



MEETING OF THE CITY COUNCIL  
CITY HALL, Fifth Floor  
6801 Delmar Blvd.  
University City, Missouri 63130  
**February 13, 2017**  
**6:30 p.m.**

**A. MEETING CALLED TO ORDER**

**B. ROLL CALL**

**C. APPROVAL OF AGENDA**

**D. PROCLAMATIONS**

**E. APPROVAL OF MINUTES**

1. January 18, 2017 Special meeting minutes
2. January 23, 2017 Regular session minutes
3. January 23, 2017 Study session minutes

**F. APPOINTMENTS to BOARDS & COMMISSIONS**

1. Halpin Burke is nominated to the Industrial Development Authority by Mayor Welsch
2. John (Bart) Stewart is nominated to the Traffic Commission by Councilmember Carr
3. Mark Winer is nominated for reappointment to the Economic Development Retail Sales Tax Board

**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. Millar Park Swing Set Purchase and Installation

**L. UNFINISHED BUSINESS**

*BILLS*

1. **BILL 9304** - An ordinance amending Chapter 300 Traffic Code of the University City Municipal Code to add both sides of Asbury Ave. from Maryland Avenue to Lindell Boulevard where the City has designated as a Residential Permit Parking Area, to be edited to the Traffic Code as the "Schedule" – Schedule III.
2. **BILL 9305** - An ordinance amending Chapter 300 Traffic Code of the University City Municipal Code to add a new location where the City has designated as a stop intersection, to be added to the Traffic Code – Schedule VII, Table VII-A.

## **M. NEW BUSINESS**

### *RESOLUTIONS*

1. **RESOLUTION 2017-3** - A resolution granting approval to apply for federal assistance from the Recreational Trails Program for the purpose of Fogerty Park Trail Improvement Project.

### *BILLS*

## **N. COUNCIL REPORTS/BUSINESS**

- a. Boards and Commission appointments needed
- b. Council liaison reports on Boards and Commissions
- c. Boards, Commissions and Task Force minutes
- d. Other Discussions/Business

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

## **P. COUNCIL COMMENTS**

- Q. Roll-Call vote to go into a Closed Council Session according to RSMo 610.021 (1)Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys and (3)Personnel hiring, firing, disciplining or promoting of particular employees by a public governmental body when personal information about the employee is discussed or recorded.**

## **R. Adjournment**

**UNIVERSITY CITY COUNCIL**  
**SPECIAL SESSION**  
5th Floor of City Hall  
6801 Delmar  
January 18, 2017  
2:00 p.m.

**1. MEETING CALLED TO ORDER**

The City Council Special Session was held in the Council Chambers on the fifth floor of City Hall, on Wednesday, January 18, 2017. Mayor Shelley Welsch called the Study Session to order at 2:01 p.m.

**2. ROLL CALL**

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

Councilmember Rod Jennings; (*Excused*)  
Councilmember Paulette Carr  
Councilmember Steven McMahon  
Councilmember Terry Crow  
Councilmember Michael Glickert; (*Excused*)  
Councilmember Bwayne Smotherson

Also in attendance was the Acting City Manager, Charles Adams; LaRette Reese; City Attorney, Kathryn Forster and Director of Finance, Tina Charumilind.

Hearing no requests to amend the agenda, the Mayor proceeded as follows:

**3. AGENDA**

City Clerk position. Discussion on utilizing a temp service to find a candidate to act as City Clerk on a temporary basis during current City Clerk's temporary leave.

Councilmember Carr stated at the last Study Session Council explored the possibility of utilizing a temporary employee to assist with some of the responsibilities associated with the City Clerk's position. Thereafter, she had been asked to provide Council with additional information on the services offered by GovTempsUSA.

**General Information:**

- The Position Announcement similar to what would be placed to advertise the position
- The rate of pay could be up to \$30.00/ hour; dependent upon their qualifications
- Temps are only paid for the days and hours they work
- There is no finder's fee
- The Acting City Manager would be granted the authority to sign the employment contract

Ms. Carr stated that she had obtained the following information pursuant to questions generated by members of Council:

- Temporary employees are entitled to overtime pay. *(To control costs, Ms. Carr suggested that the temporary employee's hours be reduced during the week to compensate for their attendance at nightly meetings.)*
- Duration of the position. Mike Earl, Senior Vice President of GovTempsUSA, advised Ms. Carr that in order to increase the City's applicant pool a relatively firm length of employment should be established and included in the Position Announcement. For example, if the anticipated length of employment is three months, and the employee returns to work sooner than anticipated, the City would give the temp a 30-day notice. The temp would then be allowed to continue their employment for 30 days or leave early, upon securing another position.

Councilmember Carr stated that the intent of the federal government with FMLA was to protect an employee by ensuring that there would be an equivalent position waiting for them, but the business of the City cannot stop. So, in her mind, this temp employee should be someone who can act in the same capacity as the City Clerk with respect to being a custodian of the records, signing Ordinances, et cetera.

City Attorney, Ms. Forster stated that per the Code and Charter, the City Clerk is an officer of the City, with the primary function of authenticating, by signature, Ordinances, Resolutions, and contracts. So her concern is that technically, a temp is an individual who is paid on an hourly basis, which does not meet the same qualifications established for an officer of the City. However, a temp could be hired to do clerical prep for the meetings, respond to Sunshine requests, et cetera.

Councilmember Carr questioned whether Council could pass a Resolution or an Ordinance to address those primary functions? Ms. Forster stated every department head within the City is declared an officer. So, Council could add the duties associated with authenticating and signing all applicable documents to any one of those officers by passing an Ordinance outlining the duties and what director they will be assigned to. Councilmember Carr questioned whether Council could pass an Ordinance that essentially granted authority to a temporary employee to act in the capacity of the City Clerk and perform all of their duties? Ms. Forster stated that technically, the City still has a City Clerk who is on leave, so such an Ordinance would create two City Clerk positions for the same period of time. Councilmember Carr stated although it would have been easier to find someone who is already in the employ of the City to take on these responsibilities, it appears as if there is no one available to do so. Consequently, the position is vacant, and her assumption is that the temporary employee would be treated as the Acting City Clerk, in lieu of Ms. Pumm's absence. She then questioned whether the City Manager could be appointed to attest to documents? Ms. Forster stated that since the City Manager already signs contracts, adding the attestation aspect to his duties could lead to confusion. So, in spite of the fact that she does not want to put any more on Director of Finance, Tina Charumilin, her opinion is that she would probably be the best department director to take on the responsibility of authenticating Ordinances and Resolutions.

Councilmember Carr questioned whether the fact that the Ordinance also designates that the City Clerk shall be the custodian of the records, would present a problem if the temporary employee was asked to perform those duties? Ms. Forster stated that both the Code and Charter specifically require the City Clerk to authenticate and keep a journal of the Ordinances and Resolutions.

So, her belief is that a temp could handle the responsibility of keeping the City's records. Councilmember Carr noted that she was specifically referring to Section 150.020, which designates the City Clerk as the custodian with respect to the Sunshine Law. Ms. Forster stated that Council could change that specific designation and assign it to the temp, but it would have to be done by a Resolution, and it would also have to be on a temporary basis.

Mayor Welsch informed Ms. Forster that Ms. Reese was currently handling the Sunshine requests and asked if it was legal for her to do so? Ms. Forster stated that although Ms. Reese has not been designated to handle this task, the City has to respond in three days, so this situation dictates the need for someone to handle the requests. Mayor Welsch asked if an Ordinance would be necessary to have a temp handle this work? Ms. Forster stated that technically, an Ordinance is needed for either Ms. Reese or a temp to perform the work. Mayor Welsch asked if Council could draft a general Resolution indicating that the tasks could be performed by anyone acting on behalf of staff, or whether it needed to be more specific? Ms. Forster stated that the Resolution needed to designate a specific individual. Mayor Welsch questioned whether the following language would be sufficient: *"During this interim period the director of a specified department, shall be authorized to authenticate Resolutions and Ordinances on behalf of the City"*? Ms. Forster stated that it would be. Mayor Welsch asked if such a Resolution could be added to Monday's agenda? Ms. Forster stated the Department of Finance Director's position asserts that she can perform other duties as may be imposed by this Code or by any other Ordinance. Typically, Ordinances need three readings unless it falls under the category of an Emergency Ordinance. However, she is not certain whether this situation would meet that criteria. Mayor Welsch asked Ms. Forster if the delegation could be accomplished by a Resolution? Ms. Forster stated that based on the Code, the addition of other duties must be governed by an Ordinance. Mayor Welsch asked whether the City had the option to courier documents to Ms. Pumm for signature? Ms. Forster stated that she did not believe so.

Councilmember Carr stated Ms. Pumm advised Council that she would begin her leave on January 6th, and yet, there was a Proclamation dated on the seventh with her signature. So, she wanted all of her colleagues to understand that they should not impose upon Ms. Pumm, since she is entitled to her leave. Mayor Welsch informed Ms. Carr that the Resolution had been signed prior to Ms. Pumm's email to Council. Ms. Carr responded that the date should have been corrected.

Mayor Welsch stated that some of her concerns were based on the issues that Council ran into regarding whether Mr. Adams should be called the Acting or Interim City Manager. Ms. Forster stated that interim would be incorrect since Ms. Pumm is still employed in this position. So she would suggest Acting or Temporary City Clerk.

Councilmember Carr stated that in her opinion, it should be acting, because Temporary City Clerk would be confusing to most people. She added that the Position Announcement would put everyone on notice that this is a temporary position. Mayor Welsch stated that she had no qualms with the use of acting.

Councilmember Carr concluded that the next step was to pass the appropriate Ordinances.

Councilmember McMahon stated as it relates to the signing and attesting to Ordinances, if Ms. Pumm is on leave, can no longer fulfill her duties, in spite of the fact that her employment status remains active, she is no longer the City Clerk.

So why can't Council just hire another City Clerk to handle those responsibilities? There is nothing in the Charter that states Council cannot hire someone if an employee becomes unable to perform their job; it simply says that "*Council can hire a City Clerk*". Ms. Forster stated that although Ms. Pumm cannot perform her functions while she is on leave, her opinion is that those functions should be reassigned to another individual. Hiring another City Clerk technically means that the City would now have two individuals holding this position. And she also does not believe that a temporary employee should be given the flat title of City Clerk, based on the fact that they are a temp. Councilmember McMahon asked Ms. Forster if she was relying on something more distinct than the Charter? Because his understanding of the ADA which states, "*Until they are restored,*" means that someone is being put back into their position. And based on that understanding, you really would not have two City Clerks; you have an individual on leave that will be restored to the position of City Clerk once that leave ends. Ms. Forster stated that she had relied on the language contained in both the Code and the Charter, and did not have a statute to that effect. However, her understanding is that when an employee leaves their responsibilities are reassigned, not taken away, and they are also allowed to retain their title. Councilmember McMahon stated that the issue is not so much about Ms. Pumm's title; which she will be restored to, but rather what her job responsibilities are. Ms. Forster asked Councilmember McMahon if he was saying that in the interim, Council should have the authority to hire another officer to replace Ms. Pumm? Councilmember McMahon stated that based on his reading of the Charter it seems to be more straightforward. But, if the passage of a Resolution or an Ordinance is the easiest stop-gap measure, then he would be fine with that.

Ms. Forster asked Councilmember McMahon if his interpretation of "*Council shall elect an officer,*" is that this body can hire someone now to act as an officer of the City and terminate their employment once Ms. Pumm returns? Councilmember McMahon stated that it was because the City Clerk serves at the pleasure of the Council. Ms. Forster asked whether he believed that an hourly employee, who might not even work five days a week, should be considered an officer of the City? Councilmember McMahon questioned whether the Charter provided any further definition of the term "*officer*"? Ms. Forster stated that from an employment standpoint, any department director whose salary payments are based on an annual amount is considered a salaried employee, and based on the language in the Charter, that makes them an officer of the City. And that is the rationale behind her recommendation to utilize a Resolution or an Ordinance to handle this matter. Councilmember McMahon stated that he would be amenable to following Ms. Forster's recommendation.

Councilmember Smotherson stated his belief is that Ms. Forster's analogy with respect to spreading Ms. Pumm's responsibilities around to other individuals is not applicable under these circumstances. This is a skilled position with detailed responsibilities, so Council needs to hire a qualified individual to fulfill this position.

Ms. Forster stated one concern is that it will take a temp some time to gain an understanding of their responsibilities. Therefore, consideration should be given to selecting someone who already has a connection to the City, the responsibility of signing off on Resolutions and Ordinances.

Councilmember Carr informed everyone that she had already provided the job description to Mr. Earl.

So he has a good sense of the duties and is looking for someone who has either done or is familiar with, this type of work.

Mayor Welsch asked Councilmember Carr if the contract language which states, "*Benefits included up to 3 percent employer-matched IRA,*" referenced the benefits being offered by GovTemps?

Councilmember Carr stated that although she is not certain, she understood "*employer-matched IRA,*" to mean GovTemps' employer-matched IRA, since this person is an employee of GovTemps and not the City. However, she would be happy to step outside and make a phone call, if the Mayor would like? Mayor Welsch stated she believed such a clarification would be beneficial. Councilmember Carr stated, for now, she would like Council to make the assumption that the cost would be passed on to the City until she can make the call to determine otherwise. Mayor Welsch stated her concern is that if the cost is passed on to the City, it would increase the cost to 15 percent above Ms. Pumm's salary. Councilmember Carr stated that with all due respect, this is a situation that has been put in Council's lap where there may not be a good solution. And while it's her understanding that the Mayor has attempted to make inquiries through the City Clerk's Association, this may be the best solution. Mayor Welsch stated that she had made such an inquiry, but, it had not been publicized elsewhere. Her concern, especially if Ms. Pumm comes back a week after this person is hired, is that the City will be responsible for another full month of the temp's salary, plus the 3 percent. Councilmember Carr stated that's the cost of doing business. But, the ultimate decision is up to Council, so if anyone has another way to do it, fine. However, she did not want to get into a situation where 30 days from now Council is still scrambling around trying to make a decision because this really needs to happen within the next 14 days.

Mayor Welsch stated she did not know the correct protocol but wondered whether it was possible to go forward with GovTemps and at the same time publicize the position on the City's website and various publications? Councilmember Carr stated she did not believe the two things could be done simultaneously; either you enter into a contract with GovTemps, or decide to go another route. But, whatever the case, she was in total agreement with Councilmember McMahan's suggestion to implement a plan so that if the need arises in the future, there will be a much faster turnaround. She then thanked Mr. Adams and Ms. Reese for being exceedingly generous in their support to Council.

Director of Finance, Tina Charumilind, stated that the City is not going to get a qualified person for much less than \$40.00 an hour. So GovTemps' rate of 40 percent is reasonable. When she needs an accountant, she utilizes AccountTemps to ensure that she receives qualified applicants, and her belief is that GovTemps probably follows the same practice of retaining individuals who have the specific experience needed for this position.

Councilmember Crow thanked staff for their support. He stated it is clear, through a variety of factors, that this position has a backlog. So, his belief is that Council is splitting hairs, unnecessarily; should follow Ms. Forster's recommendation, and get this on Monday's agenda. Councilmember Crow stated his guess, is that the IRA pass-along is probably negotiable, but either way, it should not be a deal-breaker.

Councilmember Carr made a motion to begin the process of finding a temporary replacement by utilizing the services offered by GovTempsUSA.

Once a temp is selected, the contract should be submitted to the City Manager and Director of Finance for processing; seconded by Councilmember Smotherson.

Roll Call Vote Was:

**AYES:** Councilmember Carr, Councilmember McMahon, Councilmember Crow, and Councilmember Smotherson, Mayor Welsch

**NAYS:** None.

#### **4. CITIZEN COMMENTS**

Jeff Hales, 7471 Kingsbury, University City, MO

Mr. Hales posed the following questions to Council:

1. Will a department head assume the responsibilities of signing and attesting to Resolutions and Ordinances?
2. Once a department head is selected, who would they be responsible for reporting to? With respect to the emails containing legal opinions, he asked:
  1. Why were two conflicting legal opinions given, and what precipitated the second opinion?
  2. If the second opinion was precipitated by a question, what was the question being asked?
  3. Why does the second opinion seem to contradict the opinion provided 39 days earlier?
  4. Since it is apparent that two of Council's employees were in possession of these legal opinions, why did they fail to divulge this information to Council on July 11th?

Mr. Hales stated that he found the emails very concerning, and believes that had the City Attorney been in attendance at the July 11th meeting when these questions arose, the City would not be in this mess. Council needs to be apprised of legal opinions, especially when they are issued to their employees, and that should be a matter of policy.

Mr. Hales thanked Mr. Adams and Ms. Reese for providing him with information on almost all of his Sunshine requests. He stated that he was also impressed with Public Works. Their proactive treatment of the streets in preparation for the impending storm was unlike anything he has ever seen in U City.

5. **Motion to go into a Closed Session according to Missouri Revised Statutes 610.021 (1) Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys and (3) Personnel hiring, firing disciplining or promoting of particular employees by a public governmental body when personal information about the employee is discussed or recorded.**



Councilmember Carr moved to go into Closed Session, was seconded by Councilmember McMahon.

**Roll Call Vote Was:**

**AYES: Councilmember Carr, Councilmember McMahon, Councilmember Crow, and Councilmember Smotherson, Mayor Welsch**

**NAYS: None.**

**6. Adjournment**

Mayor Welsch adjourned the open meeting at 2:35 p.m.

