



MEETING OF THE CITY COUNCIL
CITY HALL, Fifth Floor
6801 Delmar Blvd.
University City, Missouri 63130
February 27, 2017
6:30 p.m.

A. MEETING CALLED TO ORDER

B. ROLL CALL

C. APPROVAL OF AGENDA

D. PROCLAMATIONS

E. APPROVAL OF MINUTES

1. February 9, 2017 Study session minutes
2. February 13, 2017 Regular session minutes

F. APPOINTMENTS to BOARDS & COMMISSIONS

1. Jeff Zornes is nominated for appointment to the Traffic Commission by Councilmember McMahon

G. SWEARING IN to BOARDS & COMMISSIONS

1. Halpin Burke in to the Industrial Development Authority (I.D.A.)
2. John (Bart) Stewart in to the Traffic Commission

H. CITIZEN PARTICIPATION (Total of 15 minutes allowed)

I. PUBLIC HEARINGS

J. CONSENT AGENDA

K. CITY MANAGER'S REPORT

L. UNFINISHED BUSINESS

BILLS

M. NEW BUSINESS

RESOLUTIONS

1. **RESOLUTION 2017 – 4** A resolution for University City to participate in the *Welcoming Cities and Counties Cohort*.
Requested by Mayor Welsch and seconded by Councilmember Jennings

BILLS

2. **BILL 9307** - An ordinance adopting and enacting a new Section 215.040 of Chapter 2015. "Reporting Hate Crimes", of the Municipal Code of the City of University City, Missouri requiring City of University City, law enforcement officials to report hate crimes.
Requested by Councilmember Jennings and seconded by Councilmember Glickert and Mayor Welsch.
3. **BILL 9308** – An ordinance amending schedule III of the traffic code, to revise traffic regulation as provided herein.

N. COUNCIL REPORTS/BUSINESS

1. Boards and Commission appointments needed
2. Council liaison reports on Boards and Commissions
3. Boards, Commissions and Task Force minutes
4. Other Discussions/Business
 - Attribution for ordinances and resolutions as per Council Rules, Section 15.
Requested by Councilmember Carr and seconded by Councilmember McMahon
Discussion and Vote

O. CITIZEN PARTICIPATION (continued if needed)

P. COUNCIL COMMENTS

Q. Adjournment

**UNIVERSITY CITY COUNCIL
STUDY SESSION**

5th Floor of City Hall

6801 Delmar

February 9, 2017

2:00 p.m.

MEETING CALLED TO ORDER

The City Council Study Session was held in Council Chambers on the fifth floor of City Hall, on Thursday, January 9, 2017.

Councilmember McMahon stated that as a result of the excused absences of Mayor Welsch and Councilmember Glickert, he would like to make a motion to nominate Councilmember Carr, who would be next in terms of seniority, to run tonight's meeting. Seconded by Councilmember Smotherson and the motion carried unanimously. Councilmember Carr called the Study Session to order at 2:07 p.m. In addition, the following members of Council were present:

Councilmember Rod Jennings
Councilmember Paulette Carr
Councilmember Steven McMahon
Councilmember Terry Crow; *(Arrived at 3:15 p.m.)*
Councilmember Michael Glickert; *(Excused)*
Councilmember Bwayne Smotherson

Also in attendance was Acting City Manager, Charles Adams and Andrea Riganti, Director of Community Development.

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

AGENDA

1. Olive Boulevard Redevelopment Opportunities

Councilmember Carr opened the discussion by asking Ms. Riganti to make her presentation on Olive Boulevard, which staff and several members of Council have been looking at with respect to its potential for redevelopment.

Introduction

Andrea Riganti, Director of Community Development, informed everyone that additional handouts were available for those who had not received them. She stated that her presentation would consist of an introduction, background of past efforts, community development perspectives, next steps and a question and answer segment. *(The handouts, along with today's presentation, can be found online at the City's website.)*

Also in attendance are Jonathan Browne and Michael Koch from Novus Development. Ms. Riganti stated staff has been working with Novus for several years to discuss and identify redevelopment opportunities. Mr. Koch is a resident of U City, and both gentlemen are local developers with interest in the area. Novus was also an applicant for the City of Olivette's recent RFP.

Snapshot of the Corridor

- Major arterial consisting of 4 miles from Skinker to 170
- Partly maintained by MoDOT and St. Louis County
- Recent traffic counts equate to 21,000 vehicles per day
- Characterized by a strip development
- Mixed land uses consisting of industrial/commercial and general/commercial

Strengths

- Excellent infrastructure
- Recent road improvements
- Streetscape
- Central location
- Local amenities
- Properties available for redevelopment
- Renewed interest
- Improved economy
- Auto-oriented development patterns
- Public assistance, i.e., Facade Improvement Grant and EDRST loans

Weaknesses

- Under-utilization of properties
- Fragmented appearance
- Obsolete and deteriorating buildings
- Shallow lots; with the exception of a few large parcels
- Zoning setback restrictions

Redevelopment Challenges

- Multiple landowners
- Substandard condition of numerous sectors
- Destination/transportation channel
- Variety of uses and character
- Multimodal distribution
- Sustainability and charisma from a local and city-wide perspective

Recent Accomplishments

- Business retention/attraction and promotion
- Participation in Chamber of Commerce
- Facade Improvement Grants
- Beautification efforts via U City in Bloom
- Regular contact with businesses; site visits and surveys
- Technical assistance for developers
- Planning initiatives; Comprehensive Plan, Design Guidelines (*The 2005 Comprehensive Plan illustrates areas identified as opportunities for redevelopment*)
- Joint Redevelopment Task Force
- Property acquisition

- Senn Bierwerks/restaurant

Conclusions/Recommendations of Staff

In 2007 staff issued an RFP for a mixed-use development within this area, to include an anchor store, hotel, and residential use. One response was received, which staff determined was a result of flawed timing and a poor economy. Nevertheless, it is still staff's opinion that Olive Boulevard represents the gateway to this community. Today, there is renewed interest in this area and staff believes its recommendation to revisit the 2007 proposal is substantiated by Olivette's redevelopment strategies incorporated within their latest RFP.

Although staff has not identified a defined study area, their recommendation is to concentrate on the 1-70/Olive interchange; west of McKnight/Woodson and north and south of Olive Boulevard. This could include all or several parcels located to the south of Olive, where zoning designations range from industrial to multi-family residential, to commercial. A study to determine the potential for joint development initiatives within this area has been conducted by the Redevelopment Task Force.

