liabilities under appeal, in default of an installment agreement entered into with the Director of Revenue or that become known to the Missouri Department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

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

DIRECTOR OF REVENUE OR DELEGATE  
STATE OF MISSOURI

BY:

Dwayne Maples  
Administrator, Business Tax



**University City**

6801 Delmar Blvd.  
 University City,  
 MO 63130  
 (314) 505-8500 Voice  
 Fax

**COMMERCIAL OCCUPANCY PERMIT (COP)**

Issue Date: October 5, 2016

PROJECT DESCRIPTION: CHANGE OF OWNER (Ciceros Inc Restaurant/Bar/Venue)

<b>PROJECT #</b> CMPM-16-08375	<b>(314) 505-8500</b> Inspections	<b>www.mygov.us</b> Permits
-----------------------------------	--------------------------------------	--------------------------------

<b>LOCATION</b> 6691 Delmar University City, MO	<b>LEGAL</b> Delmar Garden
---	-------------------------------

**CONTRACTOR**

Ciceros Inc  
 6691 Delmar  
 University City, MO 63130  
 (314) 862-0009 Phone  
 ddish1@sbcglobal.net

**OWNER**

Shawn Jacobs  
 6691 Delmar Blvd.  
 University City, MO 63130

**NOTICES**

- 1) 314-505-8500 Voice
- 2) 314-862-3168 Fax
- 3) inspections@ucitymo.org E-mail
- 4) Any additions, subtractions, or substitutions of individuals on the occupancy permit requires the head-of-household to amend this permit.
- 5) It is unlawful for a property to be occupied by person or property greater than the number indicated on this permit, persons not specific listed on the permit, or for a property to be occupied without the required permit.

**INFORMATION**

02 - Generator / PV Hazard	**UNKNOWN**
Area Devoted: Office in SF	
Area Devoted: Other (Define)	
Area Devoted: Other in SF	
Area Devoted: Repair / Mfg in SF	
Area Devoted: Sales in SF	
Area Devoted: Storage in SF	
Area: 1st Floor in SF	
Area: Basement in SF	
Area: Total SF of All Spaces	4000
Business Status	Corporation (requires list of officers)
Home Occupation	No
Locator ID	18J620231_6691
Locator PID	18J620231_6691
Number of Staff	65
Off Street Parking Spaces	
Off Street Parking Spaces (Total)	
Previous Use of Space	Same

**FEES** **TOTAL = \$ 30.00**

Commercial Occupancy Amendment	\$ 30.00
--------------------------------	----------

**PAYMENTS** **TOTAL = \$ 30.00**

Ciceros Inc (Trisha Jacobs)	(\$30.00)
Cash on 10/05/2016	

**ISSUED BY**

\_\_\_\_\_, Director of Community Development

# 2015 PERSONAL PROPERTY TAX BILL CITY OF ST. LOUIS

PERSONAL PROPERTY AND MOTOR VEHICLE LICENSE TAX BASED ON JAN 1<sup>ST</sup> OWNERSHIP.  
TAXES DELINQUENT AFTER DECEMBER 31

DESCRIPTION OF PROPERTY					PRODUCT CODE	VEH TAX	ASSESSED VALUE	ACCT. NO.		
QNTY	TYPE	YEAR	MAKE	MODEL				YR	SFX	CK
1	T	08	GMC	ACADIA	341114	10	3580	A70219	15	1 1
								<i>CRK</i> BATCH NO. NO429		

Valuation +	3,580
Assessment Penalty x	
Tax Rate per \$100 =	7.5898
Current Tax +	271.71
Vehicle License TAX +	10.00
Interest +	
Penalty +	
Recording Fee +	
<b>AMOUNT DUE</b>	<b>281.71</b>
"City Hall Restoration"	
<b>AMOUNT PAID</b>	<i>281.71</i>

PRINT NAME AND/OR ADDRESS CHANGE \_\_\_\_\_

**MAKE PAYMENT PAYABLE TO:  
GREGORY F.X. DALY  
COLLECTOR OF REVENUE**

JACOBS, TRISHA H A70219  
5446 WALSH  
ST. LOUIS, MO 63109

11/16/2015 \*\*\*\*\*PAID\*\*\*\*\* \*\*\*\*\*PAID\*\*\*\*\* \*\*\*\*\*PAID\*\*\*\*\*

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**BOARD OF ELECTION COMMISSIONERS**  
300 NORTH TUCKER • ST. LOUIS MO 63101 • 314-622-4336

RETURN SERVICE REQUESTED

**YOU ARE REGISTERED IN**

WARD	PRECINCT	ELECTION DATE
16	3	08/02/2016

**YOUR POLLING PLACE IS**

ENTER ALLEY OFF SUTHERLAND  
BUDER ELEMENTARY SCHOOL  
5319 LANSDOWNE AVE  
ST LOUIS MO 63109

**TYPE OF ELECTION**

**PRIMARY ELECTION**



73461588



\*\*\*\*\*ECRWSS\*\*C 017

46172  
Trisha H Jacobs  
5446 Walsh St  
Saint Louis MO 63109-2859

37  
36



## Council Agenda Item Cover

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**MEETING DATE:** October 10, 2016

**AGENDA ITEM TITLE:** On-Street Disable Parking System

Changes **AGENDA SECTION:** Unfinished Business

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

---

### **BACKGROUND REVIEW:**

The Traffic Commission reviewed a request to approve a change to the On-Street Disable Parking system and procedures, to designate a parking space to a specific disable person, amend the fine amounts and prohibit long-term parking on disable parking spaces.