DRAFT

MEETING OF THE CITY COUNCIL  
CITY HALL, Fifth Floor  
6801 Delmar Blvd.  
University City, Missouri 63130  
**January 23, 2017**  
**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, January 23, 2017, Mayor Shelley Welsch, called the meeting to order at 6:31 p.m.

**B. ROLL CALL**

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

Councilmember Rod Jennings  
Councilmember Paulette Carr  
Councilmember Steven McMahon  
Councilmember Terry Crow  
Councilmember Michael Glickert  
Councilmember Bwayne Smotherson

Also in attendance were Acting City Manager, Charles Adams, and LaRette Reese

**C. APPROVAL OF AGENDA**

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

Mayor Welsch noted that Ellen Hartz, who is being nominated to the Plan Commission by Councilmember McMahon, is present and would like to be sworn in at tonight's meeting, so she would like to add this agenda.

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

**D. PROCLAMATIONS**

**E. APPROVAL OF MINUTES**

1. January 9, 2017, Regular session minutes were moved for approval by Councilmember Jennings, seconded by Councilmember Carr and the motion carried unanimously.
2. January 9, 2017, Study session minutes were moved for approval by Councilmember Jennings and seconded by Councilmember Glickert.

Councilmember Carr thanked Ms. Reese for presenting Council with such an accurate set of minutes.

Voice vote on the amended motion carried unanimously.

**F. APPOINTMENTS TO BOARDS & COMMISSIONS**

1. Boo McLoughlin, Tom Schmidt, and Nakita Smith were moved for appointment to the Loop Special Business District Board by Mayor Welsch. She was seconded by Councilmember Jennings and the motion carried unanimously.
2. Kathleen Standley and Nancy McClain were nominated for reappointment to the Park Commission by Councilmember Carr. The motion was seconded by Councilmember McMahan and the motion carried unanimously.
3. Ellen Hartz was nominated to Plan Commission by Councilmember McMahan. The motion was seconded by Councilmember Crow and the motion carried unanimously.

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

1. Judith Rogers Gainer was sworn in to the Plan Commission by Mayor Welsch.
2. Thomas Jennings was sworn in to the Pension Board on 1/18 in the Mayor's office.
3. Ellen Hartz was sworn in to the Plan Commission by Mayor Welsch.

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

**Wilma Chestnut, 1077 Midland Blvd., University City, MO**

Ms. Chestnut; who has been blind since the age of seventeen, she is a Gold Medal recipient in powerlifting and track and field programs sponsored by the United States Association for Blind Athletes, Ms. Chestnut presented Council with a brief explanation of Beep Baseball, a modified version of softball for the blind and visually impaired. She stated that through donations and sponsorships, her team, the STL Firing Squad, have not only participated in tournaments throughout the United States but are the founders of Camp Abilities St. Louis. The team also performs community outreach to introduce and engage others in the various programs made available through the Association. Ms. Chestnut stated this year the team has been afforded the opportunity to participate in the Beep Baseball World Series held in West Palm Beach, Florida, and would like to invite anyone interested in becoming a sponsor, or donating to this special event, to visit [nbba.org](http://nbba.org) for more information.

**George Lenard, 7232 Shaftesbury Avenue, St. Louis, MO**

Mr. Lenard presented the following talking points on behalf of the U City School Board:

- Rosalind Durham Gore achieved Gold level in the Work Keys Program and is now eligible to receive \$10,000 towards her post-secondary credentials as a Sterile Processing Technician. Work Keys is an ancillary program offered in conjunction with the District's Adult Education and Literacy Program
- Results of the 2014-2015 Culture Study conducted by high school students and Washington University revealed there was a lack of mutual respect between teachers and students; and that students expressed more empathy for teachers than teachers expressed towards students. Based on these outcomes the District implemented several interventions: (1) Trauma-informed practices to help teachers understand the role of trauma and develop new methods of interacting and responding to students; (2) Restorative justice techniques that help teachers identify effective alternatives to traditional punitive strategies
- There has been review and discussion of School Improvements Plans for Barbara Jordan, Flynn Park, Jackson Park, and Brittney Woods Middle School

- The Board has approved a legislative letter urging full funding of the State's formula for education; allocation of money for universal pre-schools, and opposition to the expansion of charter schools and vouchers
- A Memorandum of Agreement between the District and U City Education Foundation has been signed. A key component of this agreement focuses on the need to raise private funds and grants through the conception of a part-time position

**Cindy Zirwes, 6925 Waterman Avenue, University City, MO**

Ms. Zirwes expressed support for the idea of firing City Manager, Lehman Walker, and Joyce Pumm, City Clerk, who, at best, have been an unprofessional embarrassment. But more importantly, the City Manager has wasted hundreds of thousands of dollars on frivolous lawsuits, resulting in a gigantic leap in the City's insurance premiums. She stated the recent changes on this Council are extremely positive steps towards correcting the corrosive damage and hopes to see this City's top leadership move beyond revenge politics and fiefdom-building, to the work that lies ahead.

**I. PUBLIC HEARINGS**

**J. CONSENT AGENDA**

**K. CITY MANAGER'S REPORT**

- 1. Approval of Thouvenot, Wade and Moerchen, Inc.'s** engineering services contract for \$39,000 to design and prepare bidding documents to construct Road & Drainage Improvements in the 8100 block of Teasdale Ave

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

**Citizen's Comments**

**Margaret Holly, 8108 Teasdale, University City, MO**

Ms. Holly stated that as a representative of the 8100 block of Teasdale, she would like to speak in support of this study focused on stormwater management. Stormwater has created phenomenal damage to the street, as well as the homes in the neighborhood. Fixing this problem is far beyond the capacity of residents to resolve. So they would like to express their appreciation to the City for moving forward with this project.

**Lori Goodman, 8001 Teasdale, University City, MO**

Ms. Goodman stated she had talked to Mr. Alpaslan about similar issues along Center Drive, Delmar, and Teasdale, and would like to know whether these areas were encompassed in this study, or would be made available to residents at a later date?

Mr. Adams informed Ms. Goodman that Mr. Alpaslan was in attendance at tonight's meeting, and suggested that they talk after the meeting.

Voice vote on Councilmember Glickert's motion carried unanimously.

- 2. Award of Project #1275 – Annual Sanitary Sewer Lateral Repairs project to Labib S. Wajih, LLC for its lowest responsible bid of \$77,215.00.**

Councilmember Jennings moved to approve, and was seconded by Councilmember Smotherson.

### Council's Comments

Councilmember Carr asked Mr. Alpaslan if he would provide her with information on the cost differences associated with bidding this project out in bulk, versus utilizing individual bids for each project? Sinan Alpaslan, Director of Public Works and Parks, stated although there is somewhat of a cost savings when projects are bid out separately, experience has shown that that cost is offset by the amount of time staff has to expend on the process associated with drafting and managing individual bids. This specific project represents approximately 30 of the 180 repairs that are being performed on an annual basis, which means that staff is tasked with the preparation of individual bids for the remainder of this work. So bundling a project equates to a reduction in staff hours, the opportunity to benefit from unit pricing, and faster response times for property owners. Experience has also revealed that it is difficult to find contractors who have the capability to undertake large volumes of work. Councilmember Carr asked what, if any, criteria is used to determine if a project should be bundled or bid out separately? Mr. Alpaslan stated factors that impact this decision are largely based on a contractor's availability. But unfortunately, staff has not been able to find contractors who can provide economical bids for these larger contracts, and that prohibits them from sending multiple bids out simultaneously.

Councilmember Carr questioned whether homeowners, who are required to pay 20 percent of the total cost, would receive a lower bill if their project was billed separately? Mr. Alpaslan stated that although his belief is that single projects are more cost-effective for the homeowner, staff is currently in the process of trying to compare these two concepts to obtain a more definitive answer to that question. Once the process is complete, it can be shared with Council and homeowners who are impacted by these projects. Councilmember Carr asked if bundling was basically a matter of staffing levels? Mr. Alpaslan stated that staffing levels are impacted when contracts are bid out on an individual basis. And staff's preference is to send out bid packets that are more in line with the process they follow on the majority of their improvement projects. It does cost a little bit more, but it gives staff the ability to work on multiple projects.

Councilmember Jennings stated that based on his observations this contractor has been performing sewer lateral work for the City for over five years. So is their receipt of this award based on the fact that they are the lowest responsible bidder? Mr. Alpaslan stated they were the lowest responsible bidder, as well as the only contractor with the capacity to meet the City's bonding requirements. Councilmember Jennings asked if Wajih was an MBE? Mr. Alpaslan stated his understanding is that they are an MBE and MSD Contractor. Councilmember Jennings stated because of their status he thinks it is a good idea to keep this contractor who has been treating the City fairly, rather than reducing their workload and taking the risk of losing them altogether.

Councilmember Crow questioned whether the remainder of these sewer lateral projects were being bid out to other companies? Mr. Alpaslan stated that they were. Councilmember Crow asked Mr. Alpaslan if his staff took any measures to determine whether the homeowners who are subsidizing these repairs are satisfied with the work being performed? Mr. Alpaslan stated his staff is currently in the process of sending questionnaires out to property owners who have utilized this service.

Councilmember Crow asked if there was an average cost of these repairs? Mr. Alpaslan stated that the average cost is roughly \$5,000. However, it could go as high as \$10,000, if the line needs to be rerouted, et cetera. Councilmember Crow questioned whether the homeowner was responsible for 20 percent of the total cost, regardless of the dollar amount? Mr. Alpaslan states homeowners are responsible for 20 percent of the total cost, as well as \$300 for the camera inspection of the line, which is needed to qualify each repair for the program.

Councilmember McMahon asked Mr. Alpaslan if he would expound on his comment regarding it being a bit more expensive to bundle the projects? Mr. Alpaslan stated he did not have the exact figures at this point in time, but his staff is studying the data that has been captured over the last three years. He stated that this is a relatively new process derived from conversations with neighboring communities, so it has only been in existence for three years. But to date, the only negative is the limited number of contractors with the ability to perform bundled contracts.

Councilmember McMahon asked whether it was typical for his department to only receive two bidders for these types of bundled contracts? Mr. Alpaslan stated typically the number of bids received were less significant when the economy of scale is affixed to a contract. However, the use of one provider means that the department would have to use more of its budgeted dollars for bundles and reduce the number of individual contracts.

A voice vote on Councilmember Jennings' motion carried unanimously.

**3. Approval of a Pole Use License Agreement** between the City of University City and Loop Trolley Transportation Development District.

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

**L. UNFINISHED BUSINESS**

*BILLS*

1. **Bill 9302** – An Ordinance vacating and surrendering a tract of land being part of the Westview Drive right-of-way, fifty (50) feet wide, being adjacent to Block 2 and Block 5 of University View, as recorded in Plat Book 19, Page 45 of St. Louis County Records, being located in St. Louis County, Missouri; 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 9302 was read for the second and third time.

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

Councilmember Carr questioned whether this area was once a walk-through for residents on Maplevue? Mr. Alpaslan stated that the walk-through was opened pursuant to a complaint filed by the Missouri Commission on Human Rights, and will not be blocked with the surrendering of this land. However, it should be noted that this walk-through does not meet the requirements to be classified as an ADA accessible route. Councilmember Carr questioned whether the City would be responsible for ensuring that this private property remained open? Mr. Alpaslan stated that since it is not an ADA accessible corridor, but rather a public right-of-way used by the property owners as a parking lot, the City has no responsibility to ensure that it remains open.

He stated that the City had met its obligation by installing a sidewalk on Teasdale in order to provide the ADA accessible routes from Mapleview south to Teasdale; Teasdale to Old Bonhomme, and Old Bonhomme north to Delmar.

Councilmember Carr asked her Ward 1 colleagues if they had any sense of what their constituents were experiencing? Councilmember Crow stated that both he and Councilmember McMahon had had conversations with several citizens who live in this area, and all of them expressed no problems with the vacating of this land.

Roll Call Vote Was:

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

**Nays:** None

2. **Bill 9303** – An Ordinance clarifying that the compensation for the position of City Manager under Ordinance 7012 shall be paid to an Acting City Manager or Interim City Manager. Bill 9303 was read for the second and third time.

Councilmember Carr moved to approve, seconded by Councilmember Crow.

Mayor Welsch stated while she will support this bill, she is concerned about the way it is drafted in relation to Acting City Manager and Interim City Manager, being treated as one and the same. It also seems to indicate that if, or when, an Interim City Manager is retained, that person would initiate employment at the top of the pay scale. So her preference would have been to have an Ordinance drafted specifically for Mr. Adams. She stated that in speaking with Mr. Adams about her concerns, he suggested that the Ordinance be amended to accommodate Council's future needs.

Roll Call Vote Was:

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

**Nays:** None.

## M. NEW BUSINESS

### RESOLUTIONS

*Introduced by Councilmember Glickert*

1. **RESOLUTION 2017-2.** A resolution amending the Fiscal Year 2016-2017 (FY17) Budget – Amendment #6 and appropriating said amounts. Was seconded by Councilmember Jennings.

Councilmember Carr stated her initial thought was that the City would be paying 1.26 million dollars for the temporary police station. However, the adjustments shown here depict a \$500,000 increase, and the July financials indicate that the total could run even higher when all is said and done. So, she is curious to know whether there is an employee assigned to keep track of these expenditures who could report to Council on a regular basis? Mr. Adams stated that the expenditures identified in the Resolution represent the initial costs associated with renovating the building.

Councilmember Carr questioned whether any additional fixed costs were anticipated? Mr. Adams stated that based on his understanding, the installation of a generator last week represented the final major expenditure associated with restoration of the building. Councilmember Carr suggested that a Study Session to discuss expenditures associated with the police station be conducted in the very near future.

She then questioned whether the budget amendment requested by the EDRST Board was staff-generated? Andrea Riganti, Director of Community Development, stated at the regular meeting of the EDRST Board, held on December 1, 2016, the Board agreed that "City Council should reconsider funding Create Space in FY 17, and requested staff to prepare a budget amendment for City Council. The Board voted unanimously for a budget amendment of \$150,000, to be sent to City Council for Create Space." So, staff is merely doing the bidding for the EDRST Board. Councilmember Carr stated that based on this request Council should have received a draft of the Board's minutes, as well as, a breakdown of what this money would specifically be used for. She then asked Ms. Riganti if the EDRST Board was aware that they are advisory to Council, and that they could not bring this issue back to Council for one year if it was voted down?

Councilmember Carr stated although Ms. Ellen Burns had been kind enough to send Council an article from the January 11th business section regarding a new Shared Space for young manufacturers, being planned for Fox Park, Marc Bowers, of St. Louis Makes and Tom Pickel, of DeSales Community Housing; a not-for-profit corporation with which she is very familiar, are the developers, not the City of St. Louis. Mr. Pickel states that the two entities are still putting together the financing for the 11 million dollar project; and Mr. Bowers stated emphatically that, "Companies will have to be somewhat mature before they rent a space in the building, and they will provide their own equipment. This is not an incubator, this is an accelerator." So, in her mind, it is difficult to compare the two, in spite of her belief that they are both great ideas, and that she expects to see Create Space succeed. Councilmember Carr stated in her opinion, the use of EDRST funds must do two things: (1) Increase revenues used to promote new commercial endeavors; and (2) Develop an economic engine. And since she could not get a sense of any type of an agreement whereby participants of Create Space must commit to staying in U City, she's not sure that it should be underwritten by U City.

Ms. Riganti apologized that the Board's minutes had not been included in Council's packet and that the breakdown of expenditures, included in the generator's application to EDRST Board, had also been omitted. She stated that the Board is aware that they are advisory, but was not sure whether they were aware of the one-year restriction; she will inform them of that. Ms. Riganti then asked two members of the EDRST Board, George Lenard and Brendan O'Brien, to present Council with additional information about their deliberations and request.

Councilmember Carr asked if each member would provide Council with the number of years they have been on the EDRST Board.

George Lenard stated that he was appointed to the EDRST Board in the spring of 2015, as a representative of the School District. He stated that he had been in attendance at the initial review of this proposal, the public hearing, and the board deliberations.



With respect to projects requested versus available dollars, the Board has had to make changes to their method of prioritizing proposals. So, he would like to assure Council that careful consideration is given to every recommendation.

Mr. Lenard stated there were numerous conventional, one-time marketing expenditures requested at the initial meeting, some of which he did not believe were a good statutory fit. What struck him about Create Space was not only the nature of the project and its potential for economic development, but they had \$750,000 in private monies and were only requesting \$50,000 for the first year. In spite of the fact that there was no binding commitment on the participants to remain in U City, they must commit to participating in all of the entrepreneurial classes, and the number of people anticipated to go through these classes was substantial. Not to mention Kitchen Space and Maker Space, which incorporates this same concept.

Mr. Lenard stated that several members had a conversation today about Create Space and one of the things he wanted to point out is Jodie Lloyd's statement that she has already been speaking with enrollees in Make Space who are looking at available properties in U City. That's a pretty good return. Secondly, Kitchen Space leads to individuals who want to operate food trucks. That could certainly generate tax review. And finally, this is part of a nationwide movement that he thinks is really exciting and one of the best things he's seen during his tenure on the Board. They've been putting flower pots in baskets on Olive and saying that's economic development, but he'd like someone to honestly tell him which one sounds more like economic development, flower pots or Create Space?

Brendan O'Brien stated he has been on the Board for approximately one year, and is a professional broker in commercial real estate on Olive, The Loop, and entire metropolitan area. He stated the Board thoroughly scrutinized this proposal, in spite of Create Space's promising presentation, and believes both the Board and Council could implement stop-gaps to prevent any losses. However, in his mind, the most important aspect of this is, if it's not Create Space, then who else is it going to be? What is the probability of ever finding so many young people who are committed to this area, in particular?