Prior to the issuance of their RFP, Olivette retained a consulting firm to prepare a market analysis, which included areas within U City. The report, which is attached to the Study Session materials, illustrates gaps in certain areas where supply does not meet the demand. So, in spite of the fact U City has not performed its own market analysis for this particular interchange, in essence, Olivette has already done the work.

Staff believes that redevelopment of the Olive Boulevard Corridor will achieve several goals:

- Establish a gateway that celebrates the community
- Institute a destination-oriented hub
- Generate favorable economic impacts

In order to support or induce development, the City may have to give consideration to some of the following common financial incentives:

- Tax Increment Financing (TIF); enables municipalities to self-finance its redevelopment programs. Funds can pay for public improvements and other economic development incentives using the increased property tax revenue the improvements generate
- Community Improvement Districts (CID); property assessments based on sales or property taxes that can be used for operational services and public improvements
- Transportation Development Tax (TDT); transportation-related activities
- Tax abatement; exemptions and reductions that lower the cost of owning real and personal property by reducing or eliminating the taxes a company pays

Ms. Riganti then invited Jonathan Browne and Michael Koch to provide Council with their perspective of Olive's potential for redevelopment.

Introduction

Jonathan Browne, President of Novus Development, thanked Council and staff for the opportunity to participate in this discussion. Other than the general vision that any developer has of always looking for a site that could be healthier, he stated his initial interest was based on the fact that none of the four quadrants were meeting the potential of this site, and that it was extremely visible. However, living in U City Michael had the ability to see and understand all of U City's qualities. So two years ago, he and Michael scheduled a meeting with Andrea to see what, if anything, the City was looking at from a redevelopment standpoint. Several projects were mentioned, but there was nothing specific at that point in time.

Subsequent to that, Olivette issued an RFP for the southwest quadrant of 1-70 and Olive, which Novus participated in, but was unsuccessful in securing the bid. Nonetheless, that process allowed Novus to become more aware of the locale, economics, significant tenants with strong interest in this area, and traffic patterns within the quadrant. So, based on his belief that Olivette's development augments U City's aspirations Novus re-engaged with Andrea to see whether this property is in fact, a possibility for redevelopment, and to learn more about the City's vision.

Novus's focus is between 1-70 and McKnight Road, which is a full diamond interstate location, and its vision is to develop a mixed-use site consisting of a large portion of retail/commercial, with some residential and office spaces.

Mr. Browne stated that several of the scenarios being presented tonight represent previous recommendations they believe still have positive merit, but were unsuccessful largely due to a business cycle that was not conducive to this type of a development. His belief is that this current business cycle is in a favorable upswing where lenders are looking for loans, borrowing is cheap and therefore, is an opportune time for such a development to happen.

Snapshot of the Corridor

For the most part, the key word for this area would be functional obsolescence. Businesses currently operating are happenstance rather than planned, resulting in a patchwork of buildings and uses that may or may not meet the desired aesthetic or economic growth. But no one with a development background could drive past the 1-70/Olive Corridor and not see opportunity.

- The site has a blending of commercial which demands access provided by the interstate
- Its proximity to employment lends to the concept of mixed-use development
- Multiple parcel assemblage with a tract of land that lends itself to critical mass and the possibility of an anchor type tenant as the economic engine
- The potential need for relocation can easily be accomplished through utilization of the significant amount of land located to the east of the corridor

Possible Scenarios

There is an irreducible minimum, as represented in Scenario No. 1, where a certain size is required to attract the time and energy needed for any redevelopment; anything less than this minimum would be challenging. It can be argued that Scenario No. 4 represents the best of all four scenarios presented, and is what the City should aspire to do. However, the ultimate determination will be premised on the City's vision of what it would like to see happen in this area.

1. South of Olive; west boundary being 1-70; east boundary being McKnight, and the south boundary being an existing creek. This core area, consisting of approximately 15 acres is sufficient to accommodate an anchor and retail/corner retail development.
2. Proceeding north, the next phase has three obstacles; a residential area, a school, and a public storage facility. As a result, there are relatively fewer numbers of parcels available to produce a large tract of land. The core area consists of an anchor and retail/corner retail uses. Leaving the existing storage facility in place, the dimensions on the north would be retail abutting Olive and some other type of use like multi-family filling in as a buffer that transitions from street front retail to single family residential.
3. Commercial, residential to the left and additional commercial as illustrated by a 2007 development plan.
4. The full boat, as illustrated by another 2007 development plan. Everything north of Olive to the boundaries between Woodson and 1-70, consisting of all commercial and requiring removal of a significant number of home.

Most retail falls into a pretty narrow band of sales per square foot, so estimating what volume can come out of what size development is not magical. The key is, knowing who your anchors are. Mr. Browne stated that Novus is aware of specific interests and the volume associated with that interest. That awareness, along with a detailed review of this project, has helped them to understand and feel comfortable about the viability of buying existing developed property, the cost of teardowns, the infrastructure that goes into clearing the site and making it ready for new development.

Mr. Browne provided illustrations of several completed projects with similar mixes of retail, an anchor and residential. He concluded by stating that what makes Novus unique for this type of redevelopment is the fact that they are a local company; most of their properties are within a 3-mile radius, and almost all of their work has been in the area of urban redevelopment. Michael Koch, who is his son-in-law, is the company's Director of Leasing and under his leadership, Novus has an overall portfolio of approximately 99 percent fully leased properties. Mr. Browne stated his belief is that Novus's successful development of the Crestwood Sam's Club makes his company the first St. Louis developer to be awarded a Wal-Mart-related development in the last twenty years without the use of public assistance.

Ms. Riganti stated that although Novus has been gracious enough to come in and provide their perspective, no RFP(s) have or will be issued without the guidance of Council. So the question being proposed by staff, is should the City issue an RFP based on the background information and development community's perspective that has been provided?

Councilmember Carr introduced Rosalind Williams, who participated in the redevelopment of Ferguson, Kirkwood and Meacham Park. U City is a pool tax municipality, rather than a point of sale city, which sometimes raises concerns among developers about a municipality's interest in redevelopment because the portion of dollars they receive from such projects are reduced. Councilmember Carr stated her constituents have expressed a desire to create something unique with the redevelopment of Olive. Ms. Williams has experience in creating economic subsidy instruments that can be redirected and invested back into residential areas encompassed within a specific redevelopment's footprint; which in this case, would be Ward 3.