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

The Traffic Code will have to be amended at Section 355.040, Disable Parking.

### **RECOMMENDATION:**

Staff recommends approval of this request; therefore amend the Traffic Code Section 355.040, Disable Parking.

### **ATTACHMENTS:**

- Bill amending Section 355.040, Disable Parking
- Staff Report



## STAFF REPORT

MEETING DATE: September 14, 2016  
APPLICANT: Bwayne Smotherson, 1243 Purdue Ave  
Location: University City  
Request: Change Disable Parking Ordinance in University City  
Attachments: Traffic Request Form and Revised Chapter 355.040

---

### **Existing Conditions:**

Currently the Traffic Code includes the below section:

#### *Section 355.040 Disabled Parking.*

A. It is unlawful for the operator of a vehicle to stop, stand or park any vehicle in a parking space designed for disabled persons if, immediately adjacent to and visible from such parking space, there is posted a sign known as the international symbol of accessibility consisting of a profile view of a stylized wheelchair with occupant in white on a blue background.

B. Designated disabled parking spaces may only be used when a disabled person is then, or immediately preceding being parked, was an occupant of the motor vehicle bearing the disabled license plate or windshield hanging placard issued to the disabled person pursuant to the provisions of Section 301.142, RSMo., or by those states with which the Missouri Director of Revenue has entered into reciprocity agreements.

C. The provisions of Subsections (A) and (B) of this Section shall apply to all off-street parking facilities owned or operated by the City or by any privately owned or operated parking lot as well as any on-street disabled parking spaces.

D. The driver, or any occupant, of a motor vehicle bearing disabled license plates or a windshield hanging placard which is parked or has been observed to have been parking in a duly designated disabled parking space shall, upon request from any law enforcement officer, produce the disabled registration certificate issued to the disabled person or entity as provided for in Section 301.142, RSMo., or such other authorization to show that the driver or any occupant of the vehicle is lawfully entitled to use a designated disabled parking space.

E. All disabled persons residing in the City, may request on-street disabled parking on a residential street. On-street disabled parking spaces shall be established upon written application by an owner whose motor vehicle bears disabled license plates or a windshield hanging placard issued pursuant to Section 301.142, RSMo. Such application shall be subject to City review and will not be issued if any existing traffic regulations indicate to the contrary or if the property of the disabled person has a driveway or other off-street parking space accessible to the disabled person, unless there are unique circumstances found by the Director of Public Works and Parks.

F. The Director of Public Works and Parks shall issue and keep a log of all on-street disabled parking.

G. Any person who parks in a space reserved for physically disabled persons and is not displaying distinguishing license plates or a card is guilty of an infraction and upon conviction thereof shall be punished by a fine of not less than fifty dollars (\$50.00) nor more than three hundred dollars (\$300.00). Any vehicle which has been removed and which is not properly claimed within thirty (30) days thereafter shall be considered to be an abandoned vehicle.

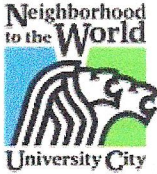
### **Request:**

Revise the Traffic Code Chapter 355.040, to add provisions to assign permit numbers to a resident's approved disable parking signs with matching car stickers.

### **Conclusion/Recommendation:**

City Staff recommends approval of the proposed changes as shown in the attached draft revision.





Department of Public Works and Parks

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

TRAFFIC REQUEST FORM

LOCATION OF REQUEST:

All approved Disabled Parking  
IN UNIVERSITY CITY

STATE THE NATURE OF YOUR REQUEST:

IS to REVISE CHARTER 355.040  
Assigning Permit Numbers to Residents  
Approved Disability Sign - Handicap sign with ~~parking~~  
CAR STICKERS.

WHAT ACTION ARE YOU REQUESTING THAT THE CITY TAKE CONCERNING YOUR REQUEST?

I'm asking for the City's Approval

WHAT IMPACT WOULD THE ACTION HAVE ON ANY ADJACENT RESIDENTS OR STREETS?

This action would not effect residents  
of streets but will <sup>give</sup> provide recognition to handicap  
parking for residents.

NOTE: The Public Works Department staff will review this request and, if warranted, this matter will appear as an agenda item for a traffic commission meeting. If a meeting is held, you will be encouraged to attend so that you may state your concerns.