Councilmember Crow asked Mr. Adams if sometime in the near future, Council could be apprised of whether the start-up costs associated with the temporary police station had come in over or under budget?

With respect to Create Space, Councilmember Crow stated his belief is that Council had voted against this proposal less than twelve months ago. So, he was curious to know what, if anything had changed since the last time this was discussed, that would lead staff and members of the EDRST Board to assume that Council would be amenable to doing anything different? No new information has been provided. No one from staff or the EDRST Board has made any effort to speak to Council or address any of their concerns. And as a result, he could not see himself voting for a budget amendment where this item has been included.

Councilmember Smotherson concurred with Councilmember Crow's comments regarding Create Space, adding what he was curious about was why this Resolution could not be rescheduled?

During the May 23, 2016, Study Session it was noted that 2 million dollars had been approved for remediation of the Annex. Thereafter, the City was ordered to move into a temporary police station, and at that time, his question had been, how much of the 2 million dollars had already been used to remediate the Annex? Wherein, the City Manager stated that 1.3 million dollars represented the remaining balance. At that time, his belief was that this money would be used for the temporary police station, but Council has never been provided with any information to that effect. So, there is a need for staff to schedule a Study Session and provide Council, as well as the community, with an overview of all expenditures that have been made to date.

Councilmember Glickert stated a point system is used to rate projects that go before the EDRST Board and Create Space received the highest rating out of any of the other projects. The Board was impressed and he firmly believes in Create Space. He stated that conversations work two ways, so perhaps Council should have approached the Board to obtain answers to their questions. And maybe rules, such as the one advocated by Councilmember Crow, can be changed, for good cause.

Mr. Adams stated his understanding is that Council has the discretion to proceed with this Resolution or postpone it.

Councilmember Crow stated since staff has indicated that this item could not be rescheduled, the question then becomes why? Tina Charumilind, Finance Director, stated the reason for the notation is that these are second quarter expenditures, and according to the Ordinance staff only has 30 days to amend the budget.

Councilmember Crow asked whether it was correct to assume that EDRST funds had not been spent? Ms. Charumilind stated they had not, however, a majority of the expenditures had been. Councilmember Crow then asked whether the funds associated with the police department had already been spent? Mr. Adams stated that the list of items contained in the Resolution represented expenditures that had to be made to ensure that the building was operational. Councilmember Crow asked Ms. Charumilind if any expenditure could be removed from the budget amendment? Ms. Charumilind stated the only item that could be removed was funding for Create Space.

Councilmember Smotherson stated the City has businesses on Olive that could also use some funding to further economic development. So, while he is not against Create Space, he and his constituents still have unanswered questions. And one of them is why they need \$150,000 from the City if they have \$750,000 in private funds?

Councilmember McMahan asked if the \$130,000 line item for Bryan Cave had been used solely for the litigation associated with Social House? Ms. Charumilind stated that had been the sole purpose. Councilmember McMahan asked if they had provided the City with detailed invoices? Ms. Charumilind stated that they had.

Councilmember McMahan stated based on the information provided to Council, he is unsure whether the \$150,000 being requested was for Create Space or Kitchen Space? Ms. Riganti stated since Council has made their desire for additional information clear, she would prefer to send a memo to Council to ensure she has a comprehensive understanding of the questions being asked, rather than attempt to address them tonight.

However, with respect to individual Board members contacting Council, doing so would be a violation of the ex-parte contact agreement that has been discouraged in the past.

Councilmember Crow asked Ms. Riganti who had established the policy of no ex-parte contact with members of Council?

Councilmember Carr stated her belief is that the concept is based on the idea that individuals soliciting financing should not have the ability to twist the arms of individuals who are in a position to make those decisions, although Ms. Riganti's comment seems to be a misapplication of the term "ex-parte". Councilmember Carr stated she talks to people because she wants to learn as much as possible about a given situation. So it seems ludicrous to believe that questions from a Board, to which you are an advisory, would be viewed as a violation.

Councilmember Carr asked Ms. Charumilind if the funds had already been utilized by Create Space, and the City was now being asked to replace the funds? Ms. Charumilind stated that they had not been yet utilized.

Councilmember Carr stated she had informed Ms. Li, of the need to supply Council with metrics and a business plan, before any consideration would be given to funding this kind of money. And she had also been unable to find anything by the way of private investments, other than Mr. Li's statement that he would be willing to put up half the money to obtain equipment for Kitchen Space. That equipment will be housed in a building owned by Mr. Li, but the City has nothing to ensure it will be able to recoup its investment. In her opinion, all this equates to, is underwriting on the part of the City. And if the City does not set the table for real investments, rather than small-time investments, it will be unable to achieve development on Olive. She stated that almost nothing is as important to her, as getting Olive off of go, but in her mind, this is all speculative. She wants to be certain about where she is putting the City's hard-earned dollars. Councilmember Carr asked for more information about graduate commitments related to staying in U City and made a motion to remove Create Space from the budget amendment. The motion was seconded by Councilmember Smotherson.

Councilmember McMahon concurred with the comments made by Councilmember Carr. And while he would also agree that this is a great idea, he thinks it would be incumbent upon the people who are asking for something, to show up at tonight's meeting and answer some of the questions that have been raised. So, in his opinion, Council has already reached out, only to receive an even lesser amount of information.

Councilmember Jennings suggested that the forthcoming Study Session also include a discussion or presentation about Create Space, Kitchen Space and Make Space.

Roll Call Vote on the Motion to Remove EDRST Funding From the Amended Budget Was:  
**Ayes:** Councilmember Crow, Councilmember Smotherson, Councilmember Jennings, Councilmember Carr and Councilmember McMahon  
**Nays:** Councilmember Glickert and Mayor Welsch

Voice vote on Amended Resolution 2017-2, carried unanimously.

**Point of Information:** Councilmember Carr stated it appears as though the City is spending funds beforehand, and then covering it, which does not seem to be the intent of budget amendments.

Mayor Welsch stated her belief is that budget amendments are utilized to address matters that may arise in each quarter which have an impact on the previously approved budget.

Ms. Charumilind stated in this instance, the unforeseen or emergency expenses are associated with the mandate to relocate the police department. So, while the hope is that these will be one-time expenditures, it is a unique situation where no one can be sure of the end result. But, at this point, the only anticipated expenditure is for rental of the temporary space.

Councilmember Carr asked Ms. Charumilind if budget amendments were projections based on what staff anticipates spending to ensure that sufficient funding is available to cover those expenditures prior to distribution?

Ms. Charumilind stated that although most items have already been approved when the budget was finalized in February, staff may not have been unaware of the details, and certain line items may have exceeded the projected expenditure. Sometimes staff can reclassify a line item, and sometimes it requires an amendment to the budget. However, to cover large items like the police station or sewer lateral repairs, funds have to be taken out of the reserves.

## **BILLS**

*Introduced by Councilmember Glickert*

1. **BILL 9304** – An ordinance amending Chapter 300 Traffic Code of the University City Municipal Code to add both sides of Asbury Ave. from Maryland Avenue to Lindell Boulevard where the City has designated as a Residential Permit Parking Area, to be edited to the Traffic Code as the “Schedule” – Schedule III. Bill 9304 was read for the first time.

*Introduced by Councilmember Smotherson*

2. **BILL 9305** - An ordinance amending Chapter 300 Traffic Code of the University City Municipal Code to add a new location where the City has designated as a stop intersection, to be added to the Traffic Code – Schedule VII, Table VII-A. Bill 9304 was read for the first time.

*Introduced by Councilmember Carr*

3. **BILL 9306** - (Emergency Reading) - An ordinance to temporarily impose certain extra duties upon the City’s Director of Finance for a period of ninety days. Bill 9306 was read for the first, second and third time. Seconded by Councilmember Jennings.

Councilmember Glickert stated that as he reads this Ordinance, it seems as though Council is giving directions to the Finance Director do something for 90 days. However, the only time he believes Council has the authority to impose directions to a member of staff is during moments of inquiry. Therefore, he would like to amend the Ordinance to state,

"The Acting City Manager shall direct the Director of Finance to perform certain extra duties for a period of 90 days". The motion was seconded by Councilmember Jennings.

Councilmember Crow stated his belief is that this Ordinance was drafted by Mr. Mulligan. Councilmember Carr informed Councilmember Crow that Ms. Forster had drafted the motion. Councilmember Crow apologized and acknowledged that Mr. Mulligan probably did not want to talk about someone else's work product. He stated that although he is curious as to why this issue had not been raised prior to the meeting, he is not sure that it rises to a level of a concern. Councilmember Crow urged Council to move cautiously when attempting to amend an Emergency Ordinance which requires seven votes to be successful.

Councilmember Carr stated each member of Council had received a copy of this Ordinance and asked to make any proposals. So, although she understands Councilmember Glickert's concern, she believes Council is merely authorizing that these new duties can be assigned to an officer of the City. She stated Ms. Charumilind was identified by the City Attorney as being the most qualified officer to handle these responsibilities, and without the ability to confer with Ms. Forster she is not willing to make this change.

Mayor Welsch asked Councilmember Glickert to give consideration to the fact that the Ordinance does not state who should assign these extra duties.

Councilmember McMahon stated in his opinion, Council is being asked to pass an Ordinance that assigns duties, without giving specific directions as to how that assignment should be carried out.

Councilmember Jennings stated while he would agree that Mulligan probably did not want to talk about someone else's work product, since this is an Emergency Ordinance and Mr. Mulligan is familiar with the City's Charter, it might behoove Council to ask Mr. Mulligan for his opinion.

Mr. Adams stated his response to this question had been that this was a temporary Ordinance designed to help facilitate the City's need to authenticate important documents and maintain continuity.

Mayor Welsch asked if she was correct in stating that he, the Acting City Manager, would be directing Tina to fulfill these obligations and not Council? Mr. Adams stated that was also his understanding.

Councilmember Glickert withdrew his motion to amend.

Roll Call Vote Was:

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

**Nays:** None.

## **N. COUNCIL REPORTS/BUSINESS**

### **1. Boards and Commission appointments needed**

Mayor Welsch apologized for being unable to provide the necessary appointments.

2. Council liaison reports on Boards and Commissions

Councilmember Smotherson stated he wanted everyone to be aware that the reason for the \$20,000 budget item contained in Resolution 2017-2, for Arts & Letters. That line item is there because Commission members are actively seeking funding from outside sources to help supplement their budget. And one requirement for many of these organizations is that applicants have a budgeted line item.

3. Boards, Commissions and Task Force Minutes

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

4. Other Discussions/Business

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

**Mary Shapiro, 7475 Amherst, University City, MO**

Ms. Shapiro stated her comments at the last meeting related to her disapproval of the City Manager, failed to highlight the stonewalling that had occurred on numerous occasions between the City Manager and Councilmembers Carr and Crow. Ms. Shapiro stated it's obvious that Councilmember Carr puts a lot of time and effort into every meeting and she is appreciative of all that she does.

**George Lenard, 7232 Shaftesbury Avenue, St. Louis, MO**

Mr. Lenard stated there are two things Council should consider when it looks at Create Space. One is the potential merits of a project like this, and two is the process. He stated his Board experience has amplified his knowledge of the introductory period where you learn how things have always been done; the period when you start to realize that the way it's always been done really isn't that great, and the period where you start to be creative. And one thing that came out of the EDRST Board's creative period, is the realization that there is a disconnect with Council. The Board spends a lot of time talking and evaluating a project; it shows up on Council's agenda; they talk about it; make a decision; and somewhere in this equation, is the City's Administration. So, his suggestion was that a mechanism be built into the process; i.e., a joint work session, where everyone can sit down together and talk about things in a manner that solicits the important questions and answers Council needs to make informed decisions.

Mr. Lenard stated when a first-class project of this magnitude is about to fall, it's a warning sign that this particular system is broken. And even though he did not feel as though ex-parte was prohibited; nor did he feel like it was his duty as a member of EDRST to start lobbying members of Council. He would be happy to talk with individual members of Council to help identify a better process.

**P. COUNCIL COMMENTS**

Councilmember Crow stated his belief is that he and Councilmember McMahon are in agreement with respect to the need for a quick resolution to the issues associated with the Ames Place/Clifton Heights Party Bus.

Mayor Welsch announced that the Police Department Focus Group would be meeting tomorrow at 6 p.m., at the Heman Park Community Center.

**Q. Adjournment**

Mayor Welsch thanked everyone for their attendance and adjourned the meeting at 8:19 p.m.

DRAFT

**UNIVERSITY CITY COUNCIL  
STUDY SESSION  
5th Floor of City Hall  
6801 Delmar  
January 23, 2017  
5:30 p.m.**

**1. MEETING CALLED TO ORDER**

The City Council Study Session was held in the Council Chambers on the fifth floor of City Hall, on Monday, January 23, 2017. Mayor Shelley Welsch called the Study Session to order at 5:30 p.m. In addition to the Mayor, the following members of Council were present:

Councilmember Rod Jennings; (*Arrived at 5:35 p.m.*)  
Councilmember Paulette Carr  
Councilmember Steven McMahon  
Councilmember Terry Crow  
Councilmember Michael Glickert  
Councilmember Bwayne Smotherson

Also in attendance was Acting City Manager, Charles Adams and the Director of Public Works and Parks, Sinan Alpaslan.

**AGENDA**

**2. Additions to the draft agenda of Regular Council meeting**

Hearing no requests to amend the agenda, Mayor Welsch proceeded as follows:

**3. Washington University Pedestrian Bridge/Ramp Proposal Forest Park on Greenway South**

Mr. Adams stated that the Department of Public Works and Parks is here tonight to provide Council with an update on Washington University's improvements to the pedestrian ramp located approximately, at the 6600 block of Forest Park Parkway.

Sinan Alpaslan, Director of Public Works and Parks, stated that the proposal before Council is to replace the pedestrian bridge over Forest Park Parkway, and connect the southern end of Greenway South to the Danforth Campus. The proposal has received public input; been reviewed by several of the City's Commissions, and comes before Council tonight for approval of the easement needed to access a portion of the City-owned parkland known as Greenway South.

Rose Windmiller, Associate Vice Chancellor of Government Community Relations at Washington University, introduced several individuals in attendance at tonight's meeting, who, along with herself, can answer any questions Council may have.



Ms. Windmiller stated the existing pedestrian bridge was rebuilt in 2006, after the construction of the Cross-County Metro-Link. The University has maintained the bridge for the past eleven years, and it is now in need of repair. The proposed plan will reconstruct the bridge and the ramp that leads to the bridge; a portion of which is located on U City property, with the objective of improving safety for all users.

**Proposed Improvements:**

- Bryan Hall; located on the south portion of the bridge
- Separate bike and pedestrian pathways
- Accessibility for all user groups
- Reduction of cyclist speeds
- Aesthetics
- Minimum design standards; (*Currently the existing bridge services 6,000 trips annually*)

**Project Description:**

- Widen the bridge from its current 8 1/2 feet to 18 feet
- Shorten the ramp by 60 feet to eliminate neighborhood intrusion
- Curb separated lanes for pedestrians/cyclists; (*8 feet for pedestrians; 10 feet for cyclists*)
- Ramp switch-back or elbow to reduce cyclist's speed
- Irrigation, landscaping, hardscaping and walkways for the public space adjacent to the ramp

Mark Glenn, Chief of Campus Police, provided Council with the proposed safety and security enhancements.

- Separation of bikes from pedestrians
- Enhanced lighting from the campus throughout walkway
- Additional CCTV surveillance cameras located on the bridge, stairwell and public space
- Built-in blue light phones with direct connection to campus and U City police departments
- Three additional campus officers

Mr. Glenn stated in the past, only one security officer was assigned to cover the walkway from the campus to Delmar. His department is now in the process of hiring additional officers to ensure they are in place by the time the bridge opens. Two officers will be assigned to areas where there is a high concentration of foot traffic, and a third officer will be assigned to cover the evening hours. Any overlap will be provided by U City police officers.

Mayor Welsch stated that until she read the information contained in her packet, she was unaware of any problems associated with bicyclists and pedestrians. She then asked Mr. Glenn if he would provide Council with details about the type of problems his department had experienced? Mr. Glenn stated the vast majority of these incidents are associated with the conflict created by this mixed-use population, especially in the area where the ramp goes downhill. It's a straight shot where cyclists build up speed, and that creates a lot of safety issues. And in spite of the fact that extra patrols have been placed in the area and cautions regarding bike safety have been clearly posted, these problems still exist. Mayor Welsch asked if any of these actions had resulted in people getting hurt? Mr. Glenn stated that all of

his information had been obtained through various outside sources, like Washington University's Residential Life Program, and not from reports written by his department.

Councilmember Glickert asked how many blue light phones would be installed, and if they would be accessible to everyone? Mr. Glenn stated that everyone would have access to the phones, which will be located by the elbow depicted on the site plan, on the ramp, near the bottom of the ramp, and at Bryan Hall.

Mayor Welsch asked if there would be two officers on the walkway at all times? Mr. Glenn stated there would be two security officers and a police officer overlap.

Councilmember Glickert questioned why the green space depicted on the plan was designated for pedestrians? Frank Freeman, Project Manager for Washington University, stated the portion identified by Councilmember Glickert houses a ramp that provides access for people with strollers, et cetera. And with respect to the number of cameras, there will be four cameras located to the north and south; a camera that looks over a portion of the bridge, and three cameras on the other end of the bridge.