Ms. Williams stated her experience in Kirkwood is similar to U City, in that they are also a pool sales tax municipality. So when Kirkwood issued their RFP(s) for developing both a commercial and residential side, it included 135 acres of Meacham Park. With the current interest in redeveloping Olive and the need for improvements in the 3rd Ward, U City has that same opportunity. Residential and commercial can be married together, with commercial developments acting as an economic engine for the residential side. She stated there are very few opportunities in this current environment to obtain monies for acquiring, rehabbing and infrastructure improvements in residential areas, however, there are a number of TIF mechanisms that can be utilized for mixed-use developments. So U City should utilize these types of mechanisms since pool sales tax cities are unable to capture direct sales taxes for other uses like a point of sale community would be able to do; *(50 percent of a TIF sales tax goes back to the County in a pool city.)* Under this scenario, the City could add additional projects to the commercial developments to include residential. Ms. Williams proposed that instead of trying to accomplish everything under a TIF, the City creates a Redevelopment Plan which designates a specific area to be redeveloped. Any development along the Olive corridor could be identified as individual projects,

but the redeveloped area would include all of the 3rd Ward. This mechanism could then be used to do some conservation type improvements in neighborhoods really suffering from attention and investment.

Councilmember Carr asked Ms. Williams if her suggestion included both sides of Olive. Ms. Williams stated that it could.

Councilmember Jennings asked how a TIF could be used to impact adjacent residential properties or buildings that have been in existence for sixty years, i.e., the 40 acres of land. Ms. Williams stated it would depend on whether a commercial project was involved. However, she was talking about residential areas with single family developments, not specific projects. Councilmember Jennings asked what options would be available for homes beyond the 40 acres if the footprint could be enlarged to capture those residential streets? Ms. Williams stated that Kirkwood's project area was 57 acres and Meacham Park's consisted of 135 acres. So what they had to do was buy out some of the residential areas, a majority of which was paid for by the TIF. She stated TIF(s) can be used for acquisition, site improvements, new construction, and rehabs. So that specific section was defined as a conservation revitalization redevelopment rather than the acquisition of properties. Every rental and owner-occupied house was rehabbed, land was purchased to give to developers for new construction, and some single family houses were moved to the residential area out of the commercial area. It's all about leveraging to provide a community benefit that would otherwise not be included in a commercial development.

Councilmember Smotherson stated Ms. Williams is talking about an opportunity to stabilize the entire residential area of the 3rd Ward through the utilization of a TIF to rehab and buy properties and eliminate the need for low-income tax credit developments.

Councilmember Jennings asked Ms. Williams if the City would leverage the commercial development by giving a portion of the TIF funds to developers and using the remaining portion for revitalization of the 3rd Ward? Ms. Williams stated that was correct. The existing homeowners would gain a benefit by being able to make improves to their homes. Councilmember Jennings asked if the same benefit applied to landlords? Ms. Williams stated that would depend on how much money could be generated from the TIF and the type of neighborhood plan created. The City and the neighborhood would have to work together to determine exactly what it is they needed to be done. Councilmember Jennings asked if the goal should be to use the commercial development as a springboard for achieving the revitalization needed for residential properties located on the east end of U City? Ms. Williams stated that was correct. Councilmember Jennings asked if the bottom line is really that there is no cookie-cutter prescription for how to accomplish this rehab? Ms. Williams stated that was correct. Chicago has a Home Improvement Program where they use TIF funds in designated TIF areas to fix-up homes. And even though Chicago's is more of a general, scattered site type of development, they have defined it by setting a maximum amount of \$25,000 that a resident can obtain from the fund. U City may want to develop an actual revitalization plan that includes only a portion of the houses since you don't have to necessarily generate all the monies that might be needed for residential redevelopment from the TIF. You can leverage bank funds, energy conservation funds, and other matching grants.

Councilmember Jennings stated he envisions that the City would have to go through every neighborhood to ascertain a ballpark of the funds needed. So, he is curious whether there is a

specific formula to project this cost and ensure the TIF has enough money to complete these projects? Ms. Williams stated the projection would be based on how much the type of projects Novus is talking about needs to be able to generate in order to pay back the notes or the financing of the project. There are always limits to any project, but if the City does a total redevelopment area including the 3rd Ward, additional projects could be added along the corridor that could potentially generate supplemental funds. Councilmember Jennings questioned whether TIF funds could be used to lure developers for the construction of new homes on vacant lots? Ms. Williams stated that although she would warn the City against subsidizing people that don't need to be subsidized, she would agree that there are an awful lot of vacant homes in the 3rd Ward. So the desired outcome would be to create a balanced environment consisting of higher and lower income families, and you don't necessarily need new construction until you need it. Councilmember Jennings asked Ms. Williams if she was implying that the TIF should simply be used to attract developers rather than as a subsidizing tool? Ms. Williams stated that was correct.

Councilmember Carr reminded everyone that the first order of business was to decide on whether to issue an RFP. She stated the reason she had asked Ms. Williams to come to this meeting was to expand Council's thoughts on how they might approach the redevelopment of Olive.

Councilmember Jennings stated he would love to hear more of this conversation because the end result could mean that the City is open for business from Olive and 1-70 to Olive and Skinker.

Ms. Riganti emphasized that although Novus would be happy to speak generally about the redevelopment in this area, at this point, they do not have a specific proposal before either City Council or staff.

Councilmember Jennings asked Ms. Riganti if Novus was looking for collaboration and direction from the City? Ms. Riganti stated staff is looking for direction on whether or not to issue an RFP, and if so, what it should look like? Although Novus is the type of developer staff feels the City would benefit from, they must maintain an open and fair process, so currently, there are no partners at this table. Councilmember Jennings asked if Novus was the only developer interested in the Olive/1-70 redevelopment? Ms. Riganti stated staff has been talking to developers for many years, so there are definitely other interested parties.

Mr. Browne stated Novus was asked to attend this meeting to provide a developer's perspective and publicize their interest in the redevelopment of this area. However, from past experience with public/private partnerships, they believe this is a viable undertaking with more than enough revenue available for the commercial development or any other projects.

Ms. Riganti provided Council with a snapshot of the RFP process:

- Council's feedback on whether an RFP should be issued
- Review of the 2007 RFP and Council feedback; a copy of the 2007 RFP will be provided to Council and made available online
- Issuance of the 2017 RFP for Council's review
- Review of Council feedback and determination of a submittal deadline
- Issuance of RFP to the development community
- Application review by staff, administration and City Council
- Subsequent review and discussion of applicable plans

- Negotiation between City and successful developer regarding proposed financial mechanisms; *(a separate process is needed for each mechanism determined to be pertinent)*

Councilmember Jennings stated his belief is that staff should move towards the issuance of an RFP. However, additional meetings should be held prior to doing so, to ensure the proposal encapsulates the best results possible. He stated as a member of the Olivette/U City Redevelopment Task Force, he would like to gain a better understanding of the Joint Development District, and whether there is an opportunity to collaborate with Olivette to enhance or compliment U City's vision. And he would definitely be interested in learning more about land acquisition and how residents of the 3rd Ward could benefit from TIF funds. He stated that East/West Gateway had previously been eying this area as a possible park and ride location which could lead to additional federal funds, and the Task Force has discussed the inclusion of a hotel, theater, shops and business incubators.