NAME: BWAYNE SMOOTHERSON  
ADDRESS: 1243 PANDUE AVE 63130  
PHONE (HOME): 314-726-9544 PHONE (WORK): \_\_\_\_\_  
Email: bsmotherson@gmail.com  
Date: 8-23-16

Please return the completed form to the Public Works and Parks Department, 3rd floor of the City Hall, attention Angelica Gutierrez, Public Works Liaison of the Traffic Commission, via email at [agutierrez@ucitymo.org](mailto:agutierrez@ucitymo.org).

Or, by mail/fax: Traffic Commission  
C/O Public Works Department  
6801 Delmar Blvd. 3rd Floor  
University City, MO 63130  
(314) 505-8560  
(314) 862-0694 (fax)

www.ucitymo.org

## Chapter 355. Stopping, Standing or Parking Prohibited in Specified Places

### Section 355.040. Disabled Parking.

A. It is unlawful for the operator of a vehicle to stop, stand or park any vehicle in a parking space designed for disabled persons if, immediately adjacent to and visible from such parking space, there is posted a sign known as the international symbol of accessibility consisting of a profile view of a stylized wheelchair with occupant in white on a blue background.

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B. Designated disabled parking spaces may only be used when a disabled person is then, or immediately preceding being parked, was an occupant of the motor vehicle bearing the disabled license plate or windshield hanging placard issued to the disabled person pursuant to the provisions of Section 301.142, RSMo., or by those states with which the Missouri Director of Revenue has entered into reciprocity agreements.

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C. The provisions of Subsections (A) and (B) of this Section shall apply to all off-street parking facilities owned or operated by the City or by any privately owned or operated parking lot as well as any on-street disabled parking spaces.

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D. The driver, or any occupant, of a motor vehicle bearing disabled license plates or a windshield hanging placard which is parked or has been observed to have been parking in a duly designated disabled parking space shall, upon request from any law enforcement officer, produce the disabled registration certificate issued to the disabled person or entity as provided for in Section 301.142, RSMo., or such other authorization to show that the driver or any occupant of the vehicle is lawfully entitled to use a designated disabled parking space.

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E. Any person who parks in a space reserved for physically disabled persons and is not displaying distinguishing license plates or a card is guilty of an infraction and upon conviction thereof shall be punished by a fine of not less than fifty dollars (\$50.00) nor more than two hundred twenty-five dollars (\$225.00). Any vehicle which has been removed and which is not properly claimed within thirty (30) days thereafter shall be considered to be an abandoned vehicle.

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F. All disabled persons residing in the City, may request on-street disabled parking on a residential street. On-street disabled parking spaces shall be established upon written application by an owner whose motor vehicle bears disabled license plates or a windshield hanging placard issued pursuant to Section 301.142, RSMo. Such application shall be subject to City review and will not be issued if any existing traffic regulations indicate to the contrary or if the property of the disabled person has a driveway or other off-street parking space accessible to the disabled person, unless there are unique circumstances found by the Director of Public Works and Parks.

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F. G. If the application is approved, a numbered permit shall be issued to the applicant and shall be posted on the windshield of said vehicle. The permit must be used at all times with the permit holder's permanent disabled placard or license plate. The City shall install signs indicating such restricted parking space on any public right-of-way for a period of time not to exceed two (2) years subject to bi-annual renewal. The permit must have the corresponding permit number that is displayed on the signs.

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H. The applicant must observe and obey any other parking restrictions which may apply at the approved location (i.e. Street Cleaning signs).

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I. The privilege of a disabled parking space will be immediately discontinued with misuse of any kind.

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J. The permitted parking space shall not be used for long-term storage of vehicles. The vehicle must be kept in good repair and shall be operational. For the purposes of this Section, long-term storage of vehicles is defined as any vehicle parked or left standing on a public street in the same location and not driven or moved in excess of fourteen consecutive calendar days. If an applicant is unable to move his or her vehicle within the fourteen day period, the applicant shall request an extension of the fourteen day period from the City Director of Public Works and Parks. The Director shall only grant an extension upon the applicant's showing of good cause. An extension shall be limited to thirty days from the day it was granted. Each applicant shall be limited to three extensions per year.

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K. The permitted parking space is for use solely by the applicant and their personal vehicle; it is not intended as parking or a loading zone for friends, relatives or visitors. If another vehicle uses this space, the illegally parked vehicle may receive a ticket of not less than fifty dollars (\$50.00) nor more than two hundred and twenty-five dollars (\$225.00).

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L. The Director of Public Works and Parks shall issue and keep a log of all on-street disabled parking.

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G. Any person who parks in a space reserved for physically disabled persons and is not displaying distinguishing license plates or a card is guilty of an infraction and upon conviction thereof shall be punished by a fine of not less than fifty dollars (\$50.00) nor more than three hundred dollars (\$300.00). Any vehicle which has been removed and which is not properly claimed within thirty (30) days thereafter shall be considered to be an abandoned vehicle.