Mayor Welsch stated one of her constituents had expressed concerns about the safety of the curb between the pedestrian and the bike lanes. Does this represent a state-of-the-art design for these types of shared facilities? Mr. Freeman stated it is similar to what they have seen in other situations, which is very much like a curb on the street that bicyclists ride next to. Mayor Welsch asked if the curb would be painted? Mr. Freeman stated that the color of the pavement for both lanes would be different; one darker than the other.

Mayor Welsch asked if someone could indicate where the easement in question was located on the plan? Ms. Windmiller asked if they could finish the remainder of their presentation and then return to this question? Mayor Welsch agreed that they could. Ms. Windmiller stated that the wider lane for bicycles, along with the different aggregates, meet the current safety standards associated with grade separation.

Ted Spade, Landscape Architect for SWT Design, stated what is currently before Council is an analysis of the existing trees performed by an urban forester. A lot of the trees are in fair to poor condition and consist mainly of Sweet Gum.

#### **Proposed Landscape Improvements:**

- 16 trees removed
- 43 native trees added to produce seasonal color; (*Ornamental trees will be planted around power lines*)
- Increase biodiversity by adding a variety of 3-inch calipers
- Soil remediation; addition of prepared soil mix to stimulate vibrante growth, permeate water, and produce a pedestrian-friendly atmosphere
- Ground covers required by MSD to facilitate stormwater mitigation
- Automatic irrigation system; both drip and sprays

Councilmember Crow questioned whether this proposal had been reviewed and voted on by the Urban Forestry Commission? Mr. Spade responded that it had.

Mr. Alpaslan informed Councilmember Crow that the proposal had been reviewed by three of the City's Commissions.

Councilmember Crow questioned whether the trees located on the east side of the project represented the best possible option? Mr. Spade stated that he could not plant canopy trees at that location because of Ameren's tree trimming policy, which is not good for a tree's structural stability. So, the best option was to use lower ornamental trees that would not impact the power lines.

Councilmember Carr stated that the issue of runoff is near and dear to her heart. And since residents claim that the current trees in this area absorb runoff and prevent their properties from flooding, she is a little concerned about the ornamental trees being used to replace the existing trees since they do not offer the same root structure. So, how would the University address this issue, in the event it does become a problem? Mr. Spade stated that there is going to be no net gain of impervious surface. That said, Councilmember Carr's point is well taken with respect to large, healthy, mature trees, having the ability to absorb gallons of water. However, the combination of new soil; versus the old compacted soil; new trees and ground cover, will certainly result in increased improvements as it relates to stormwater management. He agreed that the smaller trees would require more maintenance. But, since it is the University's desire for this project to meet campus standards in terms of aesthetics, they are fully committed to perform the corrective pruning and trimming needed to properly maintain these trees. And if a tree dies or reaches its life capacity, it will be replaced.

Ms. Windmiller stated that although the Associate General Counsel will likely have something to add, she is confident that the University is ardent about maintaining good relationships with its neighbors. And if they are deemed responsible for the creation of additional flooding as a result of this new plan, they will absorb their portion of the costs and not leave residents holding the bag.

Tom Blackwell, Associate General Counsel for Washington University, added that although the specifics on how complaints would be addressed might vary, the University would have a legal obligation to do something about it, based on their promise to maintain the property. Under Missouri Law, an entity that maintains a property is considered to be the owner of that property. So, if one owner does something that causes water to run off onto another person's property, the owner of that property is held responsible.

Ms. Windmiller asked Mr. Freeman if there was anything about the new piping system that would affect the runoff? Mr. Freeman stated the water that falls on the bridge; which will now be almost twice as wide, will be collected and directed to a sewer. The water that falls on the ground will percolate into the ground much more readily than it does currently.

Councilmember Carr asked if the City had established a precedent which allowed outside entities to landscape and maintain its parks? Mr. Alpaslan stated that excluding U City in Bloom, there was no precedent. Councilmember Carr stated the City's Charter establishes a protection for its parks that states, "*The City may not sell, lease or otherwise give any of its parkland without a vote of the people*". So, while she does think that the overall landscape design is lovely, her assumption is that at some point this regulation will have to be addressed.

Mayor Welsch advised Mr. Adams that before Council moves forward staff would have to look at the Charter concerns. Which as she understands the amendment, is that if the City wants to dispose of an acre or more of parkland property it has to go to the vote of the people.

Councilmember Glickert stated based on his understanding, it's less than an acre; i.e. the pocket park on Clemons and Westgate.

Ms. Windmiller stated although she is not familiar with the language contained in the City's Charter with respect to easements, this proposal only refers to utilization of the City's easement and not the purchase of or changing of hands. The landscaping, safety, and security are affixed to the easement and the University has offered to take care of the property once the easement is in place. However, she is sure the University would be open to negotiations if a situation arises where the City no longer feels it is appropriate for the University to maintain the property.

Mayor Welsch asked Ms. Windmiller what the south side of the bridge would look like? Ms. Windmiller stated the entire bridge is being rebuilt, and the curb separated lanes will extend across the bridge into a new plaza located next to Bryan Hall. The plaza opens up into an attractive area for pedestrians and cyclists to connect to the University, and eventually to the bike path on campus. Mayor Welsch asked if it was correct that the current path located at the end of the ramp on the U City side would not be widened? Ms. Windmiller stated that was correct. Concerns expressed by neighbors indicated a desire for the sidewalk to be maintained at its current width of 8 1/2 feet.

Councilmember McMahan asked what would happen if the University was unable to gain access to the easement? Ms. Windmiller stated while they would proceed with renovating the bridge, without approval to implement the proposed improvements, the bridge would only be extended up to the 8 1/2 foot existing ramp located to the north of the Metro-Link tracks.

Mayor Welsch asked if someone could indicate where the easement in question was located on the plan? Mr. Blackwell stated that the easement was indicated by the shaded area. Mayor Welsch asked if the easement was located by the curve? Mr. Blackwell stated the entire colored area on the sketch depicting the ramp, represented the easement. Mayor Welsch questioned whether the City had provided an easement for the current walkway? Mr. Blackwell stated the University is not aware of any easement or legal documents to that effect. He stated that a title search was conducted of the area to determine who might have interest in the property, which did not disclose anything related to the ramp. Mr. Blackwell presented a sketch adapted from that title search illustrating a cross-hatched area of the easement consisting of everything U City owns on both sides of the private property. The southern boundary is where the Metro-Link right-of-way runs north beyond where the ramp terminates.

Ms. Windmiller stated the last thing she wanted to discuss is construction planning and management.

- Construction for both the bridge and ramp will take approximately 4 months.
- If the easement is granted, staging of the replacement will occur in front of the Academy building and Ames Place.

- Two additional easements impact this project; Metro-Link and Ameren. The University has been working to subordinate these easements and has had good luck with both of entities.
- One 50 hour weekend of severe construction is anticipated when the bridge is replaced.
- Metro-Link would be closed; the University is working with them to determine a practical date.
- Forest Park Parkway will be closed in both directions.
- Alternative routes for bridge users will be developed during construction, specifically as it relates to U City, Ames Place and Great Rivers Greenway.

Ms. Windmiller stated she imagines that there would be a considerable amount of nightly noise during that 50 hour period of construction. And at this point, they are trying to mitigate the closure of any hotels within the area. But, the reason she brought this up, is because this aspect of the construction cannot be done any other way; even if the ramp as configured does not move forward.

Mayor Welsch asked what had caused the current condition of the bridge? Ms. Windmiller stated the original bridge was built by the Cross-County Metro-Link Project and not the University. But as she mentioned earlier, 600,000 is the approximate count for users of that bridge, which is much higher than the University or Metro anticipated when it was built. So, a lot of use, as well as the fact that it probably was not built to the standards adopted by the University. Mayor Welsch stated that you could begin to see signs of deterioration within a year or so after the bridge was erected.

Councilmember Crow questioned why the letter from a resident dated January 12th, was just making its way to Council? Mayor Welsch stated that the letter had been on her desk this morning, so it probably came in on Friday.

Councilmember Glickert stated that the individual who wrote this letter was currently in Europe, and has been there for some time.

Councilmember Glickert asked Ms. Windmiller if the University had exchanged any dialogue with the two private subdivision's residents or trustees? Ms. Windmiller stated she was going to ask Cheryl to answer this question because she deals with all of the neighborhood issues and arranged the neighborhood meetings. She noted that comments from those meetings had been included in Council's packet.

Cheryl Adelstein, Government Community Relations for Washington University, stated they had met with agents from Ames Place and Parkview, and both entities had placed a notice about the project in their newsletters. Ames Place and Parkview were supportive of the project but did not feel as though they had the authority to take a position.

A public meeting was held in April of last year where approximately 35 people were in attendance. At that point, the University was looking at two options; one to include the elbow feature, and the other to just widen the ramp.

Feedback from that meeting indicated that the majority preferred the option with the elbow because it involved a traffic calming advice to slow down and separate the cyclists. She stated while there are certainly some folks that were not interested in the project, the majority were supportive.

Presentations were also made to U City's Parks, Urban Forestry, and Green Practices Commissions.

Councilmember Smotherson asked for more details on the alternative routes and how the University planned to accommodate the additional traffic being placed on those routes? Ms. Windmiller stated the alternative routes were still being discussed and did not want to get into any details about this issue until they were further along in the process. However, she does not believe there will be the same magnitude of crossings during the summer months when the bridge will be closed.

Ms. Adelstein stated the University does not provide neighborhood housing for their students during the summer, so that would reduce some of the traffic. They will be working with GRG, U City, and the City of St. Louis, to establish signage on Delmar that prohibits individuals from coming down the walkway. And will also be working with Ames Place to get pedestrians, as well as cyclists, across Kingsbury to Big Bend, where they can walk across safely or utilize the newly installed off-street cycling path. People living in The Lofts will be detoured to Skinker because what they really want to avoid is what they call the "Frogger," located at Trinity, which is very dangerous. Councilmember Smotherson stated he was especially concerned with adding additional pedestrians and cyclists to Skinker, which is already congested. Ms. Adelstein informed Councilmember Smotherson that over the next couple of years, the University will be making numerous improvements to the intersection of Skinker and Forest Park Parkway, as part of its East-End Project.

Ms. Windmiller stated the University shares Council's concerns about safety at Big Bend, Skinker, and Forest Park, and the one saving grace is that Forest Park will be closed; as it is now, for several months. So this has greatly reduced the vehicular traffic, which is another plus for this project.

Mr. Alpaslan asked Ms. Windmiller if she would provide additional information about the lighting being proposed for the area under the bridge owned by U City? Mr. Freeman stated that the University is working with project planners to ensure there is ample lighting to eliminate hiding spots and permit clear and easy access to images by the CCTV. Downward based lighting will be used to prevent flooding into adjacent areas, and provide a more concentrated focus on areas underneath the bridge. He stated that the lighting would be evaluated once it is installed, and adjustments would be made to increase lighting where needed.

#### **4. Adjournment**

Hearing no additional questions or comments, Mayor Welsch thanked Ms. Windmiller for her presentation and adjourned the Study Session at 6:20 p.m.



## Council Agenda Item Cover

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**MEETING DATE:** February 13, 2017

**AGENDA ITEM TITLE:** Millar Park Swing Set Purchase and Installation

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

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

---

### **BACKGROUND REVIEW:**

Construction of the Millar Park playground began in January 2016 and was completed August of the same year. Part of the playground improvements included a swing set. Because of the cost this item was not included in the initial construction. \$50,000 was budgeted separately from the project for FY2017 for the purchase and installation of the swing set.

For equipment purchases, the City has utilized cooperative purchase agreements in the past. Flynn Park playground equipment is one such example. The City is a member of the National Joint Powers Alliance (NJPA) purchasing coop. NJPA is a public agency governed by a publicly elected board of directors. NJPA serves as a National Municipal Contracting Agency, enabled under the authority of Minnesota State Laws and Statutes 123A.21 and M.S.471.59. Utilizing the coop, city staff received a quote from Miracle Recreation for the purchase and installation of the swing set for \$38,750. With this project staff will finish the Millar Park Improvements.

### **RECOMMENDATION:**

Staff recommends awarding the purchase of the playground equipment and installation to Miracle Recreation in the amount of \$38,750.00.

### **ATTACHMENT:**

- 1) Millar Park Swing Set quote for purchase and installation
- 2) National Joint Powers Alliance (NJPA) contract documents



MIRACLE RECREATION C/O  
Hutchinson Recreation & Design Inc.  
P.O Box 194  
Troy, MO 63379

# Miracle A



Contract #022113-LTS

Name/Address		
City of University City 7000 Olive Blvd University City, MO 63130		
Date	Quotation #	REP
09/21/16	8514	CRH

Terms
TBD

Quantity	Description	Total
	2017 Pricing Miracle Arch Swing 3.5" post o.d. Includes (2) belt seats/(1) ADA inclusive seat/(1) Generation seat  Freight - UNLOADING/STORAGE OF EQUIPMENT IS NOT INCLUDED IN DELIVERED PRICE. IF UNLOADING/STORAGE IS DESIRED PLEASE SEE BELOW AND ADD TO TOTAL  -UNLOADING ADD \$500.00 TO TOTAL (For Playground Equipment ONLY) -STORAGE CONTAINER ON SITE ADD \$675.00/CONTAINER FOR 1ST MONTH THEN \$250.00/MONTH/CONTAINER THEREAFTER AS NEEDED TO TOTAL (For Playground Equipment ONLY). -CALL FOR QUOTE ON ALL OTHER PRODUCTS FOR UNLOADING & STORAGE OPTIONS. -STORAGE & UNLOADING ONLY AVAILABLE WITH THE PURCHASE OF INSTALLATION SERVICES.  Installation of swing. City to unload/store or upon request  Excavate existing dirt approx 8" grade out excess dirt in park	38,750.00T

The acceptance signature below serves as authorization to order the items quoted & indicates acceptance of the listed prices and payment terms enclosed. Signature will not substitute for a Purchase Order.

Total
-------

Unloading, storage and installation of equipment upon arrival is not included in above pricing unless specifically noted on quote.

Acceptance Signature: \_\_\_\_\_

Signature: \_\_\_\_\_

Phone: (800) 848.5616

www.hutchinson-recreation.com

Fax: (636) 528.8413

**NOTE: Purchase orders & checks for equipment should be made out to Miracle Recreation.**





MIRACLE RECREATION C/O  
 Hutchinson Recreation & Design Inc.  
 P.O Box 194  
 Troy, MO 63379

# Miracle A



Contract #022113-LTS

Name/Address		
City of University City 7000 Olive Blvd University City, MO 63130		
Date	Quotation #	REP
09/21/16	8514	CRH

Quantity	Description	Terms
	Installation of curb 6" wide 3 sides	TBD
	Installation of 4-5" compacted rock base/drainage	
	Installation of rubber poured in place 50/50 color/black for 8' fall.	
	Trash container provided by city. Security after final rubber pour by city. City to repair site leading to playground by equipment.	
	Tax Exempt	0.00

<b>Total</b>	<b>\$38,750.00</b>
--------------	--------------------

Unloading, storage and installation of equipment upon arrival is not included in above pricing unless specifically noted on quote.

The acceptance signature below serves as authorization to order the items quoted & indicates acceptance of the listed prices and payment terms enclosed. Signature will not substitute for a Purchase Order.