Councilmember Smotherson stated he would also like to see staff proceed with the RFP, but his idea is to approach the plan from a U City perspective rather than a collaboration with Olivette.

Councilmember McMahan asked Ms. Riganti if Council would have an opportunity to discuss the RFP prior to issuance? Ms. Riganti stated that they would. Councilmember McMahan stated based on that understanding, the conversations Councilmember Jennings has alluded to will happen in the course of the process. So, it's time to move forward, because waiting will only delay what sounds to him like something that is going to be a lengthy process.

(Councilmember Crow arrived at the meeting at 3:15 p.m.)

Councilmember Carr brought Councilmember Crow up to date and asked if he had any thoughts about the process? Councilmember Crow stated he does not believe there is a downside to proceeding in the manner prescribed. So, from his perspective, the real question is why wouldn't Council want to proceed with allowing staff to draft an RFP?

Councilmember Jennings stated he would like to explore the redevelopment opportunities presented by Ms. Williams and ensure that the RFP is not drafted in a way that prohibits applicants from understanding the City's desire to achieve more than just a commercial development.

Councilmember Carr stated since an RFP, in and of itself, does not suggest any limitations, her belief is at this point, Council first needs to see what a potential developer's proposal for this area is going to look like. And the next step would be to review the proposed financing vehicles to determine how they can best be applied to achieve a total redevelopment package.

Ms. Riganti explained that the concepts expressed by Council represent two separate and distinct projects. The first is the issuance of an RFP and receipt of a developer's proposal which may request public financing. The second requires the City to create a TIF District which includes residential, prepares the redevelopment plan and then issues an RFP to developers. She stated that since a TIF District can always be explored, her suggestion would be to utilize the shorter

process, which is to issue an RFP specifically for this area in order to determine what type of responses will be received and what type of financing mechanisms might be requested,

Councilmember Carr stated she would like to see the kind of development that is representative of a real game-changer; that has been planned, vetted and voted upon by Council to ensure that whatever anchor comes in has the ability to attract further development. And that the only way to get there is to issue the RFP and see what comes back. Councilmember Carr then asked if there was a consensus among Council to proceed in this manner?

Councilmember Jennings stated that in spite of the fact he remains interested in learning more about the TIF District, he would be amenable to Councilmember Carr's suggestion.

Consensus was obtained from Councilmembers Smotherson, Crow and McMahon.

ADJOURNMENT

Hearing no additional questions or comments, Councilmember Carr adjourned the Study Session at 3:23 p.m.

Joyce Pumm
City Clerk

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

At the Regular Session of the City Council of University City held on the fifth floor of City Hall, on Monday, February 13, 2017, Mayor Pro Tem, Michael Glickert, called the meeting to order at 6:30 p.m. He then announced that the Mayor was out of the country and excused for tonight's meeting.

B. ROLL CALL

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

Councilmember Rod Jennings; (*Arrived at 6:35 p.m.*)
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 LaRetta Reese Secretary to the City Manager.

C. APPROVAL OF AGENDA

Councilmember Smotherson moved to approve the agenda, seconded by Councilmember McMahon and the motion to approve carried unanimously.

D. PROCLAMATIONS

E. APPROVAL OF MINUTES

1. January 18, 2017, Special meeting minutes were moved by Councilmember Carr, seconded by Councilmember Smotherson and the motion carried unanimously, with the exception of Councilmember Glickert who abstained due to his absence.
2. January 23, 2017, Study Session minutes were moved by Councilmember Smotherson, seconded by Councilmember Crow and the motion carried unanimously.
3. January 23, 2017, Regular meeting minutes were moved by Councilmember Carr, seconded by Councilmember Crow and the motion carried unanimously.

F. APPOINTMENTS TO BOARDS & COMMISSIONS

1. Halpin Burke is nominated to the Industrial Development Authority by Mayor Welsch. Councilmember Carr moved to approve, seconded by Councilmember Crow, and the motion carried unanimously.
2. John (Bart) Stewart is nominated to the Traffic Commission by Councilmember Carr. Seconded by Councilmember Crow and the motion carried unanimously.
3. Mark Winer is nominated for reappointment to the Economic Development Retail Sales Tax Board by Mayor Welsch. Councilmember Carr moved to approve, seconded by Councilmember Crow, and the motion carried unanimously.

Point of Order: Councilmember Crow questioned whether the public had been made aware that the Ordinances had been removed from tonight's meeting? Councilmember Glickert stated since there had been no first reading on any of the Ordinances he did not believe their
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removal would create a problem.

G. SWEARING IN TO BOARDS & COMMISSIONS

H. CITIZEN PARTICIPATION (Total of 15 minutes allowed)

Brigid McCauly, 6309 Pershing Avenue, University City, MO

Ms. McCauly stated she has been involved in the Washington University Pedestrian Bridge/Ramp Proposal since January 2012, when the University presented vague proposals for improvements to her neighborhood association. None of which mentioned the removal of the park's mature shade trees. She stated that many of the neighbors being impacted are not as onboard with this project as the University seems to imply and would like to suggest a town hall meeting.

David Howard, 319 Westgate, University City, MO

Mr. Howard expressed the following concerns associated with the Washington University Pedestrian Bridge/Ramp Proposal:

- The University's ineffective notification of their intent to remove the mature trees. The Parks Commission granted the neighborhood association's motion to defer action until they had had an opportunity to be heard. Thereafter the association hired its own arborist to refute the contention of U City's forester that the trees were diseased and would need to be replaced in two or three years.
- Species selection; you can only use trees that are available at the time of construction and no one knows what that is going to be.
- The pinch point identified as a danger zone. The current site plan indicate that the pinch point is to be extended into the park, however, in order to widen the path and truly eliminate this danger zone, it will become necessary to remove all of the remaining trees.
- The implied safety issue; no documentation has been found to substantiate the University's claim related to the number of accidents that have occurred on the bridge.
- Insufficient evidence to justify the expense and constant construction that has occurred in this neighborhood.

Mr. Howard asked that the easement not be granted and that residents be provided with an opportunity to discuss the facts and voice their concerns.

Matthew McCauly, 6309 Pershing Avenue, University City, MO

Mr. McCauly stated he believes the healthy trees are being endangered for no great purpose and would like the City to consider whether granting an easement to Washington University; an institution that does not make payments in lieu of taxes, is the appropriate action.