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**INTRODUCED BY:** Councilmember Smotherson

**DATE:** September 26, 2016

**BILL NO. 9294**

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

**AN ORDINANCE AMENDING SECTION 355.040 –  
DISABLE PARKING, CHAPTER 355 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.** Section 355.040, Disable Parking of Chapter 355 of the Traffic Code, of the University City Municipal Code is amended as provided herein. Language to be deleted from the Code is represented as ~~stricken through~~; 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 355 of the University City Municipal Code is hereby amended to change the Disable Parking system to designate a parking space to a specific disable person, amending the fine amounts and prohibiting long-term parking on disable parking spaces, to the Traffic Code – Section 355.040, as follows:

Chapter 355. Stopping, Standing or Parking Prohibited in Specified Places

Section 355.040. Disabled Parking.

A. It is unlawful for the operator of a vehicle to stop, stand or park any vehicle in a parking space designed for disabled persons if, immediately adjacent to and visible from such parking space, there is posted a sign known as the international symbol of accessibility consisting of a profile view of a stylized wheelchair with occupant in white on a blue background.

B. Designated disabled parking spaces may only be used when a disabled person is then, or immediately preceding being parked, was an occupant of the motor vehicle bearing the disabled license plate or windshield hanging placard issued to the disabled person pursuant to the provisions of Section 301.142, RSMo., or by those states with which the Missouri Director of Revenue has entered into reciprocity agreements.

C. The provisions of Subsections **(A)** and **(B)** of this Section shall apply to all off-street parking facilities owned or operated by the City or by any privately owned or operated parking lot as well as any on-street disabled parking spaces.

D. The driver, or any occupant, of a motor vehicle bearing disabled license plates or a windshield hanging placard which is parked or has been observed to have been parking in a duly designated disabled parking space shall, upon request from any law enforcement officer, produce the disabled registration certificate issued to the disabled person or entity as provided for in Section 301.142, RSMo., or such other authorization to show that the driver or any occupant of the vehicle is lawfully entitled to use a designated disabled parking space.

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F. All disabled persons residing in the City, may request on-street disabled parking on a residential street. On-street disabled parking spaces shall be established upon written application by an owner whose motor vehicle bears disabled license plates or a windshield hanging placard issued pursuant to Section 301.142, RSMo. Such application shall be subject to City review and will not be issued if any existing traffic regulations indicate to the contrary or if the property of the disabled person has a driveway or other off-street parking space accessible to the disabled person, unless there are unique circumstances found by the Director of Public Works and Parks.

G. If the application is approved, a numbered permit shall be issued to the applicant and shall be posted on the windshield of said vehicle. The permit must be used at all times with the permit holder's permanent disabled placard or license plate. The City shall install signs indicating such restricted parking space on any public right-of-way for a period of time not to exceed two (2) years subject to bi-annual renewal. The permit must have the corresponding permit number that is displayed on the signs.

H. The applicant must observe and obey any other parking restrictions which may apply at the approved location (i.e. Street Cleaning signs).

I. The privilege of a disabled parking space will be immediately discontinued with misuse of any kind.

J. The permitted parking space shall not be used for long-term storage of vehicles. The vehicle must be kept in good repair and shall be operational. For the purposes of this Section, long-term storage of vehicles is defined as any vehicle parked or left standing on a public street in the same location and not driven or moved in excess of fourteen consecutive calendar days. If an applicant is unable to move his or her vehicle within the fourteen day period, the applicant shall request an extension of the fourteen day period from the City Director of Public Works and Parks. The Director shall only grant an extension upon the applicant's showing of good cause. An extension shall be limited to thirty days from the day it was granted. Each applicant shall be limited to three extensions per year.

K. The permitted parking space is for use solely by the applicant and their personal vehicle; it is not intended as parking or a loading zone for friends, relatives or visitors. If another vehicle uses this space, the illegally parked vehicle may receive a ticket of not less than fifty dollars (\$50.00) nor more than two hundred and twenty-five dollars (\$225.00).

L. The Director of Public Works and Parks shall issue and keep a log of all on-street disabled parking.

~~G. Any person who parks in a space reserved for physically disabled persons and is not displaying distinguishing license plates or a card is guilty of an infraction and upon conviction thereof shall be punished by a fine of not less than fifty dollars (\$50.00) nor more than three hundred dollars (\$300.00). Any vehicle which has been removed and which is not properly claimed within thirty (30) days thereafter shall be considered to be an abandoned vehicle.~~

\* \* \*

**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 \_\_\_\_\_ 2016

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

CERTIFIED TO BE CORRECT AS TO FORM:

CITY ATTORNEY



## Council Agenda Item Cover

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**MEETING DATE:** October 10, 2016

**AGENDA ITEM TITLE:** Amending Chapter 2.52 of the University City Municipal Code relating to the Committee for Access and Local Origination Programming (CALOP)

**AGENDA SECTION:** New Business

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

**BACKGROUND REVIEW:** At the August 25, 2016 CALOP Commission meeting, the Board has approved an amendment to the University City Municipal Code, Chapter 2.52 relating to the Committee for Access and Local Origination Programming (CALOP). The amending is to remove Charter Cable Company from the ordinance since the Board is no longer working with the Cable Company.