Acceptance Signature: \_\_\_\_\_

Signature: \_\_\_\_\_

Phone: (800) 848.5616

www.hutchinson-recreation.com

Fax: (636) 528.8413

**NOTE: Purchase orders & checks for equipment should be made out to Miracle Recreation.**



**NJPA VENDOR CONTRACT SUMMARY – Miracle Recreation Company**

<b>DATE</b> April 23,2013	<b>RFP #</b> 022113
<b>AWARDED CONTRACT NUMBER</b> <b>022113-LTS</b>	<b>NJPA RFP TITLE &amp; CATEGORY</b> Athletic and Recreational surfaces, Playground and equipment.
<b>CONTRACT PERIOD</b> April 23,2013-April 22,2017	<b>PRICING MODEL</b> Line item pricing
<b>DESCRIPTION</b> Comprehensive playground solution of products and services through local dealer and installer.	
<b>VENDOR NAME AND ADDRESS</b> Miracle Recreation Company 878 E. US Hwy 60 Monett, MO 65708	<b>VENDOR CONTACT</b> David Sheedy: <a href="mailto:David.Sheedy@playpower.com">David.Sheedy@playpower.com</a> Mike Sutton: <a href="mailto:Mike.Sutton@playpower.com">Mike.Sutton@playpower.com</a>

<b>NJPA CONTRACTS CONSIST OF THE FOLLOWING DOCUMENTS</b> "Contract" as used herein shall mean cumulative documentation consisting of this RFP, fully executed Forms C,D,F & P from the Proposer’s response and a fully executed form E "Acceptance and Award" with final terms and conditions. Form E will be executed on or after award and will provide final clarification of terms and conditions of the award.  <a href="#">Request for Proposal (RFP)</a> <a href="#">Bid Acceptance &amp; Award</a>	<b>RELATED CONTRACT DOCUMENTATION</b>  <a href="#">Affidavit of Advertisement</a> <a href="#">Bid Opening Witness Page</a> <a href="#">Bid Evaluation</a> <a href="#">Bid Comment &amp; Review</a> <a href="#">Board Minutes</a>
<b>DOCUMENTATION OF CONTRACT MAINTENANCE</b> <a href="#">Contract Renewal 2016</a> <a href="#">Contract Renewal 2015</a> <a href="#">Contract Renewal 2014</a>	<b>ADDITIONAL INFORMATION:</b>

**NJPA INFORMATION**

<b>NJPA CONTACT</b> Gordy Thompson	<b>TITLE</b> NJPA Contract Manager
<b>PHONE</b> 218-894-5489	<b>EMAIL</b> <a href="mailto:Gordy.thompson@njpacoop.org">Gordy.thompson@njpacoop.org</a>
<b>ADDRESS</b> 202 12th Street NE, P.O. Box 219, Staples, MN 56479	<b>WEBSITE</b> <a href="http://www.njpacoop.org">www.njpacoop.org</a>

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Staples, MN 56479-0219

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### NATIONAL JOINT POWERS ALLIANCE® PLAYGROUND AND RECREATION RELATED EQUIPMENT, ACCESSORIES, AND SUPPLIES Proposals due 4:30 pm, Feb. 20 REQUEST FOR PROPOSALS

The National Joint Powers Alliance® (NJPA), on behalf of NJPA and its current and potential Member agencies to include all Government, Higher Education, K12 Education, Non-Profit, and all other Public Agencies located nationally in all fifty states and potentially internationally, issues this Request For Proposal (RFP) to result in a national contract solution for the procurement of PLAYGROUND AND RECREATION RELATED EQUIPMENT, ACCESSORIES, AND SUPPLIES. Details of this RFP are available beginning January 9, 2013 and continuing until January 25, 2013. Details may be obtained by letter of request to Gregg Meierhofer, NJPA, 202 12th Street Northeast, P.O. Box 219, Staples, MN 56479, or by e-mail at RFP@njpacoop.org. Proposals will be received until February 20, 2013 at 4:30 p.m. Central Time at the above address and opened February 21, 2013 at 8:00 A.M. Central Time.  
Published Jan. 9, 10, 11, 14 & 15, 2013.  
10218624

PO #: 10218624  
Order #: 20387818  
Ad #: 20387818  
Placement: Daily Journal of Commerce  
Bids  
Schedule: Goods and Services  
1/9/2013 - 1/15/2013  
5 inserts  
Ad Charge\*: 287.10  
Addtl Charges/Disc\*: 0.00  
Payment Amount: 0.00  
**AMOUNT DUE: 287.10**

### ORDER KEYWORDS:

Playground & Recreation Related Equipment,  
Accessories, & Supplies

Anchor Rate: \$75.90  
Subsequent Rate: \$52.80

K-1-5

*\*Changes to this order may result in pricing changes.*

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## PLAYGROUND AND RECREATION RELATED EQUIPMENT, ACCESSORIES, AND SUPPLIES

The National Joint Powers Alliance® (NJPA), on behalf of NJPA and its current and potential Member agencies to include all Government, Higher Education, K12 Education, Non-Profit, and all other Public Agencies located nationally in all fifty states and potentially internationally, issues this Request For Proposal (RFP) to result in a national contract solution for the procurement of PLAYGROUND AND RECREATION RELATED EQUIPMENT, ACCESSORIES, AND SUPPLIES. Details of this RFP are available beginning January 9, 2013 and continuing until January 25, 2013. Details may be obtained by letter of request to Gregg Meierhofer, NJPA, 202 12th Street Northeast, P.O. Box 219, Staples, MN 56479, or by e-mail at [RFP@njpacoop.org](mailto:RFP@njpacoop.org). Proposals will be received until February 20, 2013 at 4:30 p.m. Central Time at the above address and opened February 21, 2013 at 8:00 A.M. Central Time.

**To obtain RFP documents:**

Send a letter of request to  
 National Joint Powers Alliance  
 Attn: Gregg Meierhofer  
 202 12th Street NE Staples, MN 56479  
 or by e-mail at [RFP@njpacoop.org](mailto:RFP@njpacoop.org).

**Pre-Proposal Conference:** January 29, 2013 at 10:00 am. CST  
**Sealed proposals due:** February 20, 2013 at 4:30 pm.  
**Proposals will be publicly opened:** February 21, 2013 at 8:00 a.m. CST

NJPA reserves the right to reject any and all proposals.

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#### **PLAYGROUND AND RECREATION RELATED EQUIPMENT, ACCESSORIES, AND SUPPLIES**

The National Joint Powers Alliance® (NJPA), on behalf of NJPA and its current and potential Member agencies to include all Government, Higher Education, K12 Education, Non-Profit, and all other Public Agencies located nationally in all fifty states and potentially internationally, issues this Request For Proposal (RFP) to result in a national contract solution for the procurement of PLAYGROUND AND RECREATION RELATED EQUIPMENT, ACCESSORIES, AND SUPPLIES. Details of this RFP are available beginning January 9, 2013 and continuing until January 25, 2013. Details may be obtained by letter of request to Gregg Meierhofer, NJPA, 202 12th Street Northeast, P.O. Box 219, Staples, MN 56479, or by e-mail at [RFP@njpacoop.org](mailto:RFP@njpacoop.org). Proposals will be received until February 20, 2013 at 4:30 p.m. Central Time at the above address and opened February 21, 2013 at 8:00 A.M. Central Time.

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#### **RECYCLING SOLUTIONS WITH RELATED EQUIPMENT ACCESSORIES, SUPPLIES AND SERVICES**

The National Joint Powers Alliance® (NJPA), on behalf of NJPA and its current and potential Member agencies to include all Government, Higher Education, K12 Education, Non-Profit, and all other Public Agencies located nationally in all fifty states and potentially internationally, issues this Request For Proposal (RFP) to result in a national contract solution for the procurement of RECYCLING SOLUTIONS WITH RELATED EQUIPMENT ACCESSORIES, SUPPLIES AND SERVICES. Details of this RFP are available beginning December 28, 2012 and continuing until January 16, 2013. Details may be obtained by letter of request to Gregg Meierhofer, NJPA, 202 12th Street Northeast, P.O. Box 219, Staples, MN 56479, or by e-mail at [RFP@njpacoop.org](mailto:RFP@njpacoop.org). Proposals will be received until February 6, 2013 at 4:30 p.m. Central Time at the above address and opened February 7, 2013 at 8:00 A.M. Central Time.

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#### **PRESCRIPTION DRUGS WITH RELATED GOODS AND SERVICES**

The National Joint Powers Alliance® (NJPA), on behalf of NJPA and its current and potential Member agencies to include all Government, Higher Education, K12 Education, Non-Profit, and all other Public Agencies located nationally in all fifty states and potentially internationally, issues this Request For Proposal (RFP) to result in a national contract solution for the procurement of PRESCRIPTION DRUGS WITH RELATED GOODS AND SERVICES. Details of this RFP are available beginning December 10, 2012 and continuing until December 24, 2012. Details may be obtained by letter of request to Gregg Meierhofer, NJPA, 202 12th Street Northeast, P.O. Box 219, Staples, MN 56479, or by e-mail at [RFP@njpacoop.org](mailto:RFP@njpacoop.org). Proposals will be received until January 17, 2013 at 4:30 p.m. Central Time at the above address and opened January 18, 2013 at 8:00 A.M. Central Time.

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#### **ROAD MAINTENANCE EQUIPMENT WITH RELATED ACCESSORIES, SERVICES, AND SUPPLIES**

The National Joint Powers Alliance® (NJPA), on behalf of NJPA and its current and potential Member agencies to include all Government, Higher Education, K12 Education, Non-Profit, and all other Public Agencies located nationally in all fifty states and potentially internationally, issues this Request For Proposal (RFP) to result in a national contract solution for the procurement of ROAD MAINTENANCE EQUIPMENT WITH RELATED ACCESSORIES, SERVICES, AND SUPPLIES. Details of this RFP are available beginning October 31, 2012 and continuing until November 14, 2012. Details may be obtained by letter of request to Gregg Meierhofer, NJPA, 202 12th Street Northeast, P.O. Box 219, Staples, MN 56479, or by e-mail at [RFP@njpacoop.org](mailto:RFP@njpacoop.org). Proposals will be received until November 30, 2012 at 4:30 p.m. Central Time at the above address and opened December 3, 2012 at 8:00 A.M. Central Time.

[Addendum #1](#)

[Addendum #2](#)

[Addendum #3](#)

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## Bid RFP #022113 - PLAYGROUND AND RECREATION RELATED EQUIPMENT, ACCESSORIES, AND SUPPLIES

<p><b>Bid Type</b> RFP</p> <p><b>Bid Number</b> 022113</p> <p><b>Title</b> PLAYGROUND AND RECREATION RELATED EQUIPMENT, ACCESSORIES, AND SUPPLIES</p> <p><b>Start Date</b> Jan 9, 2013 9:08:47 AM CST</p> <p><b>End Date</b> Jan 25, 2013 12:00:00 AM CST</p> <p><b>Agency</b> NJPA</p> <p><b>Bid Contact</b> Ginger Line (218) 894-5483 ginger.line@njpacoop.org 202 12th Street NE P.O. Box 219 Staples, MN 56479-0219</p>	<p><b>Questions</b> 0 Questions <a href="#">[View Questions]</a></p>
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### Description

The National Joint Powers Alliance® (NJPA), on behalf of NJPA and its current and potential Member agencies to include all Government, Higher Education, K12 Education, Non-Profit, and all other Public Agencies located nationally in all fifty states and potentially internationally, issues this Request For Proposal (RFP) to result in a national contract solution for the procurement of PLAYGROUND AND RECREATION RELATED EQUIPMENT, ACCESSORIES, AND SUPPLIES. Details of this RFP are available beginning January 9, 2013 and continuing until January 25, 2013. Details may be obtained by letter of request to Gregg Meierhofer, NJPA, 202 12th Street Northeast, P.O. Box 219, Staples, MN 56479, or by e-mail at RFP@njpacoop.org. Proposals will be received until February 20, 2013 at 4:30 p.m. Central Time at the above address and opened February 21, 2013 at 8:00 A.M. Central Time.

### Delivery Information

Gregg Meierhofer  
NJPA  
202 12th Street Northeast  
P.O. Box 219  
Staples, MN 56479

**Pre-Bid Conference**

Date **Jan 29, 2013 10:00:00 AM CST**

Location **Webcast - Conference Call**

Notes **Connection information sent to all inquirers  
on January 28, 2013**

We request that you please register with the agency before viewing the bid documents.

This process takes only a couple of minutes. [Register with this agency]

**Documents**

No Documents for this bid

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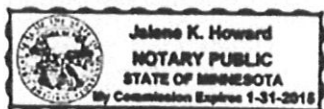
STATE OF MINNESOTA    )  
COUNTY OF HENNEPIN   )

Karen Greenhoe, being duly sworn, on oath says she is and during all times herein stated has been an employee of Star Tribune Media Company LLC, a Delaware limited liability company with offices at 425 Portland Avenue, Minneapolis, Minnesota 55488, publisher and printer of the *Star Tribune* newspaper (the "Newspaper"), published 7 days a week, and has full knowledge of the facts herein stated as follows:

1. The Newspaper meets the following qualifications:
  - (a) The Newspaper is printed in the English language in newspaper format and in column and sheet form equivalent in printed space to at least 1,000 square inches;
  - (b) The Newspaper is printed daily and distributed at least five days each week;
  - (c) In at least half of its issues each year, the Newspaper has no more than 75 percent of its printed space comprised of advertising material and paid public notices. In all of its issues each year, the Newspaper has not less than 25 percent of its news columns devoted to news of local interest to the community that it purports to serve. Not more than 25 percent of the Newspaper's non-advertising column inches in any issue duplicates any other publication;
  - (d) The Newspaper is circulated in the local public corporation which it purports to serve, and has at least 500 copies regularly delivered to paying subscribers;
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  - (g) The Newspaper is made available at single or subscription prices to any person, corporation, partnership, or other unincorporated association requesting the Newspaper and making the applicable payment;
  - (h) The Newspaper has complied with all the foregoing conditions for at least one year immediately preceding the date of the notice publication which is the subject of the Affidavit; and
  - (i) Between September 1 and December 31 of each year, the Newspaper publishes and submits to the secretary of state, along with a filing fee of \$25, a sworn United States Post Office periodical class statement of ownership and circulation.
2. The printed copy of the matter attached hereto (the "Notice") was copied from the columns of the Newspaper and was printed and published in the English language on the following days and dates: **Wednesday, January 9, 2013; and Wednesday, January 16, 2013.**
3. Except as otherwise directed by a particular statute requiring publication of a public notice, the Notice was printed in a typeface no smaller than six point with a lowercase alphabet of 90 point.
4. The Newspaper's lowest classified rate paid by commercial users for space comparable to the space in which the Notice was published is **\$282.50.**

Karen Greenhoe

Subscribed and sworn to before me on January 16, 2013



Jelene K. Howard





Proposal Opening Witness

Date of opening: February 21, 2013

The witnesses signed below hereby witness they were present on the above date and in witness of the public opening of all responses received to the Request For Proposal #022113 for the procurement of PLAYGROUND AND RECREATION RELATED EQUIPMENT, ACCESSORIES, AND SUPPLIES by NJPA and NJPA Members.

Proposals are evaluated first on responsiveness then on the other criteria included in the RFP. Responsiveness consists of the following criteria:

1. Was the response received prior to the deadline of submission?
2. Was the response properly packaged and addressed?
3. Did the response contain the proper bid bond?
4. Did the response include documents with original signatures that were required?

Responses were received from the following:

- American Ramp Company – received 2/20/13 at 10:52am**  
Bidder deemed responsive
- Becker Arena Products, Inc. – received 2/20/13 at 1:48pm**  
Bidder deemed responsive
- CXT, Inc. – received 2/18/13 at 10:35am**  
Bidder deemed responsive
- Fountain People, Inc. & Water Odyssey – received 2/18/13 at 10:47am**  
Bidder deemed responsive
- Frank J. Zamboni & Co. – received 2/18/13 at 10:36am**  
Bidder deemed responsive
- Greenfield Outdoor Fitness – received 2/20/13 at 12:05pm**  
Bidder deemed responsive
- Icon Shelter System, Inc. – received 2/20/13 at 12:05pm**  
Bidder deemed responsive
- Landscape Structures, Inc. – received 2/20/13 at 10:52am**  
Bidder deemed responsive
- Nofault Sportgroup, LLC – received 2/20/13 at 12:06pm**  
Bidder deemed responsive
- Pillar Design Studios, LLC – received 2/19/13 at 10:48am**  
Bidder deemed responsive
- Playmart, Inc. – received 2/20/13 at 10:52am**  
Bidder deemed responsive
- Playpower, Inc. – received 2/19/13 at 10:48am**  
Bidder deemed responsive
- Poligon by PorterCorp – received 2/20/13 at 10:52am**  
Bidder deemed responsive

**Continued..**

**S & S Worldwide – received 2/7/13**

Received No Bid Letter

**SofSurfaces, Inc. – received 2/19/13 at 10:48am**

Bidder deemed responsive

**The Fibar Group, LLC – received 2/20/13 at 10:51am**

Bidder deemed responsive

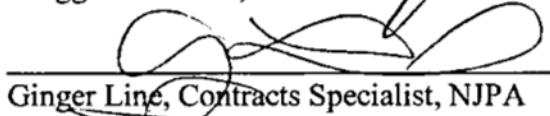
**Vortex USA, Inc. – received 2/20/13 at 10:05pm**

Bidder deemed responsive

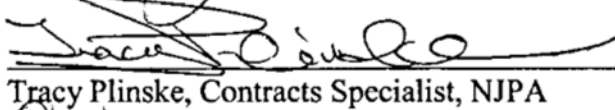
**WITNESSES:**

  
\_\_\_\_\_  
Gregg Meierhofer, Bids and Contracts Officer, NJPA

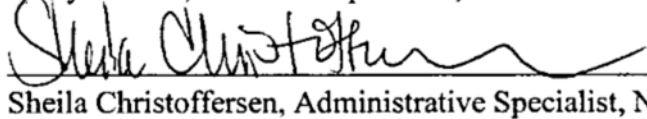
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2/21/13

  
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Ginger Line, Contracts Specialist, NJPA

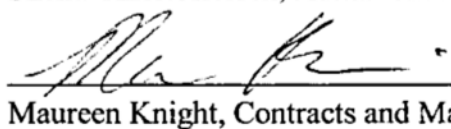
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Tracy Plinske, Contracts Specialist, NJPA


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2/21/13

  
\_\_\_\_\_  
Sheila Christoffersen, Administrative Specialist, NJPA

\_\_\_\_\_  
2/21/13

  
\_\_\_\_\_  
Maureen Knight, Contracts and Marketing Specialist, NJPA

\_\_\_\_\_  
2/21/13

  
\_\_\_\_\_  
Gordy Thompson, Contract Manager, NJPA

\_\_\_\_\_  
2/21/13



**COMMENT AND REVIEW**

To the  
REQUEST FOR PROPOSAL (RFP) #022113  
Entitled

**PLAYGROUND AND RECREATION RELATED EQUIPMENT, ACCESSORIES, AND SUPPLIES**

The following advertisement was placed in the Minneapolis, MN Star Tribune on January 9, 2013 and January 16, 2013 and Oregon's Daily Journal of Commerce on January 9, 2013 through January 15, 2013 and on the NJPA website [www.njpacoop.org](http://www.njpacoop.org), Onvia website [www.onvia.com](http://www.onvia.com) and Notice to Bidders website [noticetobidders.com](http://noticetobidders.com):

The National Joint Powers Alliance® (NJPA), on behalf of NJPA and its current and potential Member agencies to include all Government, Higher Education, K12 Education, Non-Profit, and all other Public Agencies located nationally in all fifty states and potentially internationally, issues this Request For Proposal (RFP) to result in a national contract solution for the procurement of PLAYGROUND AND RECREATION RELATED EQUIPMENT, ACCESSORIES, AND SUPPLIES. Details of this RFP are available beginning January 9, 2013 and continuing until January 25, 2013. Details may be obtained by letter of request to Gregg Meierhofer, NJPA, 202 12th Street Northeast, P.O. Box 219, Staples, MN 56479, or by e-mail at [RFP@njpacoop.org](mailto:RFP@njpacoop.org). Proposals will be received until February 20, 2013 at 4:30 p.m. Central Time at the above address and opened February 21, 2013 at 8:00 A.M. Central Time.