Jan Adams, 7150 Cambridge Avenue, University City, MO

Ms. Adams stated Councilmembers Carr, Crow, and McMahan, have formally filed a pleading with the Court entitled "*Alternative facts*," and are using taxpayer's dollars to do so. This pleading asserts that "*Plaintiff, Lehman Walker, has in effect resigned or abandoned his employment, or in the alternative, his employment has been suspended.*" However, the Resolution, which has now been made a public record, indicates that four members of this Council voted to suspend Mr. Walker with pay. But what is particularly offensive is the fact that the City's insurance deductible is now in excess of \$100,000, which means that taxpayers are footing the bill for two attorneys to defend these members of Council on personal claims of defamation.

Based on the fact that Mr. Walker's petition provides direct quotes and citations to the defamatory statements made by these three defendants; that these statements cannot be construed as constructive criticism intended to result in better City Government, and that they were intended to ruin Mr. Walker's reputation and for their own political gain, she spoke with Mr. McGee, the City's insurance lawyer, in December, and suggested that he immediately file a separate motion to have the City dismissed. (*The only way a City can be liable for defamation* February 27, 2017

is if the statements were published in writing and signed by a majority of Council.) Mr. McGee did not file this motion, but we, as taxpayers, have the right to intervene in this litigation and file the necessary motions. Ms. Adams stated she will be filing those motions in order to provide the Court with the evidence and legal arguments necessary to have the City dismissed from this lawsuit before it has to incur more unnecessary legal expenses. She then requested that Councilmembers McMahon and Crow; licensed attorneys sworn to refrain from misrepresenting facts and law, instruct their attorneys to amend the attached pleading and remove the offensive assertions contained in paragraph 5. *(Anyone who would like more information regarding this action should notify the City Clerk in writing, and their request will be forwarded to Ms. Adams.)*

Ms. Adams then posed the following questions to Council and the City Manager, and requested that their answers be submitted in a group email, with a copy to the City Clerk, to ensure that it becomes a part of the public record:

1. Why is the City paying John Mulligan \$250.00 an hour to sign-off on pleadings drafted by the City's insurance lawyer?
2. Why is the City paying two attorneys to attend every Council meeting?
3. Did Councilmembers Carr, Crow and McMahon have an opportunity to review and approve court pleadings before they are filed on behalf of the City?
4. Will Councilmembers Carr, Crow and McMahon now each demand that they be allowed to review and approve all future pleadings filed on behalf of the City?

(Ms. Adams asked that her written statement and attached Alternative facts pleading be made a part of the record.)

I. PUBLIC HEARINGS

J. CONSENT AGENDA

K. CITY MANAGER'S REPORT

1. Millar Park Swing Set purchase and installation through Miracle Recreation, in the amount of \$38,750.

Councilmember Glickert noted that Ms. Reese and Mr. Alapasian had provided Council with a picture of the swing set today.

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

Councilmember Jennings thanked staff for the photograph which helped him gain a better understanding of the estimated cost.

Voice vote on Councilmember Carr's motion carried unanimously.

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 Avenue 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 second and third time.

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

Roll Call Vote:

AYES: Councilmembers Carr, McMahon, Crow, Glickert, Smotherson and Jennings.

NAYS: None

February 27, 2017

- 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 9305 was read for the second and third time.

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

Roll Call Vote:

AYES: Councilmembers Carr, McMahon, Crow, Glickert, Smotherson and Jennings.

NAYS: None.

M. NEW BUSINESS *RESOLUTIONS*

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

Councilmember Carr moved to approve, seconded by Councilmember Crow, and the motion carried unanimously.

BILLS

None

N. COUNCIL REPORTS/BUSINESS

- Boards and Commission appointments needed
Councilmember Carr requested that Ms. Stanley and Ms. McClain be removed from the list of appointments for the Parks Commission since had made them at the last meeting.
- Council liaison reports on Boards and Commissions
Councilmember Smotherson stated a public reception will be held at UCHS on February 22nd, at 7 p.m., for his friend and fellow U City graduate, Dr. Stan Ford. Dr. Ford, who is perhaps, the first African-American to become a Professor at the Mozarteum School of Music in Salzburg, Austria, will be honored at the Returning Artist Series sponsored by the Arts and Letters Commission.
- Boards, Commissions and Task Force minutes
- Other Discussions/Business

O. CITIZEN PARTICIPATION (continued if needed)

Jeff Hales, 7471 Kingsbury, University City, MO

Mr. Hales stated he believes the town hall meeting to discuss the Wash U project is a great idea that he hopes comes to fruition. He then expressed the following comments/concerns:

- Importance of the City's attorney's attendance at City Council meetings and active involvement in legislative proceedings. In his opinion, the City's pending lawsuits are a direct result of the City Attorney's absence during Council meetings.
- The City's intensified insurance deductible of \$150,000 for employment-related lawsuits. Based on the fact the City has settled two lawsuits in one year, it is imperative that Council be informed of what is going on with respect to pending litigation and the decisions that are being made.
- Lehman Walker; if your employer settled a \$300,000 lawsuit on your behalf would you have been able to maintain your job.

Mr. Hales stated going forward, his hope is that Council will take a look at accountability and that
February 27, 2017

E-2-4

it starts with the removal of Lehman Walker from his position as City Manager.

P. COUNCIL COMMENTS

Councilmember Crow stated he, Councilmember McMahon and staff, have been discussing the Wash U proposal for some time, and have recognized the need for an additional public forum where the University can provide information and residents can ask questions and express their concerns. And as a homeowner who has lived across from the athletic facility for the past sixteen years, he is certainly sympathetic to Mr. Howard's frustrations related to the continuous construction that has occurred in this neighborhood. Councilmember Crow stated once a definitive date and location has been determined his hope is that Council, staff and this administration, will work together to ensure that it is published in a manner that gives all interested parties adequate notice.

Councilmember Smotherson stated several issues have been raised tonight, and he believes it is important for Council to not only acknowledge, but address the specifics, to make certain that these questions or concerns don't just sit out there on someone's social media page unanswered. He then asked Ms. Charumilind if she could provide Council with the cost of the City's current insurance deductible, and provide an explanation of what had caused the increase if any? Finance Director Tina Charumilind, stated the City has had to change its insurance carrier because of its history of losses. She stated that the Daniel and Henry Company; the City's broker, sent out applications to eleven insurance companies. And only one company was willing to accept the City as a client, on the condition that the current deductibles of \$5,000 for professional and \$75,000 for employment practice, be increased to \$25,000 for professional and \$150,000 for employment practice, with an aggregate coverage amount of 2 million dollars. Councilmember Smotherson asked if the City had previously obtained its insurance through a pool, which allowed them the bonus of maintaining a \$10,000 deductible? Ms. Charumilind stated that the pool provided the City with a \$10,000 deductible per case.