**ATTACHMENT:** Meeting minutes August 25, 2016

**RECOMMENDATION:** Approval

**CALOP Commission Meeting Minutes**  
**Thursday, August 25, 2016**  
**University City, U City Library, Auditorium**  
**6:00 PM**

**Members in Attendance:** Patricia McQueen, David Stokes, Kymal Dockett, Beth Norton; Claire Linzee; Dennis Riggs

**Members Excused:** Bob Wilcox

**Others in Attendance:** Mayor Welsch; Patrick Wall; Keri Berjer

**Call to Order**

The meeting was called to order by Ms. McQueen, Chairperson, at 6:03 pm.

**Approval of Agenda**

Ms. Norton moved to approve the agenda and seconded by Mrs. Linzee. The motion carried unanimously.

**Approval of Minutes**

A motion was made to approve the July 28, 2016 minutes by Ms. Norton and seconded by Mrs. Linzee. The motion carried unanimously.

**Treasurer's Report**

Mrs. Berjer reported the Treasurer's Report as of July 28, 2016. A motion was made to approve the Treasurer's Report by Mr. Stokes and seconded by Mrs. Linzee. The motion carried unanimously.

**Agenda Items**

1. Go-Getter Productions gave a 10 minute presentation asking for the final installment of their grant award in the amount of \$6,000. CALOP strongly supports the project; however has decided to maintain the contract until the project is complete. A motion was made by Mr. Stokes to not pay the \$6,000 final installment until the grant is completed. It was seconded by Mrs. Linzee and carried unanimously.
2. A discussion took place on extending the dates on the RFP to October 28, 2016. The Board decided to extend the dates, and the RFP will be reposted to the website, among other places.
3. Mr. Stokes made a motion to change the CALOP Ordinance to remove Charter Cable Company from the Ordinance since the Board is no longer working the Cable Company. Mrs. Linzee seconded the motion and it carried unanimously. The new Ordinance will be presented at the next City Council Meeting.
4. A discussion took place on the next grant round planning and was decided to hold off until the November 2016 meeting to further discuss.

**Council Comments**

Ms. McQueen reported that the Johnnie Be Good project is now complete pending some minor tweaks. The Board should be receiving a copy of the film to review soon.

A private discussion took place on an email received by the Board.

Ms. McQueen reported that Mrs. Linzee will be resigning from CALOP. Her seat will be re-appointed.

**Next Meeting Date (Tentative)**

The next meeting is scheduled for September 22, 2016, at 6:00 pm. Location is U City Library – Auditorium.

**Adjournment**

A motion was made to adjourn the meeting at 7:22pm by Mr. Stokes and seconded by Ms. Norton. The motion carried unanimously.

DRAFT



INTRODUCED BY:

DATE: October 10, 2016

BILL NO. **9295**

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

AN ORDINANCE AMENDING CHAPTER 2.52 OF THE UNIVERSITY CITY MUNICIPAL CODE, RELATING TO THE COMMITTEE FOR ACCESS AND LOCAL ORIGATION PROGRAMMING, BY REPEALING SECTION 2.52.050 THEREOF, RELATING TO MEMBERSHIP AND APPOINTMENT, AND ENACTING IN LIEU THEREOF A NEW SECTION TO BE KNOWN AS "SECTION 2.52.050 MEMBERSHIP AND APPOINTMENT," THEREBY AMENDING SAID SECTION SO AS TO REMOVE CHARTER COMMUNICATIONS; REFERRED TO AS "THE COMPANY".

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

Section 1. Chapter 2.52 of the University City Municipal Code, relating to the Committee for Access and Local Origination Programming, is hereby amended by repealing Section 2.52.050 thereof, relating to membership and appointment, and enacting in lieu thereof a new section to be known as "Section 2.52.050 Membership and appointment," thereby amending said section so as to remove Charter Communications; so that said section, as so amended, shall read as follows:

**2.52.050 Membership and appointment.**

CALOP shall consist of seven voting members, appointed by the city council, who shall each serve a three-year term. The remainder of the members shall be selected by the city council upon the recommendation by either members of the city council, city staff or any resident citizen of the city. In addition to the seven voting members of CALOP there shall be three nonvoting ex officio members: one will be a member of the city council; one will be appointed by the University City School District; and one will be appointed by the Higher Education Consortium of Metropolitan St. Louis. Ex officio members shall receive all minutes of all meetings of CALOP, and may submit written reports and recommendations. Ex officio members may comment during any public discussion segment of any meeting.

Section 2. This ordinance shall not be construed so as to relief any person, firm or corporation from any penalty heretofore incurred by the violation of Chapter 2.52, Section 2.52.050, nor bar the prosecution for any such violation.

Section 3. Any person, firm or corporation violating any of the provisions of this ordinance shall, upon conviction thereof, be subject to the penalty provided in Chapter 1.12, Section 1.12.010 of the University City Municipal Code.