RFPs were requested from and distributed to:

American Ramp Company	Becker Arena Products
Little Tikes – Playpower Systems LT Farmington, Inc.	American Parks Company
The Fibar Group, LLC	BSN Sports
BCI Burke Company	Cunningham Recreation
Construction Industry Center	DJC Project Center
CXT, Inc.	Flanagan Sales, Inc.
Dynamo Industries	Grounds for Play, Inc.
Greenfields Outdoor Fitness	Icon Shelter Systems, Inc.
Henge Inc.	Landscape Structures
Kraftsman Commercial	National Playground
LandTek Grou, Inc.	Pillar Design Studios, LLC
No Fault Sport Group	Play Mart, Inc.
Pivotal Health Solutions	Prime Vendor, Inc.
PlayPower	School Outfitters
Recreation Brands Group	SportsPlay Equipment, Inc.
SofSurfaces	Swartz Associates, Inc.
St. Croix Recreation	TriActive America
Tactical Fitness	Xccent
Vitriturf	
Zamboni Company	

202 12<sup>th</sup> Street NE • P.O. Box 219 • Staples, MN 56479 • [www.njpacoop.org](http://www.njpacoop.org)

Late RFP requests received from:

Water Odyssey by Fountain People

Vortex

Bids were opened on February 21, 2013 at the NJPA offices located at 202 12th Street Northeast in Staples, Minnesota 56479. All bids received were deemed responsive. Bids were received from the following:

American Ramp Company  
Becker Arena Products, Inc.  
CXT, Inc.  
Fountain People, Inc. & Water Odyssey  
Frank J. Zamboni & Co.  
Greenfield Outdoor Fitness  
Icon Shelter System, Inc.  
Landscape Structures, Inc.  
Nofault Sportgroup, LLC  
Pillar Design Studios, LLC  
Playmart, Inc.  
Playpower, Inc.  
Poligon by PorterCorp  
SofSurfaces, Inc.  
The Fibar Group, LLC  
Vortex USA, Inc.

No bid letters were received from:

S & S Worldwide

Bids were reviewed by the Proposal Evaluation Committee consisting of:

Ginger Line, Contract Specialist, NJPA  
Gregg Meierhofer, CPPO, Bids and Contracts Officer, NJPA  
Tracy Plinske, Contract Specialist, NJPA  
Keith Hanson, Accounting Manager, CPA, NJPA  
Maureen Knight, Contracts and Compliance Manager, NJPA  
Sheila Christoffersen, Administrative Specialist, NJPA  
Misty Myers, Attorney, NJPA

The findings of the Proposal Evaluation Committee are summarized as follows:

The Proposal Evaluation Committee used the established NJPA RFP evaluation criteria and determined that all responses met the expectations of Level One Responsiveness and Level Two Responsiveness.

Playpower, Inc. provided a very strong response with regard to breadth and quality of products and services offered, industry and NJPA contract success, very competitive pricing and a large network of nationwide sales reps. Playpower, Inc. is the world's largest fully integrated manufacturer of commercial playground equipment and offered through their response a wide array of products through their Little Tikes, Miracle Recreation, Hags, EZ Dock and Soft Play lines. Their products include outdoor and indoor playground products, site amenities and work, surfacing, modular docking systems and boat lifts, waterway and habitat platforms and trails, fitness equipment, etc.

Poligon by PorterCorp. also provided a very strong response through the quality and breadth of products offered along with very competitive pricing. They manufacture a complete package of shade products which include: steel shelters, shade shelters, wood shelters and fabric shelters. Their comprehensive program includes installation and a financing option for a total turnkey solution.

Sofsurfaces and The Fibar Group offered surfacing solutions with very competitive pricing and multiple offerings. SofSurfaces included 4 product lines (DuraFLEX, SofTILE, SofTILE and SofCRETE) which includes: fitness flooring systems, roofing pavers, interlocking fire resistant rubber tiles and seamless rubber surfacing manufactured on site for under children’s playgrounds. The Fibar Group has demonstrated success and offered a narrower product line of poured in place, engineered wood fiber. This surfacing is competitively priced and fulfills a unique niche of members’ needs.

Water Odyssey provided a very strong response with a wide variety of quality products and services, demonstrated experience and ability to sell and service nationwide, and very competitive pricing. Their response included the following product divisions: Fountain People Inc., Water Odyssey, Fun Forms and FunFormations. These lines offered fountains, stainless steel aquatic play features and slides, climbable play structures, hard shell equipment, themed drinking fountains, concrete sculpting, bridges and statues.

Frank J. Zamboni & Co. is the well-known and respected manufacturer of Zamboni ice resurfacers. They are the leaders in the industry and produce more ice resurfacers than all their competition combined. They offered the high quality Zamboni machines at a competitive price with a discount not available except through the NJPA contract.

Becker Arena Products, Inc. has a strong past performance with our organization and offered general ice rink supplies and equipment including: hockey dasher boards, benching, rink divider panels, shelving, coat hooks, skate storage, hockey stick racks and a wide variety of complementary products. They offered competitive pricing and focus solely on being a one-stop shop for members ice rink needs.

American Ramp Company offered skatepark design and manufacturing. They offer turn-key solutions for a variety of skatepark build methods including steel, wood/skatelite, pre-cast concrete and shotcrete. Their solutions include design, manufacture, shipping, install and service of all skatepark options. Their past success, experience and competitive pricing provide members with a wide variety of choices.

CXT, Inc. offered a unique product line of precast concrete structures which includes restrooms, showers, storage and concession buildings – prefabricated and delivered complete and ready-to-use. They have proven experience in the market and offered a competitive factory direct pricing structure which includes shipping. Their buildings are designed to meet A.D.A. and withstand heavy snow, high wind and category E seismic loads.

For these reasons the NJPA Proposal Review Committee recommends award of NJPA #022113 to


American Ramp Company	022113-ARC
Becker Arena Products, Inc.	022113-BAP
CXT, Inc.	022113-CXT
Fountain People/Water Odyssey	022113-FPI
Frank Zamboni & Co.	022113-FZC

Playpower, Inc.  
Poligon by PorterCorp.  
SofSurfaces, Inc.  
The Fibar Group, LLC


022113-LTS  
022113-PPC  
022113-SFS  
022113-FBG

  
\_\_\_\_\_  
Ginger Line, Contracts Specialist

4/2/13  
Date

  
\_\_\_\_\_  
Gregg Meierhofer, CPPO, Bids and Contracts Officer

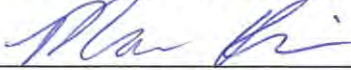
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Date

  
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Tracy Plinske, Contracts Specialist

4-2-13  
Date

  
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Keith Hanson, Accounting Manager, CPA

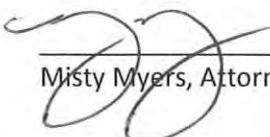
4-2-13  
Date

  
\_\_\_\_\_  
Maureen Knight, Contracts and Compliance Manager

4-2-13  
Date

  
\_\_\_\_\_  
Sheila Christoffersen, Administrative Specialist

4-2-13  
Date

  
\_\_\_\_\_  
Misty Myers, Attorney

4/2/13  
Date

Regular Meeting & Retreat Minutes of the  
NATIONAL JOINT POWERS ALLIANCE®  
Board of Directors  
Tuesday, April 23, 2013  
Executive Conference Room

Chair Wolden called the retreat to order at 8:00 a.m. with the following members present: Mike Wilson, Barb Schmitt, Randy Pepin, Wayne Wolden, Scott Veronen, Barb Neprud, and Brian Lehman. Also present was Susan Nanik, staff.

Ms. Nanik reported several job descriptions have been brought to her attention for review, revision, and re-evaluation for July 1<sup>st</sup>. She reviewed with the Board the process NJPA follow's to apply the Hay System. She reported consulting with Mike Gibson on several revised job descriptions.

Ms. Nanik reviewed a memo date March 28, 2013 regarding the sale of NJPA property and stated she would bring forth a recommendation at the Board meeting for approval.

Ms. Nanik shared mileage reimbursement data and discussed NJPA purchasing 2-3 fleet vehicles.

Ms. Nanik presented an Org Chart and through discussion several changes were recommended. Ms. Nanik was instructed to seek out an outside consultant to review and provide an opinion on alignment overall.

Ms. Nanik reported that all groups had indicated in writing their intent to negotiate. She had been informed the non-exempt and exempt group had merged together and would present together. She reported the NJPA 403b Plan would need to be removed from Cafeteria benefits but could remain as a separate benefit.

Mike Hajek and Diana Pihlaja joined the meeting.

Ms. Nanik distributed an Incentive Model Proposal. The Board asked this be tabled until August/September 2013.

Ms. Pihlaja walked through the DRAFT proposed 2013-2014 budget and answered questions. She will bring the proposed 2013-2014 budget to the June meeting for approval.

Chair Wolden called the Regular Board meeting to order at 4:57 p.m. with the following members present: Barb Schmitt, Wayne Wolden, Scott Veronen, Randy Pepin, Brian Lehman, Mike Wilson and Barb Neprud. Also present were Susan Nanik, Mike Hajek, Diana Pihlaja, Rynell Schock, Paul Anderson, David Jessop, Misty Myers, and Deb Cervantez, staff.

Mr. Pepin moved, seconded by Mr. Veronen to accept the agenda as amended. Motion carried.

Ms. Schmitt moved, seconded by Ms. Neprud to accept the minutes of the Regular Board Meeting held on March 19, 2013. Motion carried.

Ms. Pihlaja presented the monthly Financial Reports.

Ms. Schmitt moved, seconded by Mr. Pepin to approve the check register and Treasurer's Report of Cash, Revenues, and Expenditures and to pay all vendor disbursements #80098 to #80296. Motion carried.



Ms. Schmitt moved, seconded by Mr. Wilson to approve all Wire Transfers #341 to #362. Motion carried.

Mr. Wilson moved, seconded by Ms. Schmitt to accept the Consent Agenda as follows:

- Updated Membership Agreements Members added March 1-31, 2013.
- Request Authorization to Bid
  - Alternative Energy Generation Related Equipment and Services
- Request Authorization to Re-Bid
  - Technology Related Solutions
- Approve Bid Evaluation Committee's Recommendation to Award RFP #022113 for Playground and Recreation Related Equipment, Accessories and Supplies to:
  - American Ramp Company
  - Becker Arena Products, Inc.
  - CXT, Inc.
  - Fountain People/Water Odyssey
  - Frank Zamboni & Co.
  - Playpower, Inc.
  - Poligon by PorterCorp.
  - SofSurfaces, Inc.
  - The Fibar Group, LLC
- Approve Bid Evaluation Committee's Recommendation to Award RFP #031913 for Facility Security Equipment, Systems and Services with Related Equipment and Supplies to:
  - Siemens Industry, Inc.
  - DeBourgh Manufacturing
  - Tyco Integrated Security LLC
  - SimplexGrinnell LP
  - My State USA, Inc.
- Approve Bid Evaluation Committee's Recommendation to Award RFP #042313 for ezIQC Roofing to:
  - North American Roofing RCMN01A-042313
  - North American Roofing RCWI01A-042313
  - North American Roofing RCIL01A-042313
  - North American Roofing RCIA01A-042313
  - Weathercraft of Lincoln RCIA01B-042313
  - North American Roofing RCMI01A-042313
  - North American Roofing RCIN01A-042313
  - North American Roofing RCKY01A-042313
  - North American Roofing RCTN01A-042313
  - North American Roofing RCNC01A-042313
  - Sunbelt Roofing Service RCNC01B-042313
  - North American Roofing RCSC01A-042313
  - Sunbelt Roofing Service RCSC01B-042313
  - North American Roofing RCCO01A-042313
- Approve Bid Evaluation Committee's Recommendation to Award RFP #042313 for ezIQC in California to:
  - Mark Scott Construction, Inc. CA01A-042313
  - North Star Construction & Engineering, Inc. CA01B-042313
  - A.E. Nelson Construction CA02A-042313
  - Yerba Buena Engineering & Construction, Inc. CA03A-042313
  - Mark Scott Construction, Inc. CA04A-042313
  - Mark Scott Construction, Inc. CA06A-042313
- Approve Renewal of Agreements with

- Alamo Group (TX), Inc. #031711
- Atlantic Machinery, Inc. #031710
- Fuel Master (Syntech Systems) #052109
- Goodyear Tire and Rubber Co. #041712
- Life Fitness #021512
- Lucas Oil Products #010511
- Milliken & Company #022712
- Mitel Business Systems #042109
- Approve eziQC Renewal of Agreements with
  - Adrian L. Merton Incorporated MDSMG-022912
  - Centennial Contractors Enterprises, Inc. NC04-022912
  - Centennial Contractors Enterprises, Inc. MDBAL-022912
  - Clayton Construction Company, Inc. NC01-022912
  - Clayton Construction Company, Inc. NC03-022912
  - F.H. Paschen, S.N. Nielsen & Associates MD9WE-022912
  - HITT Contracting, Inc. FL07-022912
  - R.J. Crowley, Inc. MD9PG-022912
  - Sorensen Gross Construction Service Inc. MDACG-022912

Motion carried.

Ms. Schock reported on Education Solutions. Update was given on current year status of program as well as a three year outlook.

Mr. Jessop reported on Risk Management. Update was given on the membership list as well as Alliant.

Mr. Hajek reported on Contract Purchasing. Update was given on status of the new NJPA website.

Mr. Lehman moved, seconded by Mr. Veronen to approve the Gift Policy. Motion carried.

Ms. Nanik reported a private buyer is interested in the property on 1<sup>st</sup> Street NE in Staples. Per discussion at the Board Retreat, Ms. Nanik will get a Commercial Appraisal done on the property. She will notify all full-voting members of intent to sell the property. After notice has been given and no members object, she will contact the potential buyer and begin negotiations based on Commercial Appraised value.

Ms. Nanik reported as per discussion at the Board Retreat, she will pursue purchase of 2-3 fleet vehicles and will bring a proposal for approval to a future Board meeting.

Mr. Wilson moved, seconded by Ms. Schmitt to approve the 2012-2013 Annual Evaluation Report and Annual Plan as presented at the Annual Meeting of the Representative Assembly on April 10, 2013. Motion carried.

Mr. Wilson moved, seconded by Mr. Pepin to approve the Consultant Services Agreement with Joe Schmit. Motion carried.

Ms. Neprud moved, seconded by Mr. Veronen to approve the Consultant Services Agreement with Education Industry Association, Inc. Motion carried.

Mr. Wolden moved, seconded by Mr. Pepin to approve the revised Membership Policy. Motion carried.

Mr. Lehman moved, seconded by Mr. Wilson to approve the Partner Agreement with Illinois Community Colleges. Motion carried.

Mr. Pepin moved, seconded by Mr. Veronen to approve:

- Promotion of Jeremy Schwartz, Senior Contract Manager, effective April 8, 2013
- Hiring of RaeAnn Peterschick, Customer Service Specialist, starting April 22, 2013
- Promotion of Machel Marshall to Account Clerk III, Payroll/AR, effective immediately
- Open the Account Clerk II position.

Motion carried.

Ms. Nanik gave an update on the MSC Directors Meeting which was held April 17, 2013 in Duluth, MN.

Meeting closed at 7:00 p.m. permitted by section 13D.05 subdivision 1(b), to evaluate Executive Director applications. Mr. Lehman moved, seconded by Ms. Neprud to adjourn closed session at 7:55 p.m. Motion carried.

Mr. Wolden moved, seconded by Mr. Wilson to adjourn the meeting at 8:00 p.m. Motion carried.

**Formal Offering of Proposal**  
(To be completed Only by Proposer)



**PLAYGROUND AND RECREATION RELATED EQUIPMENT, ACCESSORIES, AND SUPPLIES.**

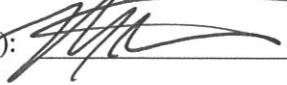
In compliance with the Request for proposal (RFP) for "PLAYGROUND AND RECREATION RELATED EQUIPMENT, ACCESSORIES, AND SUPPLIES", the undersigned warrants that I/we have examined this RFP and, being familiar with all of the instructions, terms and conditions, general specifications, expectations, technical specifications, service expectations and any special terms, do hereby propose, fully commit and agree to furnish the defined equipment/products and related services in full compliance with all terms, conditions of this RFP, any applicable amendments of this RFP, and all Proposer's Response documentation. Proposer further understands they accept the full responsibility as the sole source of responsibility of the proposed response herein and that the performance of any sub-contractors employed by the Proposer in fulfillment of this proposal is the sole responsibility of the Proposer.