Councilmember Smotherson asked if there was any way the City could reduce the amount of its current deductible? Ms. Charumilind stated since the policy is renewed every year, going forward, if the City can minimize its claims, there is a possibility that more carriers will be responsive the broker's applications, and that could result in a reduced deductible. Councilmember Smotherson asked if the City was at-risk of not being able to find coverage? Ms. Charumilind stated the City's policy was canceled by Allied World because they had been required to pay \$800,000 in losses, and still had several claims pending. So, based on the fact that the City's application was declined by ten companies, Daniel and Henry has warned staff that this is a serious problem. And if the City continues down this same path there may not be any carrier interested in providing U City with insurance.

Councilmember Crow asked Ms. Charumilind if the increase from \$10,000 to \$150,000 had occurred over time or during this last renewal period? Ms. Charumilind stated the City's deductible seemed to remain stable at \$5,000/\$10,000 for the last five years and then increased last year as a result of two major lawsuits. Councilmember Crow stated this is a burden the City is likely to bear for some time because there are some still some pending lawsuits.

Councilmember Jennings stated Council had previously discussed the need to be provided with quarterly reports on the City's legal activity. Therefore, he would like to ask if staff could prepare a quarterly report containing information from the last five years on any lawsuits that have been filed; their current status; insurance deductible, rates and limits. Ms. Charumilind stated she would provide Council with the requested information.

Councilmember Jennings asked Ms. Charumilind if she could provide Council with the worst-case scenario in the event the City's current insurance carrier decided to cancel their policy? Ms. Charumilind stated the City's current insurance premium is \$60,000 per year. However, there are

other companies willing to offer the City insurance at the rate of \$100,000 or \$150,000 per year, so the worst case scenario would be the need to utilize one of these companies.

Councilmember Glickert stated Councilmembers Carr, Jennings and himself, attended the Lunar New Year festivities last Friday night at Lu Lu's and had a wonderful time celebrating the Year of the Rooster. Councilmember Glickert stated he has been made aware of a member of the audience who perhaps, he had overlooked during the Citizen Comment section. So, if there are no objections, he would allow him to present his comments at this time. *(No objections were raised.)*

Citizen's Comments

Richard Wise, 6826 Kingsbury, University City, MO

Mr. Wise expressed his concern about the unscripted expansion of COCA, that has resulted in excessive noise, traffic, and parking limitations. He added that it seems like the taxpayers in and around Ames Place are not being brought into the discussion about how this process is going to be handled and minimized.

Council's Comments

Councilmember Jennings concurred with Councilmember Glickert's comments regarding the Lunar New Year celebration and stated he is always excited to see this type of event which highlights true diversity.

He stated that last week he traveled to Jefferson City with Mom's Demand Action to participate in Lobby Day. Three members of this group are moms from U City who lost their children due to gun violence. Their mission was to lobby against the elimination of gun-free zones in public establishments that is rumored to be proposed by the State's legislature. Councilmember Jennings stated he also hopes that this group will work with him to file a Petition assessing an additional penalty of \$10,000 and five years in prison to anyone illegally possessing or using a firearm in U City.

As a side note, he stated he had run into Joe Adams, the City's former Mayor and current State Representative, who asked him to tell everyone hello. Councilmember Jennings then wished everyone a Happy Valentine's Day.

- 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.**

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

Roll Call Vote:

AYES: Councilmembers Carr, McMahon, Crow, Smotherson, Glickert and Jennings.

NAYS: None.

R. Adjournment

Councilmember Glickert thanked everyone for their attendance and closed the regular City Council meeting at 7:18 p.m., to go into a Closed Session on the second floor. The Closed Session reconvened in an open session at 8:12 p.m.

Joyce Pumm, MRCC, CMC
City Clerk



Council Agenda Item Cover

MEETING DATE: February 27, 2017

AGENDA ITEM TITLE: Welcoming Cities Resolution

AGENDA SECTION: New Business

CAN THIS ITEM BE RESCHEDULED? : Yes

BACKGROUND REVIEW:

Mayor Shelley Welsch requested the Welcoming Cities Resolution and was seconded by Councilmember Jennings.

RESOLUTION 2017 - 4

WELCOMING CITIES RESOLUTION

WHEREAS, the City of University City desires to participate in the *Welcoming Cities and Counties Cohort* and commits to taking the following initial steps toward creating an environment that is receptive to immigrants, and that unlocks the full potential of all members of the community.

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

WHEREAS, the City recognizes that cities and communities that proactively welcome newcomers and take steps to ensure their successful integration will be strategically positioned as globally competitive 21st century leaders; and

WHEREAS, the City declares its loyalty to be a welcoming city; and

WHEREAS, the City will find ways to institutionalize welcoming efforts through the adoption of policies and practices that promote inclusion within local government and the broader community; and

WHEREAS, the City will join a cohort of cities and counties that have pledged to become more welcoming; and

WHEREAS, the City will appoint at least one key municipal staff contact for the project; and

WHEREAS, the City will participate in three conference calls each year to share and learn from promising practices from other Welcoming Cities and Counties; and

WHEREAS, the City will participate in an annual in-person meeting with other Welcoming Cities and Counties (dependent upon available travel resources).

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

The City of University City hereby desires to participate in the *Welcoming Cities and Counties Cohort*.

PASSED AND RESOLVED THIS _____ DAY OF _____, 2017.

Shelley Welsch, Mayor

Attest: _____
Joyce Pumm, City Clerk



Council Agenda Item Cover

MEETING DATE: February 23, 2017

AGENDA ITEM TITLE: Reporting Hate Crimes

AGENDA SECTION: New Business

CAN THIS ITEM BE RESCHEDULED? : Yes

BACKGROUND REVIEW:

Requested by Councilmember Jennings and seconded by Councilmember Glickert and Mayor Welsch

INTRODUCED BY:

DATE: February 23, 2017

BILL NO. **9307**

ORDINANCE NO.