Section 4. This ordinance shall take effect and be in force from and after its passage as provided by law.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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MAYOR

ATTEST:

---

CITY CLERK

CERTIFIED TO BE CORRECT AS TO FORM:

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CITY ATTORNEY

Meeting minutes of the Board of Trustees for the University City Public Library for  
June 8, 2016

Members Present: Edmund Acosta, Dorothy Davis, Luise Hoffman, LaTrice Johnson, Joy Lieberman, Rubina Stewart-McCadney, Rosalind Turner

Members Absent: Deborah Arbogast, Joan Greco-Cohen

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

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Citizen Concern – A patron attended the meeting to complain to the board about poor customer service. After much discussion and many apologies, she was satisfied that the matter was resolved and would not happen again. She left the meeting at 5:50pm.

Minutes - The minutes from the May 11, 2016 meeting were approved.

Correspondence – We received a \$150 check from the Friends of the library in honor of the Thomas Family, for their work at Trivia Night, A \$40 check was received from a patron in appreciation of our reference staff.

Friends' Report – Trivia Night was very successful. The Library table won.

Council Liaison Report – None.

Librarian's Report – Written report was reviewed.

Discussion Items – were discussed.

Action Items –

- . The Board approved allowing River Styx to charge a fee for workshops held here.
- . Motion to replace our 20 year old, damaged auditorium screen with one from Tech Electronics at a cost of \$4,493.68 was approved unanimously.
- . Motion to replace our file server with CDW-G server at a cost of \$6,145.55 passed unanimously.
- . The 2016-2017 Annual Budget was reviewed by the Budget Committee yesterday. They proposed approving the budget with a 3% pay increase for library staff. A motion was made, seconded, and approved unanimously.

President's Report – This being the last regular meeting of the fiscal year, thank you to the Board for their wonderful work.

Committee Reports – None. The Long Range Planning Committee will meet on Tuesday, June 21<sup>st</sup> at 2pm.

The next Board meeting will be Wednesday, September 28, 2016 at 5:15pm.

There being no further business, the meeting adjourned at 6:50pm.

**Board of Adjustment**  
**May 16, 2016 Meeting Minutes**  
**(approved 9-19-16)**

A Board of Adjustment meeting was held on Monday May 16, 2016 at the Heman Park Community Center located at 975 Pennsylvania Ave., University City, Missouri. The meeting commenced at 6:45 pm.

**Members Present**

John Solodar, Chairperson  
Deborah Arbogast, Vice-Chairperson  
Kathy Straatmann  
Peggy Holly  
Charles Marentette, Alternate

**Members Absent (excused)**

Roger McFarland

**Non-Voting Members Absent**

Rod Jennings, Council Liaison

**Staff Present**

Raymond Lai, Deputy Director of Community Development  
Zach Greatens, Planner

**1. Approval of Minutes**

The minutes from the April 18, 2016 Board of Adjustment meeting were approved.

**2. Case # BOA 16-02 – 7018 Delmar Blvd.**

Mr. Stephen Wurst, property owner of 7018 Delmar Blvd., requested a variance to construct a detached garage maintaining a side yard setback of one and one-half (1.5) feet in lieu of five (5) feet from the western property boundary as required by Sections 400.160.B and 400.1090.A of the Zoning Code.

Mr. Wurst explained the situation with the existing detached garage that was severely damaged when a tree fell on it during a storm several months ago. The tree also damaged their fence and retaining wall near the garage and both of those structures needed repairs. Their proposal was to rebuild the detach garage in the same dimensions as the existing garage and to use the existing foundation, rather than pour a new foundation. Mr. Wurst stated that the portion of the yard to the east of the garage was at a higher elevation than the garage with a retaining wall. To attempt to build the garage in compliance with the five foot setback from the western property boundary, it would require demolishing the existing retaining wall and excavating out a significant amount of the yard and build a new retaining wall.

Mr. Ron Keeven, the property owner's contractor, was also present. Mr. Keeven stated that the proposal was to rebuild what was there. He added that in order to construct the garage as planned it would have to be placed in the exact location and foundation as the existing garage.

Board members discussed the proposal and the concerns about future maintenance and repairs on the west side of the garage. One and a half feet of setback would not allow

enough room for maintenance and would require accessing the adjacent property. It would either require an easement on the adjacent property or shifting the garage to the east.

Public Comments – Peter Mueller, property owner of 7022 Delmar Boulevard, the adjacent property to the west, stated that he would be willing to grant Mr. Wurst an easement to allow access onto his property in order to carry out any future maintenance or repairs to the garage.

The variance request was approved by a vote of five (5) to zero (0) with the condition that a permanent easement be executed on the neighbor's property to the west (7022 Delmar) to allow the property owner(s) at 7018 Delmar the ability to access the west side of the garage for maintenance and repairs.

### **3. Adjournment**

The meeting adjourned at 7:15 p.m.

UNIVERSITY CITY COUNCIL  
STUDY SESSION  
5th floor of City Hall  
6801 Delmar  
August 12, 2013  
6:00 p.m.