Company Name: PlayPower Inc Date: 2/11/2013

Company Address: 13620 E Reese Blvd, Suite 300

City: Huntersville State: NC Zip: 28078

Contact Person: Michael A Sutton Title: Vice President Sales

Authorized Signature (ink only):  \_\_\_\_\_  
Michael A Sutton  
(Name printed or typed)



### Contract Acceptance and Award

(To be completed only by NJPA)

## NJPA 022113 PLAYGROUND AND RECREATION RELATED EQUIPMENT, ACCESSORIES, AND SUPPLIES

Playpower, Inc.  
Proposer's full legal name

Your proposal is hereby accepted and awarded. As an awarded Proposer, you are now bound to provide the defined product/equipment and services contained in your proposal offering according to all terms, conditions, and pricing set forth in this RFP, any amendments to this RFP, your Response, and any exceptions accepted or rejected by NJPA on Form C.

The effective date of the Contract will be April 23, 20 13 and continue for four years thereafter AND which is subject to annual renewal at the option of both parties. This contract has the consideration of an optional fifth year renewal option at the discretion NJPA.

#### National Joint Powers Alliance® (NJPA)

NJPA Authorized signature: Susan Nanik Susan Nanik  
NJPA Executive Director (Name printed or typed)

Awarded this 24 April day of 20 13 NJPA Contract Number # 022113-LTS

NJPA Authorized signature: Scott Verona Scott Verona  
NJPA Board Member (Name printed or typed)

Executed this 24 April day of 20 13 NJPA Contract Number # 022113-LTS

Proposer hereby accepts contract award including all accepted exceptions and NJPA clarifications identified on FORM C.

Vendor Name Playpower, Inc.

Vendor Authorized signature: [Signature] Michael A Sutton  
(Name printed or typed)

Title: Vice President of Sales, Playpower

Executed this \_\_\_\_\_ day of 20 \_\_\_\_\_ NJPA Contract Number # 022113-LTS

# ANNUAL RENEWAL OF AGREEMENT

Made by and Between

**PlayPower Inc. (Vendor)**  
13620 E. Reese Blvd., Suite 300  
Huntersville, NC 28078

and

**National Joint Powers Alliance® (NJPA)**  
202 12<sup>th</sup> Street NE  
Staples, MN 56479  
Phone: (218) 894-1930

Whereas:

“Vendor” and “NJPA” have entered into an “Acceptance and Award #022113-LTS” for the procurement of Playground and Recreation Related Equipment, Accessories and Supplies, and having a maturity date of April 23, 2017, and which are subject to annual renewals at the option of both parties.

Now therefore:

“Vendor” and “NJPA” hereby desire and agree to extend and renew the above defined contract for the period of April 23, 2016 to April 23, 2017.


National Joint Powers Alliance® (NJPA)

By:  \_\_\_\_\_, Its: Executive Director/CEO

Name printed or typed: Chad Coquette

Date 2/5/16

PlayPower Inc.

By:  \_\_\_\_\_, Its: SALES DIRECTOR

Name printed or typed: DAVID SHEEDY

Date 2.10.16

If you do not desire to extend contract, please sign below and return this agreement.  
**Discontinue: We desire to discontinue the contract.**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_



## Council Agenda Item Cover

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**MEETING DATE:** January 23, 2017

**AGENDA ITEM TITLE:** 100 Block of Asbury Ave – **Residential Permit Parking Area**

**AGENDA SECTION:** New Business

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

---

### **BACKGROUND REVIEW:**

The Traffic Commission reviewed a petition to create a Residential Permit Parking Area in the 100 block of Asbury Ave. on both sides, from Maryland Avenue to Lindell Boulevard.

According to the Municipal Code Section 355.030 Residential Parking Permit Plan, parking on public streets within residential neighborhoods may be restricted to the residents along not more than three (3) blocks of a street if the street is within two (2) blocks of Washington University or another municipality's boundary and if the problems caused by non-resident parking on the block are chronic and well documented.

The petition submitted by property owners at 7152 Maryland Avenue documents the parking problems on both sides of the 100 block of Asbury, and requests to restrict parking for residents on the both sides of the block.

The signatures in the petition exceeded the minimum requirement. The petition was signed by 100% of the affected households. Restricted hours are not to exceed twelve (12) hours daily. Proposed hours are from 9 am to 9 pm every day of the week except Sunday.

The Traffic Commission reviewed this request at their December 14, 2016 meeting and recommended City Council's approval of this petition to alleviate a reoccurring parking problem in this residential area within University City.

### **RECOMMENDATION:**

Staff recommends approval of the request, based on the parking issues documented and submitted to the City through the petition attached, and compliance with the requirements outlined on the University City Municipal Code section 355.030; thus amending the Traffic Code Schedule III-D Residential Permit Parking Areas to add both sides of Asbury Ave (100 block) from Maryland Avenue to Lindell Boulevard.

### **ATTACHMENTS:**

- Bill amending Schedule III-D Residential Permit Parking Areas
- Minutes of the December 14, 2016 Traffic Commission Meeting
- Petition submitted by the affected property owners

INTRODUCED BY: Councilmember Glickert

DATE: January 23, 2017

BILL NO: 9304

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

**AN ORDINANCE AMENDING SCHEDULE III OF THE TRAFFIC CODE, TO REVISE TRAFFIC REGULATION AS PROVIDED HEREIN.**

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

**Section 1.** Schedule III of the Traffic Code, of the University City Municipal Code is amended as provided herein. Language to be added to the Code is represented as highlighted. 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.** Schedule III of the University City Municipal Code is hereby amended to add both sides of Asbury Ave. from Maryland Avenue to Lindell Boulevard where the City has designated as a Residential Permit Parking Area, to be edited to the Traffic Code as the "Schedule" – Schedule III, as follows:

**Traffic Schedules**

**Schedule III: Parking Restrictions**

**Table III-D Residential Permit Parking Areas**

The following areas are "Residential Permit Parking Areas" and are regulated as set forth in section 355.030 of this Code:

Street	Block	Scope
Asbury Avenue	100	Both Sides

\* \* \*

**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 \_\_\_\_\_ 2017

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
Director of Finance

CERTIFIED TO BE CORRECT AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY



## Traffic Commission

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

### CITY OF UNIVERSITY CITY MINUTES OF THE TRAFFIC COMMISSION December 14, 2016

At the Traffic Commission meeting of University City held in the Heman Park Community Center, on Wednesday, December 14, 2016, Chairman Jeff Hales called the meeting to order at 6:31 p.m. In addition to Chairman Hales, the following members of the commission were present:

- Jeffrey Mishkin
- Bob Warbin
- Curtis Tunstall

Also in attendance:

- Angelica Gutierrez (non-voting commission member – Public Works Liaison)
- Errol Tate (incoming 2017 Public Works Liaison)
- Sinan Alpaslan (Public Works Director)
- Police Department Sergeant Shawn Whitley (non-voting commission member – Police Department Liaison)
- Councilmember Bwayne Smotherson (non-voting commission member—Council Liaison)

Absent (excused):

- Eva Creer
- Derek Helderman
- Mark Barnes

### 3. Approval of Agenda

Mr. Tunstall moved to approve the agenda and was seconded by Mr. Mishkin. The motion carried unanimously.

### 4. Approval of the Minutes

#### A. November 9, 2016 Minutes

Mr. Mishkin made a motion to approve the minutes of the October 6, 2016 meeting and was seconded by Mr. Tunstall. The motion carried unanimously.

### 5. Agenda Items

#### a. Stop Sign Request on Raymond Ave. at Melrose Ave.

Ms. Gutierrez presented the request to the commission from Bwayne Smotherson on behalf of John Cross requesting the stop sign at Raymond at Melrose. Despite record of traffic accidents, the sightline is limited and due to the geometry of the intersection, staff recommended that installation of a stop sign on Raymond and removal of the yield sign on Melrose.



## Traffic Commission

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

Councilmember Smotherson stated that he has observed traffic on Melrose not observing the yield sign to traffic on Raymond.

Dr. Warbin confirmed that the change would require traffic on Raymond to stop and traffic on Melrose would have the right of way. Ms. Gutierrez confirmed.

Mr. Hales asked if the installation of the stop sign would impact residential parking in front of the homes. Ms. Gutierrez stated that they do not anticipate an issue.

Sgt. Whitley stated that the police department supports the change.

Dr. Warbin made a motion to accept the recommendation of staff and was seconded by Mr. Tunstall. The motion carried unanimously.

### **b. Residential Parking Permit Request – Asbury Ave.**

Ms. Gutierrez presented the completed residential parking petition provided to the Scudieris at the November meeting. Staff verified the signatures on the petition and 100% of the affected households were in agreement. Staff recommended approval.

Mr. Hales asked and Ms. Gutierrez confirmed that the times will be consistent with Forsyth's residential parking restrictions.

Mr. Mishkin moved to accept the recommendation of staff to implement the residential parking permit on Asbury and was seconded by Dr. Warbin. The motion carried unanimously.

## **6. Council Liaison Report**

None.

## **7. Miscellaneous Business**

Mr. Hales asked if the commission would be getting an update on Centene following the recent significant changes to their plans. He asked if there would be a need for a different parking study.

Mr. Mishkin asked what changes have been made. Mr. Hales stated that it had been published on NextSTL.com that the location for the auditorium had been moved, as well as the residential portion of the development and the number of garage parking spaces had been reduced. Mr. Hales asked if Centene had provided staff with any information on the changes.

Ms. Gutierrez stated that the city has not received any updated plans and informed the commission that it will be informed of any changes and new information.



## Traffic Commission

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

Mr. Mishkin asked if the council has been asked to look at the Centene project. Councilman Smotherson indicated that it has not yet come before the council. Ms. Gutierrez also stated that the plan commission has yet to make a recommendation on the proposed rezoning until there is an official request and plans brought to the commission.

Mr. Alpaslan said that he had heard from Clayton that utility work has begun on the first portion of the project and anticipates that Centene will come back with an application for rezoning.

Mr. Hales stated that the only aspect of the changes that seemed particularly applicable to the traffic commission was the reduction in parking spaces and potential impacts.

Mr. Hales stated that in a discussion with his neighbor, he discovered that the city code for parking restrictions on Hanley Rd. is not consistent with the county and asked if that could be looked into. If the county traffic code is the prevailing code, he suggested the commission recommend making our codes consistent. Ms. Gutierrez stated that the county will sometimes make changes to county traffic code on county roads in University City without informing University City. She suggested that the city ask the county for other recent changes to county roads in University City. Mr. Mishkin suggested that the city ask for the County's list of changes each year and Ms. Gutierrez stated that could be done.

Mr. Hales thanked Ms. Gutierrez for all of her work on the Traffic Commission and for the city and welcomed Mr. Errol Tate who will be the new Staff Liaison for the Traffic Commission.

Ms. Gutierrez thanked the commissioners for the nine years she served as Traffic Commission Staff Liaison.

### **8. Adjournment.**

Dr. Warbin made a motion to adjourn the meeting and was seconded by Mr. Tunstall. The motion unanimously carried and the meeting was adjourned at 6:52pm

Minutes prepared by Jeff Hales, Traffic Commission Chairman & Secretary



**Public Works Department**

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

RESIDENTIAL PARKING PERMIT PETITION

TO: UNIVERSITY CITY- TRAFFIC COMMISSION

PROBLEMS CAUSED BY NON-RESIDENT PARKING (PROBLEMS SHOULD BE CHRONIC AND WELL DOCUMENTED). USE ADDITIONAL PAGE IF NECESSARY

Non-resident parking makes driving & access to alleyways difficult for residents. We also believe the changing regulations on nearby streets to be pushing non-resident parking toward us. We have incidents of long term non-resident parking & some of parking creates →

SPECIFIC AREA REQUESTED TO BE RESTRICTED:

Asbury between Lindell and Maryland

REQUESTED RESTRICTED TIME PERIOD (SHALL NOT EXCEED 12 HOURS DAILY)

9 am to 9 pm ~~Monday through Friday~~  
Everyday

NOTE:

THIS PETITION SHOULD BE SIGNED BY AT LEAST SEVENTY-FIVE (75%) PERCENT OF THE PROPERTY OWNERS ADJACENT TO THE BLOCK OF THE PUBLIC STREET INVOLVED.

The Public Works Department staff will review this petition 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: Erin & Nate Scudieri

ADDRESS: 7152 Maryland Ave

PHONE (HOME): 314-397-6434 PHONE WORK):

Date: 11-16-16

Please return completed to Angelica Gutierrez, at the Public Works Department, 3<sup>rd</sup> floor of the City Hall, located at 6801 Delmar Blvd, University City, MO 63130. Phone: (314) 505-8560 Fax: (314) 862-0694

Situations that can be very dangerous  
for the many elementary age children  
who walk this route to/from school.



**Public Works Department**

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

**PETITION FOR RESIDENTIAL PARKING PERMIT**

Block: N/A

Name of Street: Asbury between Maryland and Lindell

Hours restricted: 9am to 9pm

NAME (PRINTED)	SIGNATURE	ADDRESS
J+A FALSORS		7200 MAR J LANE
Vince Dickerson		7157 Lindell Blvd
Nate Scudieri		7152 Maryland Ave
John Cahill		7201 Linden Blvd 63130



## Council Agenda Item Cover

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**MEETING DATE:** January 23, 2017

**AGENDA ITEM TITLE:** Stop sign – Raymond Ave and Melrose Ave intersection

**AGENDA SECTION:** New Business

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

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### **BACKGROUND REVIEW:**

The Traffic Commission reviewed a request to approve the permanent installation of a stop sign on Raymond Avenue at Melrose Avenue.

A stop sign is warranted at this location. Due to the geometry of the intersection, it is recommended to install a Stop sign on Raymond Ave at Melrose Ave, as requested. An additional plaque “Cross traffic does not stop” should be added.

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

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

### **RECOMMENDATION:**

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

### **ATTACHMENTS:**

- Bill amending Chapter 300 – Schedule VII Stop Intersections.
- Minutes of the December 14, 2016 Traffic Commission Meeting
- Staff Report



**BILL NO. 9305**

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

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

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

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

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

**Schedule VII: Stop Intersections**

**Table VII-A. Stop Intersections**

<b>Stop Street</b>	<b>Cross Street</b>	<b>Stops</b>
<b>Raymond Avenue</b>	<b>Melrose Avenue</b>	<b>1</b>

\* \* \*

**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 \_\_\_\_\_ 2017

\_\_\_\_\_  
MAYOR

ATTEST:

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

CERTIFIED TO BE CORRECT AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY



## Traffic Commission

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

### CITY OF UNIVERSITY CITY MINUTES OF THE TRAFFIC COMMISSION December 14, 2016

At the Traffic Commission meeting of University City held in the Heman Park Community Center, on Wednesday, December 14, 2016, Chairman Jeff Hales called the meeting to order at 6:31 p.m. In addition to Chairman Hales, the following members of the commission were present:

- Jeffrey Mishkin
- Bob Warbin
- Curtis Tunstall

Also in attendance:

- Angelica Gutierrez (non-voting commission member – Public Works Liaison)
- Errol Tate (incoming 2017 Public Works Liaison)
- Sinan Alpaslan (Public Works Director)
- Police Department Sergeant Shawn Whitley (non-voting commission member – Police Department Liaison)
- Councilmember Bwayne Smotherson (non-voting commission member—Council Liaison)

Absent (excused):

- Eva Creer
- Derek Helderman
- Mark Barnes

### 3. Approval of Agenda

Mr. Tunstall moved to approve the agenda and was seconded by Mr. Mishkin. The motion carried unanimously.

### 4. Approval of the Minutes

#### A. November 9, 2016 Minutes

Mr. Mishkin made a motion to approve the minutes of the October 6, 2016 meeting and was seconded by Mr. Tunstall. The motion carried unanimously.

### 5. Agenda Items

#### a. Stop Sign Request on Raymond Ave. at Melrose Ave.

Ms. Gutierrez presented the request to the commission from Bwayne Smotherson on behalf of John Cross requesting the stop sign at Raymond at Melrose. Despite record of traffic accidents, the sightline is limited and due to the geometry of the intersection, staff recommended that installation of a stop sign on Raymond and removal of the yield sign on Melrose.



## Traffic Commission

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

Councilmember Smotherson stated that he has observed traffic on Melrose not observing the yield sign to traffic on Raymond.

Dr. Warbin confirmed that the change would require traffic on Raymond to stop and traffic on Melrose would have the right of way. Ms. Gutierrez confirmed.

Mr. Hales asked if the installation of the stop sign would impact residential parking in front of the homes. Ms. Gutierrez stated that they do not anticipate an issue.

Sgt. Whitley stated that the police department supports the change.

Dr. Warbin made a motion to accept the recommendation of staff and was seconded by Mr. Tunstall. The motion carried unanimously.

### **b. Residential Parking Permit Request – Asbury Ave.**

Ms. Gutierrez presented the completed residential parking petition provided to the Scudieris at the November meeting. Staff verified the signatures on the petition and 100% of the affected households were in agreement. Staff recommended approval.

Mr. Hales asked and Ms. Gutierrez confirmed that the times will be consistent with Forsyth's residential parking restrictions.

Mr. Mishkin moved to accept the recommendation of staff to implement the residential parking permit on Asbury and was seconded by Dr. Warbin. The motion carried unanimously.

### **6. Council Liaison Report**

None.

### **7. Miscellaneous Business**

Mr. Hales asked if the commission would be getting an update on Centene following the recent significant changes to their plans. He asked if there would be a need for a different parking study.