AN ORDINANCE ADOPTING AND ENACTING A NEW SECTION 215.040 OF CHAPTER 2015, "REPORTING HATE CRIMES", OF THE MUNICIPAL CODE OF THE CITY OF UNIVERSITY CITY, MISSOURI REQUIRING CITY OF UNIVERSITY CITY, LAW ENFORCEMENT OFFICIALS TO REPORT HATE CRIMES

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

WHEREAS, hate crimes inflicted because of a person or group's real or perceived race, color, ethnicity, gender, sexual orientation, religion, disability, age, or national origin are particularly malicious and evil acts which threaten the integrity of our state and nation as a whole; and

WHEREAS, accurate and detailed reporting is essential in identifying, predicting, and hopefully eradicating the occurrence of hate crimes; and

WHEREAS, an adequate, well-known system to report hate crimes is necessary to encourage victims of hate crimes to also report these vicious acts.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF UNIVERSITY CITY, MISSOURI THAT:

SECTION 1.

A new Section 215.040 of the Municipal Code of the City of University City is hereby enacted, to read as follows:

SECTION 215.040 REPORTING HATE CRIMES

1. Definition of Hate Crime.

(a) Any criminal offense against a person or property motivated in whole or in part by an offender's bias against a race, religion, disability, sexual orientation, ethnicity, gender or gender identity.

2. Responsibilities of Law Enforcement Officials.

(a) The City of UNIVERSITY CITY, MISSOURI shall develop guidelines for the collection and documentation of hate crimes committed within the corporate limits of the City of UNIVERSITY CITY, MISSOURI.

(b) The City of UNIVERSITY CITY, MISSOURI is authorized to provide sufficient training to its law enforcement personnel on criminal laws involving hate crimes as well as departmental policies on proper reporting of hate crimes.

(c) The City of UNIVERSITY CITY, MISSOURI shall ensure that sufficient resources are made available to the UNIVERSITY CITY, MISSOURI Police Department and to the Municipal Court Division of the UNIVERSITY CITY, MISSOURI Department of Administration to develop and implement a standardized system for collecting and analyzing hate crimes committed within the corporate limits of the City of UNIVERSITY CITY, MISSOURI.

(d) The City of UNIVERSITY CITY, MISSOURI is authorized to provide statistical data regarding the occurrence of hate crimes monthly or when applicable to the Missouri Uniform Crime Reporting Program administered by the Missouri State Highway Patrol, utilizing the approved Federal Bureau of Investigation *Hate Crime Incident Report* form.

(e) The UNIVERSITY CITY, MISSOURI Police Department is authorized to:

(1) Complete training on the nature of hate crimes, the victim(s), the perpetrator(s), and the procedures for recording hate crimes statistics.

(2) Identify victims of hate crimes committed within the City.

(3) Prepare an annual report of the occurrence of hate crimes committed within the corporate limits of the City of UNIVERSITY CITY, MISSOURI for the previous year.

SECTION 3. Severability Clause.

Should any sentence, paragraph, subdivision, clause, phrase, or section of this Ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part declared to be invalid, illegal, or unconstitutional, and shall not affect the validity of the Code of Ordinances of the City of UNIVERSITY CITY, MISSOURI as a whole.

* * *

SECTION 4. 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



Council Agenda Item Cover

MEETING DATE: February 27, 2017

AGENDA ITEM TITLE: Center Drive Barricade Revised Location

AGENDA SECTION: New Business

CAN THIS ITEM BE RESCHEDULED? : Yes

BACKGROUND REVIEW:

The Traffic Commission reviewed a request to amend the Municipal Code Chapter 390 Schedule XII's description of where a barricade was placed on the block of Center Dr. between Teasdale Ave. and Delmar Blvd. in 1969 to where it remains to date, which is 96 feet to the south of the described location in the Municipal Code. Currently the Code states that the barricade be located at the rear property line of 7962 Delmar and 8000 Delmar.

The amendment of the code would insure that the barricade is not moved from the current placement. This allows better access for entry and exit out of driveways located on Center Drive for the affected residents.

At the January 11, 2017 Traffic Commission meeting, the Traffic Commissioners reviewed the request and recommended approval by the City Council.

The Chapter 390 of the Traffic Code, Schedule VII, Table VII-A, Closed Street Intersections, will have to be amended as outlined in the attached draft bill.

RECOMMENDATION:

Staff recommends that the Traffic Code Chapter 390 – Schedule VII, Table VII-A Closed Street Intersections be amended to codify the current location of the permanent street barricade on Center Drive.

ATTACHMENTS:

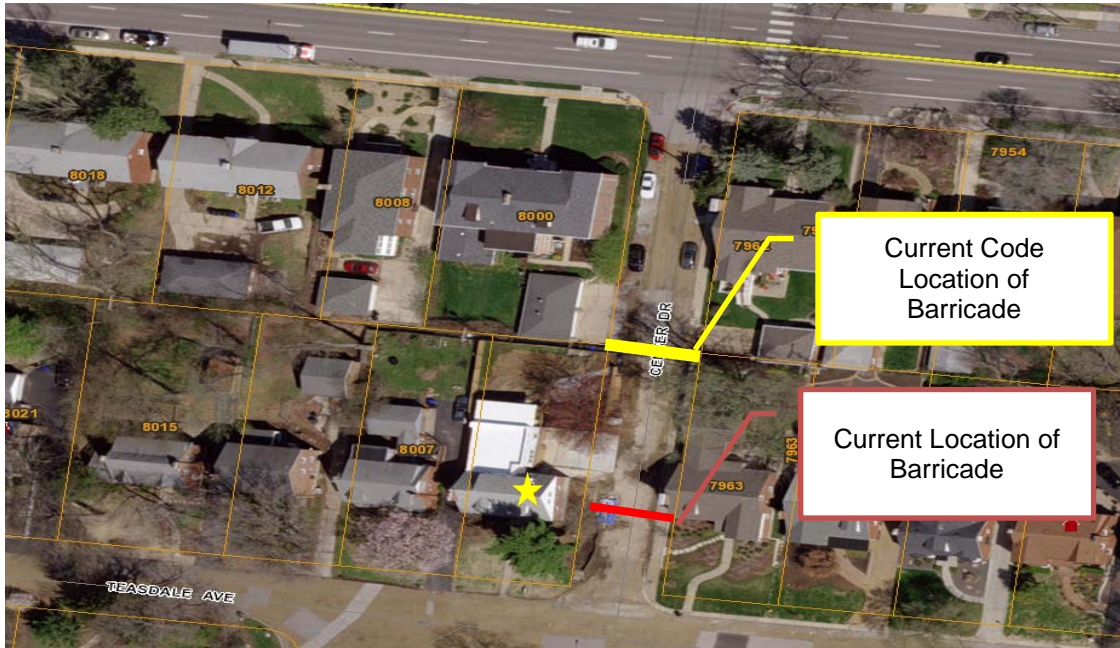
- Bill amending Chapter 390 – Schedule VII, Table VII-A Closed Street Intersections.
- Staff Report
- Traffic Commission January 11, 2017 Meeting Draft Minutes

STAFF REPORT

MEETING DATE: January 11, 2017
APPLICANT: Lori Goodman, 8001 Teasdale Ave.
Location: Center Ave between Delmar Blvd and Teasdale Ave
Request: Amend the City Code Wording to Reflect Current Conditions of Street Barricade
Attachments: Traffic Request Form

Existing Conditions:

Center Ave between Delmar Blvd and Teasdale Ave



Currently the Code states that the barricade should be located at the rear property line of 7962 Delmar and 8000 Delmar.