The City Council Study Session was held in the Council Chamber, 5<sup>th</sup> floor of City Hall, on August 12, 2013. Mayor Shelley Welsch called the Study Session to order at 6:00 p.m. In addition to the Mayor, the following members of the Council were present:

Ms. Paulette Carr  
Mr. Steve Kraft  
Mr. Arthur Sharpe, Jr.  
Mr. Michael Glickert  
Mr. Terry Crow  
Mr. Byron Price

Also in attendance was City Manager Lehman Walker.

Mayor Welsch opened the Study Session noting the Council would be voting on which City Manager and City Clerk performance evaluation form to be used for 2012/2013.

Mr. Sharpe moved to accept the City Manager's evaluation form submitted by Carr/Crow and the motion was seconded by Ms. Carr.

Mayor Welsch stated her concern with the Carr/Crow form is that it does not evaluate how the City Manager handles the daily routines of his job since it focuses solely on the goals from last year. However, she will support the majority on this.

Roll Call vote for acceptance of Carr/Crow City Manager's Evaluation form was:

AYES: Mr. Price, Ms. Carr, Mr. Kraft, Mr. Crow, Mr. Glickert, Mr. Sharpe and Mayor Welsch

NAYS: none

Mr. Glickert said the Council approved the Carr/Crow form that will be used in evaluating the City Manager for 2013. He then discussed the process of filling out the form and the avenue for how it would be done. Mr. Glickert stated he would like to keep it the same way it has been for at least the last seven years that he has been on Council. He said members would fill out the form, put it in a manila envelope and then send it back to the City Hall/Mayor's office to be held for a meeting, or be e-mailed to the Mayor. Mr. Glickert said then at a time to be determined, Council can meet to process the evaluation forms.

Mayor Welsch noted that was the same point made on the front sheet of Carr/Crow City Manager form.

Mr. Sharpe said he would like to make sure that would not only be done on a yearly basis but rather do it on a quarterly basis, thus providing City Manager and City Clerk some idea as to where they are as the year proceeds.

Mayor Welsch stated she had no problem with that but also a part of this process was to come up with the goals for next year.

Ms. Carr seconded Mr. Sharpe's suggestion and also felt they would need to have a goal developing study session.

Mr. Glickert asked if there was a time frame as to when the forms would be offered and when they would need to be returned. Mayor Welsch noted that was something Council would have to decide in this process. She suggested that members submit ideas and Council can put them together and from this create a draft of how Council's review process would be handled.

Mr. Glickert opened the discussion for the City Clerk's two evaluation forms submitted: one submitted by Sharpe/Glickert and one from Carr/Crow.

Mayor Welsch went on record again stating she preferred the one that looked both at the goals that were set for the City Clerk last year and also evaluated how the City Clerk handles her daily duties – this is in the Glickert/Sharpe form. She said the form was very specific about job responsibilities that Council can comment on and then specifically asks about goals set out last year.

Ms. Carr said both forms looked at tasks and goals and another problem she had with Glickert/Sharpe form was that it only addressed nine of the goals and not all of them. In addition she said it lumped a lot of things together. She stated if she had four criteria grouped in an area on which to base her score, she may weight something more heavily that she felt needed improvement instead of giving an individual score to each one. Ms. Carr said the evaluation would not necessarily reflect the quality of all the work or tasks being evaluated. She said both forms addressed both tasks and goals.

Mr. Glickert asked the City Clerk if there were eleven goals provided to her last year. Ms. Pumm agreed and noted that she was told the other two goals were incorporated in previous criteria questions. Mr. Glickert said that was true and they could put the other two goals back in if that was what Council wanted if they chose this form.

Mr. Sharpe moved to accept the City Clerk's appraisal form submitted by Glickert/Sharpe and the motion was seconded by Mr. Kraft.

Mr. Price asked about a format issue, if the grouping could be separated and evaluated separately.

Mayor Welsch said the difference she saw was in the other form the items were graded separately and on Glickert/Sharpe form, items were grouped into categories to be graded as a category.

Ms. Carr said that was a problem for her; the aggregating of items into categories. She noted that one item may be weak and even though everything else was very strong she probably would focus her rating on the one thing she thought was weak. Ms. Carr said by aggregating and having one score for several criteria did not convey enough information to Council's employees.

Mayor Welsch stated her same concern as on the City Manager's form was that everything was given the same weight which she had a problem with that but would go with the majority.

Mr. Price asked the City Clerk if she would prefer to be rated on all or none. Ms. Pumm stated that was a loaded question. Mr. Price noted that if everything was in the same pile he could say one item was a big deal for him so he could skew the grade scale by only rating on that one item of concern. He would give some a two but everything else a five so by rating individually it would be 4.75 versus him giving a 2.8 for the aggregate.

Mr. Glickert said if someone was fixating on an area as Mr. Price alluded to, they could put something in the comment section to that effect that they graded that way because they would like to add something to that particular area, or make the calculation the same way as on the other forms.

Motion to accept the Glickert/Sharpe City Clerk Performance Review form was:

AYE: Ms. Carr, Mr. Kraft, Mr. Crow, Mr. Glickert, Mr. Sharpe, Mr. Price and Mayor Welsch

NAYS: none

Based on what was said, Mayor Welsch asked if Council could return the forms by next Council meeting, September 9, 2013.