Mr. Mishkin asked what changes have been made. Mr. Hales stated that it had been published on NextSTL.com that the location for the auditorium had been moved, as well as the residential portion of the development and the number of garage parking spaces had been reduced. Mr. Hales asked if Centene had provided staff with any information on the changes.

Ms. Gutierrez stated that the city has not received any updated plans and informed the commission that it will be informed of any changes and new information.



## Traffic Commission

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

Mr. Mishkin asked if the council has been asked to look at the Centene project. Councilman Smotherson indicated that it has not yet come before the council. Ms. Gutierrez also stated that the plan commission has yet to make a recommendation on the proposed rezoning until there is an official request and plans brought to the commission.

Mr. Alpaslan said that he had heard from Clayton that utility work has begun on the first portion of the project and anticipates that Centene will come back with an application for rezoning.

Mr. Hales stated that the only aspect of the changes that seemed particularly applicable to the traffic commission was the reduction in parking spaces and potential impacts.

Mr. Hales stated that in a discussion with his neighbor, he discovered that the city code for parking restrictions on Hanley Rd. is not consistent with the county and asked if that could be looked into. If the county traffic code is the prevailing code, he suggested the commission recommend making our codes consistent. Ms. Gutierrez stated that the county will sometimes make changes to county traffic code on county roads in University City without informing University City. She suggested that the city ask the county for other recent changes to county roads in University City. Mr. Mishkin suggested that the city ask for the County's list of changes each year and Ms. Gutierrez stated that could be done.

Mr. Hales thanked Ms. Gutierrez for all of her work on the Traffic Commission and for the city and welcomed Mr. Errol Tate who will be the new Staff Liaison for the Traffic Commission.

Ms. Gutierrez thanked the commissioners for the nine years she served as Traffic Commission Staff Liaison.

### **8. Adjournment.**

Dr. Warbin made a motion to adjourn the meeting and was seconded by Mr. Tunstall. The motion unanimously carried and the meeting was adjourned at 6:52pm

Minutes prepared by Jeff Hales, Traffic Commission Chairman & Secretary

## STAFF REPORT

MEETING DATE: December 14, 2016  
APPLICANT: Bwayne Smotherson on behalf of John Cross, 6800 block of Raymond  
Location: Raymond Ave and Melrose Ave intersection  
Request: Stop Sign Installation  
Attachments: Traffic Request Form

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### Existing Conditions:

#### Raymond Ave and Melrose Ave intersection – Stop signs location request



Currently there is a yield sign on Melrose Ave at Raymond Ave (northbound only), and no stop signs on Raymond Ave.

The University City Police Department will provide accidents reported for the last 3 years at the time of the meeting. Raymond Ave and Melrose Avenues speed limit is 25 MPH.

The northbound Melrose Ave traffic cannot be seen from the eastbound Raymond Ave traffic.

**Request:**

L-2-7

Install a stop sign on Raymond Ave at Melrose Ave.

**Conclusion/Recommendation:**

Due to the geometry of the intersection, it is recommended to install a Stop sign on Raymond Ave at Melrose Ave, as requested. An additional plaque "Cross traffic does not stop" should be added. The Yield sign located on Melrose Ave will have to be removed to avoid confusion at the intersection, with a Stop Sign on one corner and a Yield Sign on the other corner.



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:

6800 Raymond & Northeast corner of Purcell

STATE THE NATURE OF YOUR REQUEST:

A stop sign should be placed on the corner of Raymond. Cars traveling on Purcell don't yield traveling north and is a blind spot for cars turning right off of Raymond

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

Requesting a stop sign so that car turning right from Raymond stop and look left for cars traveling north on Purcell.

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

This impact would be minimal.

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 Smotherson (John Cross)
ADDRESS: 1243 Resue Ave 6800 Block
PHONE (HOME): 314 726 9522 PHONE (WORK):
Email: bsmotherson@gmail.com
Date: 11-4-16

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

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)





## Council Agenda Item Cover

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**MEETING DATE:** February 13, 2017

**AGENDA ITEM TITLE:** Recreational Trails Program - **Resolution - 2017-3**

**AGENDA SECTION:** New Business

**CAN THIS ITEM BE RESCHEDULED:** Yes

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### **BACKGROUND INFORMATION:**

The Fogerty Park Phase 1 Improvements project is now underway. The City has the opportunity to apply for a recreational trails program (RTP) grant for additional work at Fogerty Park. The RTP is a federal grant administered by the Missouri Department of Natural Resources – State Parks. The grant funding would fund the rehabilitation of the perimeter trail, install a new ADA accessible entrance on Laughlin Ave., install new trail from the Laughlin Ave. entrance to the perimeter trail and remove the old tennis courts. As part of the grant application a resolution from the City is required as supporting documentation. The grant application is due on February 17, 2017.

The City staff has estimated the cost of the above proposed improvements in Fogerty Park at \$100,000 and the corresponding local match that the City is required to pay will then be \$20,000 under an 80%/20% cost share arrangement. No work on this project will start before the City's fiscal year 2018.

**ATTACHMENT:** Copy of draft resolution

**RESOLUTION 2017-3**

**RESOLUTION FOR RECREATIONAL TRAILS PROGRAM**

WHEREAS, the City of University City is applying for federal assistance from the Recreational Trails Program for the purpose of Fogerty Park Trail Improvement Project ,

NOW, THEREFORE, BE IT RESOLVED BY THE City of University City, that

1. Charles Adams, City Manager of The City of University City is authorized to sign the application for federal assistance and any other official project documents that are necessary to obtain such assistance, including any agreements, contracts or other documents that are required by the State of Missouri or the Federal Highway Administration.
2. The City of University City currently has the written commitment for the minimum 20% matching share for the project elements that are identified in the application and will allocate the necessary funds to complete the project.
3. In the event a grant is awarded, the City of University City will commit the necessary financial resources to operate and maintain the completed project in a safe and attractive manner for public access for years (a minimum of 25 years for a trail-related project, a minimum of three years for an education-related project) and/or will maintain trail maintenance/construction equipment purchased with grant funding for its useful life and in support of trail projects.
4. In the event a grant is awarded, the City of University City is prepared to complete the project within the time period identified on the signed project agreement.
5. In the event a grant is awarded, the City of University City will comply with all rules and regulations of the Recreational Trails Program, applicable Executive Orders and all state laws that govern the grant applicant during the performance of the project.

PASSED AND RESOLVED BY THE CITY OF UNIVERSITY CITY THIS \_\_\_ DAY OF \_\_\_\_\_, 2017.

ATTEST: (Clerk)

\_\_\_\_\_  
(SIGNATURE)

\_\_\_\_\_  
(SIGNATURE)

**Historic Preservation Commission  
July 21, 2016 Meeting Minutes  
(Approved 1-19-17)**

The Historic Preservation Commission held a meeting in the Heman Park Community Center located at 975 Pennsylvania Avenue, University City, Missouri on Thursday, July 21, 2016. The meeting commenced at 6:30 pm.

**1. Roll Call**

**Voting Members Present**

Donna Marin, Chairperson  
Bill Chilton  
Mark Critchfield  
Sandy Jacobson

**Voting Members Absent**

Esley Hamilton, Vice-Chairperson  
Richard Wesenberg

**Non-Voting Members Present**

Michael Glickert, Council Liaison

**Staff Present**

Andrea Riganti, Director of Community Development  
Zach Greatens, Planner

**2. Approval of Minutes / Summary**

**2.a. June 16, 2016 Historic Preservation Commission meeting minutes**

A motion was made by Ms. Jacobson to approve the June 16, 2016 meeting minutes as written. The motion was seconded by Mr. Chilton and carried unanimously.

**3. Old Business – None**

**4. New Business – None**

**5. Other Business**

**5.a. Discussion – Potential committee formation to consider future use of City Hall Annex and Old University City Library (Discussion Only – No Vote Requested)**

Staff provided a brief summary of the discussions at previous meetings pertaining to the potential formation of a committee to research the future use of the City Hall Annex and the old library building. Some members had already sent their ideas to staff regarding categories and groups from which committee members could be selected.

The Council Liaison stated that Council had recently approved a measure to get a second opinion on the previously completed report on the rehabilitation of the City Hall Annex.

Approval for getting a second opinion was not unanimous and the report would be finished in the coming weeks. Council had yet to discuss any ideas for future use of the building. There were other pressing issues that had to be dealt with first.

Staff stated that Council had previously suggested that a citizen committee should be formed to discuss future use of both buildings.

#### Questions / Comments and Discussion by Historic Preservation Commission

Commission members discussed the City Hall Annex and some of the existing deficiencies and obstacles for rehabilitation of the building as well as potential formation of a committee to examine future use of the building and what the role of the HPC should be in the overall process. It was apparent that there was no rush from City Council to get the process started immediately. They agreed that any ideas from individual members should still be shared with City staff.

### **5.b. Public Comments**

There were no public comments.

## **6. Reports**

### **6.a. Council Liaison Report**

Mr. Glickert stated the Council was working on approval of the budget as well as filling Councilmember Kraft's seat. He also mentioned that the City-owned property at Olive Boulevard and North and South Road was sold and was proposed to be the future site of a brewery.

### **6.b. Department Report: Update from staff**

Ms. Riganti stated that an RFP would soon be issued for reuse of the City-owned property at Olive Boulevard and Midland Boulevard. The Text Amendment that was recommended for approval by the HPC in June would be considered by the Plan Commission later in July.

## **7. Adjournment**

The meeting adjourned at 7:30 pm.

**Plan Commission  
September 28, 2016 Meeting Minutes  
(Approved 1-25-17)**

The Plan Commission held their regular meeting at the Heman Park Community Center located at 975 Pennsylvania Avenue, University City, Missouri on Wednesday, September 28, 2016. The meeting commenced at 6:30 pm.

**1. Roll Call**

**Voting Members Present**

Linda Locke (Chairperson)  
Rick Salamon  
Rosalind Williams  
Michael Miller  
Andrew Ruben  
Samuel Jones

**Voting Members Absent (excused)**

Cirri Moran (Vice-Chairperson)

**Non-Voting Council Liaison Present**

Rod Jennings

**Staff Present**

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

**2. Approval of Minutes**

**2.a. July 27, 2016 Plan Commission meeting**

A motion was made by Mr. Salamon to approve the July 27, 2016 meeting minutes. Ms. Williams stated that under item 3.a., the Conditional Use Permit application for the daycare facility at 6757 Olive Boulevard, it should state that Plan Commission members were concerned about those items, not just that those items were discussed. Mr. Salamon pointed out that not all of the Plan Commission members shared those concerns, so it should state that some of the Plan Commission members were concerned about the items listed. The motion was seconded by Mr. Miller. The motion to approve the minutes carried unanimously with the amendment as stated.

**3. Public Hearings**

**3.a. Conditional Use Permit PC 16-04 – 6951 Olive Boulevard – Proposal for a banquet center in the “GC” – General Commercial District – Michael Frazier**

The applicant, Michael Frazier, was present. The public hearing notification requirements had been met. The Chairperson noted the Commission’s procedures and criteria for reviewing Conditional Use Permits and amendments (Zoning Code Section 400.2720).

Mr. Greatens provided an overview of maps and images of the site and surrounding area.

Mr. Frazier explained the proposal to reuse the existing building (formerly retail space for Rent-A-Center) for a banquet center. The operation would include catering service and hold banquets for weddings, retirement parties, and other events. He stated he had obtained a letter from a nearby property owner to the west, the pediatrician's office at 6973 Olive Boulevard, to allow for the use of nine (9) parking spaces during the banquet hall operating hours, which were Friday evenings and Saturday and Sunday afternoons and evenings. He was working on obtaining additional parking spaces to lease for the same hours from another property owner also to the west.

#### Questions / Comments and Discussion by Plan Commission

- Plan Commission members asked about dedicated parking spaces for carry-out service, hours of operation, and sale of alcohol. Mr. Frazier stated that the carry-out service would not be available during banquet hours, so there would not be a need for dedicated parking during those hours. Carry-out service would be available Tuesday through Saturday, only during hours that a banquet was not held. No sale of alcohol was proposed. Any alcohol on-site for event would have to be brought in from those renting the facility.
- Would the existing security bars just inside the windows be removed? Mr. Frazier stated they would be removed.
- Regarding the potential impact on Domino's Pizza parking to the west, Mr. Frazier stated that the proposed banquet facility would not impact Domino's parking because of the additional spaces he intended to lease, which also included the title loan office to the west, in addition to the pediatrician's office.
- Some Plan Commission members expressed concern that applying the parking requirements of a "place of public assembly" for the proposed banquet facility was an incorrect interpretation of the ordinance, rather than as a "restaurant". Thus, there would not be adequate parking to serve a banquet facility of a maximum of 140 guests as discussed. Staff clarified that the proposed use would not operate as a typical restaurant and the parking requirements for "places of public assembly" would be more appropriate. The allowable seating would be contingent upon the total parking to be provided.

The Chairperson opened the public hearing.

- Kathy Straatmann, 6855 Plymouth Avenue – Ms. Straatmann stated she was concerned about the proposed hours of operation for a banquet center extending to midnight, resulting in guests parking on nearby residential streets and detrimental impact on the neighborhood.
- Wanda Williams, 1037 Roth – Ms. Williams asked if the applicant would be interested in constructing a parking lot on her vacant lot just north of the subject property. Staff stated that the property was not zoned commercial so it would not be allowed.
- Viola Green, 1049 Roth Avenue – Ms. Green stated she lived behind the subject property and was concerned there would be too much noise.

- Patrick Derfler, 1041 Roth Avenue – Mr. Derfler stated concerns on too much noise, liquor consumption on the property, and events spilling to the outside of the building.
- Jamal Clopton, 1037 Roth Avenue – Mr. Clopton stated he did not think there was an actual demand for a banquet center in this area and questioned its proposed location.

Addressing the concern about events spilling to the outside of the building, Mr. Frazier stated he intended to hire a security guard.

#### Questions / Comments and Discussion by Plan Commission

- One of the Plan Commission members was concerned that the definition of banquet hall in the ordinance was misapplied.
- Some Plan Commission members had concerns about the demand for a banquet facility in this area as well as parking. A banquet hall would be more comparable to a restaurant, which has a requirement of 1 parking space per 75 square feet of dining area, but the parking ratio applied of 1 space per 3.5 seats for the banquet facility as a “place of public assembly” would not be practical. Staff stated that the ratio was based on the Zoning Code requirement for “places of public assembly” which is typically more comparable to a banquet facility than a restaurant.
- It was stated that if there was an issue with the requirements in the Zoning Code, it could be addressed by the Code Review Committee (CRC) at a future meeting. Staff stated they would work with the CRC to review the parking code for restaurants and banquet facilities.

A motion was made by Mr. Salamon to approve the Conditional Use Permit with the conditions specified in Attachment A of the staff report. The motion was seconded by Mr. Miller and carried by a vote of 4 to 2 with nay votes from Ms. Locke and Ms. Williams.

The Chairperson stated this was not the final step. Conditional Use Permit applications require City Council approval. It was recommended that the applicant reach out to the neighbors to address their concerns.

#### **4. Hearings – None**

#### **5. Old Business – None**

#### **6. New Business**

##### **6.a. Minor Subdivision – Final Plat – PC 16-05 – Subdivide existing two-family dwelling into two condominium units at 7470 Delmar Boulevard in the “MR” – Medium Density Residential District**

Mr. Greatens provided project information. The request was to convert the existing two-family dwelling into two condominium units. He stated that the proposal was in compliance with all Zoning Code and Subdivision Regulation requirements and staff recommended approval.

A motion was made by Mr. Ruben to approve the Final Plat. The motion was seconded by Mr. Salamon and carried unanimously.

## **7. Other Business**

### **7.a. Public Comments**

- Mary Neal, 7270 Northmoor Drive – Her comments pertained to the proposed Centene expansion project, mostly in Clayton and partially in University City. She stated she attended the meetings in Clayton and had concerns about the traffic impact. Additional information about traffic impact was critical. She stated that Clayco, part of the development team, stated they intended to reach out to University City residents. The City of Clayton Board of Alderman also recommended that Clayco reach out to University City residents. Ms. Neal stated that she believed the comments about traffic impact were being taken seriously.
- Kathy Straatmann, 6855 Plymouth Avenue – Ms. Straatmann reiterated her previous comments that a banquet center at 6951 Olive Boulevard was a bad location.

There were no further public comments.

## **8. Reports**

### **8.a. Code Review Committee Report – None**

### **8.b. Comprehensive Plan Committee Report**

Mr. Ben Senturia, Vice-Chairperson of the Comprehensive Plan Advisory Committee (CPAC), addressed the Plan Commission members. He stated that CPAC had been working on proposed changes to the draft document prepared by the consultant. Although in recent weeks progress had stalled, he hoped to resume as soon as possible. Ms. Locke expressed appreciation on the dedication of the CPAC members.

### **8.c. Council Liaison Report – None**

### **8.d. Department Report – None**

Mr. Lai stated that Council approved the Conditional Use Permit application for Urban Sprouts, the daycare facility at 6757 Olive Boulevard. Some minor changes were made to the site plan due to concern from some Council members. There would be no traffic from the facility onto the alley and the only ingress/egress would be on Olive Boulevard. Also, the Text Amendment to include the old library building in the Civic Complex Historic District was approved by City Council. Also, a Site Plan for a 5-unit townhouse development at Delmar Boulevard and N. Central Avenue was approved by Council. It did not require Plan Commission review, since it's a permitted use.

## **9. Adjournment**

The meeting adjourned at 7:45 pm.