Request:

Amend the 1969 Code Chapter 390 Schedule XII to reflect where the barricade was placed in 1969 to where it remains to date, which is 96 feet to the south of where the ordinance states it should be.

Conclusion/Recommendation:

It is recommended that the Traffic Commission determines the list of affected households for a petition to change the existing code for this barricade.



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 January 11, 2017

At the Traffic Commission meeting of University City held in the Heman Park Community Center, on Wednesday, January 11, 2017, Chairman Jeff Hales called the meeting to order at 6:30 p.m. In addition to Chairman Hales, the following members of the commission were present:

- Jeffrey Mishkin
- Mark Barnes
- Bob Warbin
- Derek Helderman

Also in attendance:

- Errol Tate (non-voting commission member – Public Works Liaison)
- Sinan Alpaslan (Public Works Director)
- Councilmember Bwayne Smotherson (non-voting commission member—Council Liaison)

Absent (excused):

- Eva Creer
- Curtis Tunsall
- Police Department Sergeant Shawn Whitley (non-voting commission member – Police Department Liaison)

3. Approval of Agenda

Mr. Barnes moved to approve the agenda and was seconded by Dr. Warbin. The motion carried unanimously.

4. Approval of the Minutes

A. December 14, 2016 Minutes

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

5. Agenda Items

a. Code Amendment for Street Barricade on Center Drive between Delmar Blvd and Teasdale Ave.

Mr. Tate presented the request of resident Lori Goodman of 8001 Teasdale Ave. to amend the city code to reflect the location of the existing barricades on Center Drive. The code was amended in 1969 to place the barricades however across Center Drive at the back property line between the Delmar and Teasdale properties, however the barricades were actually placed 96 ft. to the south of the location listed in the city code. Ms. Goodman



Traffic Commission

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

requested that the code be amended to reflect the actual location of the barricades since 1969.

Ms. Goodman spoke to the commission about how she and her neighbor Anne Silverstein initially contacted the city seeking to have the barricade moved to the location specified in the code which would allow access to their garages from Center Dr. via Teasdale instead of Delmar. However, upon further discussion and consideration, both Ms. Goodman and Ms. Silverstein changed their minds and prefer that the barricades stay where they have been placed since 1969 as it allows for easier ingress and egress for their properties as well as the apartment building directly behind Ms. Goodman's address.

Mr. Mishkin asked if it was known why the barricades were installed in the first place. Ms. Goodman stated that her understanding was that the neighbors requested the barricade to cut down on traffic cutting through the neighborhood to Delmar Blvd.

Dr. Warbin stated that he believed that at this point the commission needed to determine the number of households to satisfy the request.

Mr. Hales stated that the recommendation from staff was to determine the list of affected households for a petition. Mr. Hales stated he had a different perspective citing that the barricade has been in its present location since 1969, he stated he did not believe the request necessitated a resident petition since no change has been proposed, other than to change the code to reflect the location of the barricades.

Mr. Hales asked if Mr. Alpaslan had any thoughts on the necessity of a petition. Mr. Alpaslan agreed that since no change is being made to the location of the barriers that he did not believe a petition was necessary.

Mr. Mishkin asked what would happen if a future owner of one of the adjacent properties wanted the barricades moved or removed all together.

Ms. Goodman said that she believed the neighbors would not ever want the barricades removed and it would be a detriment to the neighborhood.

Mr. Hales stated that if residents sought to have the barricades removed at some point that it would then come before the traffic commission at that point.

Mr. Barnes made a motion to recommend that the council approve a change to the city code to reflect the location where the barricade has been for 47 years. The motion was seconded by Mr. Helderman and carried unanimously.



Traffic Commission

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

6. Council Liaison Report

Councilmember Smotherson reported that the council had just approved the site plan for the brewery at North and South Rd. and Olive Blvd and asked Mr. Alpaslan if the proposal would be coming to the Traffic Commission.

Mr. Alpaslan reported that the site plan is subject to MODOT and St. Louis County approval of the ingress and egress since the roads are not University City owned roads. He stated he thought it might be a possibility that one of those agencies would seek to restrict Olive access to right-turn in / right-turn out. The project will come to the commission as an informational item and any code restrictions implemented by MODOT or St. Louis County would require the proposed restrictions to be brought to the commission for a recommendation.

7. Miscellaneous Business

Mr. Hales stated that two commissioners' terms, Mr. Barnes and Dr. Warbin, expire on the 21st of January and asked that if they would like to be reappointed to let Councilmember Smotherson know since he makes the reappointments and if not, to let the staff know quickly so that those positions can be filled.

Mr. Hales also pointed out that Mr. Mishkin's term also was expiring as of January 21st since he had filled a vacant position. Mr. Mishkin's reappointment would be considered his first term since he had only served for 5 months of term in the vacated seat.

Mr. Hales also stated that he went through the appointment records for Ms. Creer. He stated he had spoken to Ms. Creer at prior meeting and indicated that she thought her term was expired. Mr. Hales stated that he went through the City Council minutes and found that Ms. Creer was reappointed in January of 2016, perhaps without her knowledge and suggested that be discussed with her at a later time.

Dr. Warbin stated that he had given notice to Mr. Tate that he intended to rotate off of the commission. Mr. Hales thanked Dr. Warbin for his three years of service to the commission.

8. Adjournment.

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

Minutes prepared by Jeff Hales, Traffic Commission Chairman & Secretary

INTRODUCED BY:

DATE: February 23, 2017

BILL NO: **9308**

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 XII 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 XII of the University City Municipal Code is hereby amended to at a point 96 feet south from the rear property lines of the properties facing Delmar Blvd., to be edited to the Traffic Code as the “Schedule” – Schedule XII, as follows:

Traffic Schedules

Schedule XII: Closed Street Intersections

Table XII-A Closed Street Intersections

The following areas are “Regulations for Specific Streets” and are regulated as set forth in section 390 of this Code:

Street	Block	Scope
Center Drive	Delmar Blvd to Teasdale Ave	Road Barricade

* * *

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

**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.