MEETING OF THE CITY COUNCIL

CITY HALL, Fifth Floor

6801 Delmar Blvd.

University City, Missouri 63130

**January 23, 2017**

**6:30 p.m.**

1. **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.

1. **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

1. **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.

1. **PROCLAMATIONS**
2. **APPROVAL OF MINUTES**
3. January 9, 2017, Regular session minutes were moved for approval by Councilmember Jennings, seconded by Councilmember Carr and the motion carried unanimously.
4. 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.

1. **APPOINTMENTS TO BOARDS & COMMISSIONS**
2. 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.
3. Kathleen Standley and Nancy McClain were nominated for reappointment to the Park Commission by Councilmember Carr. The motion was seconded by Councilmember McMahon and the motion carried unanimously.
4. Ellen Hartz was nominated to Plan Commission by Councilmember McMahon. The motion was seconded by Councilmember Crow and the motion carried unanimously.
5. **SWEARING IN TO BOARDS & COMMISSIONS**
6. Judith Rogers Gainer was sworn in to the Plan Commission by Mayor Welsch.
7. Thomas Jennings was sworn in to the Pension Board on 1/18 in the Mayor’s office.
8. Ellen Hartz was sworn in to the Plan Commission by Mayor Welsch.
9. **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 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 Broad 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.

1. **PUBLIC HEARINGS**
2. **CONSENT AGENDA**
3. **CITY MANAGER’S REPORT**
4. **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.

1. **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.

1. **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.

1. **UNFINSISHED 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 Mapleview? 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

1. **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.

1. **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 McMahon 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 McMahon asked if they had provided the City with detailed invoices? Ms. Charumilind stated that they had.

Councilmember McMahon 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

1. **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

1. **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.

1. **COUNCIL REPORTS/BUSINESS**
2. Boards and Commission appointments needed

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

1. 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.

1. Boards, Commissions and Task Force Minutes

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

1. Other Discussions/Business
2. **CITZEN 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.

1. **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.

1. **Adjourment**

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