Mr. Glickert asked when the forms would be sent out and the City Clerk said they could be sent out the next day.

Ms. Carr asked if they could be sent out electronically as an alternative so they could be filled-out and returned electronically.

It was agreed that the forms could be filled out electronically – Ms. Pumm will create an ADOBLE fillable form - saved and returned by e-mail to Mayor Welsch marked CONFIDENTIAL on the Subject Line. Others should be mailed to Mayor Welsch at City Hall.

Mayor Welsch stated she will send out a memo asking Councilmembers to send her some suggested goals for the City Manager and the City Clerk that can be put compiled to be considered at a goal setting study session.

The study session adjourned at 6:17 P.M.

Joyce Pumm, MRCC/CMC  
City Clerk



MINUTES OF UNIVERSITY CITY COUNCIL  
SPECIAL SESSION

City Hall, second floor conference room  
continued on the fifth floor after Closed Session  
6801 Delmar Blvd  
6:00 p.m.  
November 4, 2013

A Special Session of the City Council of University City held in City Hall, second floor, November 4, 2013, at 6:17 p.m. In addition to Mayor Welsch the following members of Council were present.

Mr. Byron Price  
Ms. Paulette Carr  
Mr. Stephen Kraft  
Mr. Terry Crow  
Mr. Michael Glickert  
Mr. Arthur Sharpe, Jr.

Mayor Welsch asked for a Roll Call vote to proceed into a Closed Session to discuss 610.021 Personnel – Hiring, firing, disciplining or promoting of particular employees by a public governmental body, when personal information about the employee is discussed or recorded. As used in this subdivision, the term “personal information” means information relating to the performance or merit of individual employees.

Roll Call Vote to go into Closed Session was:

AYES: Mr. Price, Ms. Carr, Mr. Kraft, Mr. Crow, Mr. Glickert, Mr. Sharpe and Mayor Welsch

NAYS: none

Special Session was adjourned to enter into a Closed Session at 6:20 p.m.

A Special Session of the City Council of University City held in City Hall, fifth floor, November 4, 2013. Mayor Shelley Welsch reconvened the Special Session meeting to order at 6:55 p.m. In addition to Mayor Welsch the following members of Council were present:

Mr. Stephen Kraft  
Mr. Arthur Sharpe, Jr.  
Mr. Michael Glickert  
Ms. Paulette Carr  
Mr. Terry Crow  
Mr. Byron Price

Mayor Welsch distributed goals for 2013-2014 for the City Manager and the City Clerk. The goals listed were a compilation of all goals previously submitted by the Mayor and Councilmembers. Mayor Welsch explained the City Manager's goals presented fell under specific categories: Fiscal Management, Economic Development, Customer Service, Community Outreach/Communications, Capital Improvement Plan, Public Safety and Administrative. She said that individual comments and group comments, with the same subject, were noted by a color code which appeared on the front page. Mayor Welsch said the City Manager's goals fell into specific categories better than the City Clerk's so she would start with reviewing the City Manager's goals.

FISCAL MANAGEMENT was the first discussed. Following is the consensus of goals to be used:

- Submit a balanced budget that maximizes City services.
- Continue refining the organizational structure of the City departments to ensure efficient and effective services to residents.
- Combine, "Show continue improvement in the development of financial documentation, with the goal of creating an easily understandable budget document and supporting financial documents" with "Develop a quarterly budgetary analysis that is easily comprehensible to Council and public"
- Assess and refine parameters of budget authorization from initial submission of proposal to Council authorization of City Manager to sign the contract. Ms. Carr was asked to provide more description at the next meeting.\
- Combine, "Start the process to reconfigure current employee pension plans for long term financial stability. Present possible changes that include changing to a defined contribution plan for new and recent hires" with "Provide information on how to reconfigure current employee pension plans, if recommended, including an analysis of long-term pension costs". It was suggested to change Start to Continue.

ECONOMIC DEVELOPMENT was the next area discussed. Following is the consensus of goals to be used.

- Formalize a plan for economic development, separate from the Comprehensive Plan targeting three areas of the City. This plan should include progress towards measurable goals (e.g. job creation, attraction of new residents, increase in sales taxes, etc.) in the next five years.
- Implement a process for regular solicitation of resident feedback on economic development process in University City.

- Continue to communicate with Council on any and all accomplishments as aligned with Comprehensive Plan of 2005 to include additions.  
Mr. Glickert noted the key word was Plan whether it was the 2005 or a new Comprehensive Plan.
- Continue node development at North/South at Olive, Kingsland at Olive and Kingsland at Vernon and attain completion by 2015.  
Mr. Glickert noted that list should include any of the City owned property.

Mayor Welsch and Ms. Carr agreed to meet to refine and consolidate goals where possible for the City Manager and do the same with the City Clerk's goals listed. They will then come back to Council with a suggested list of goals for the City Manager and the City Clerk.

The meeting was adjourned at 7:35 p.m.

Joyce Pumm, MRCC/MCC  
City Clerk