

MEETING OF THE CITY COUNCIL
CITY HALL, Fifth Floor
6801 Delmar Blvd.
University City, Missouri 63130
March 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, March 13, 2017, Mayor Shelley Welsch, called the meeting to order at 6:30 p.m.

B. ROLL CALL

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

Councilmember Rod Jennings; *(present via video conference)*
Councilmember Paulette Carr
Councilmember Steven McMahon
Councilmember Terry Crow
Councilmember Michael Glickert
Councilmember Bwayne Smotherson

Also in attendance was Interim City Manager, Charles Adams.

Councilmember Glickert asked if he could read a statement to everyone in the chamber and members of Council? Mayor Welsch advised Councilmember Glickert that he could proceed.

Councilmember Glickert: *"As many of you know, last week I was found guilty by a jury for a Class C Misdemeanor for touching and pushing U City resident Bart Stewart at a meeting held by the City staff in March 2016, at the Heman Park Community Center. Tonight I would like to apologize to Mr. Stewart, who said he felt threatened by my actions. I would also like to apologize to the citizens of U City, especially my constituents of Ward 2, and also to the members of the City Council and the Mayor.*

I did not recall the physical action with Mr. Stewart that evening, but it was clear when I looked closer at the security tape that I did so. And that was wrong. I will not try to justify my actions at that meeting, I will say that I realize now that I should stop and take a deep breath before responding to a situation when I am upset. And I was upset that evening while observing our Mayor being physically intimidated by a member of our community. I realize now that it would have been more appropriate for me to determine what happened and to handle it in a different manner. Again, I apologize to all for my actions.

I know at a previous meeting some members of this body argued against my being appointed Mayor Pro Tem.

Other colleagues argued that I should not be denied that position because the legal process had not been completed. That process may not be completed yet since I have not made a decision on my next steps. However, if a majority of this Council decides they would prefer I not stay in that position usually held by the member with the most years serving, I will accept that decision without argument.

Finally, it has been about a week, I'd like to thank those that sent emails to me, phone messages, and day-to-day dialogue visiting with me. The support has been humbling and amazing. And the theme occurring over and over has really had to do with me resigning from this seat. I will not resign from this seat. I will serve my 2nd Ward constituents." Thank you, Madam Mayor. (Councilmember Glickert asked that a copy of his statement be made a part of the record.)

C. APPROVAL OF AGENDA

Mayor Welsch advised Council that the cover sheets for Unfinished Business incorrectly state New Business and should be amended to read Unfinished Business.

Councilmember Carr asked the Mayor if she would clarify her statement because she was unclear about what she was referring to. She then suggested that Bill No. 9307 be removed from Old Business and placed under New Business since it has been radically and substantively changed from when it was first introduced.

Councilmember Jennings made a motion to postpone Bill No. 9307, until March 27th. He stated the Bill before Council tonight was drafted by the City Attorney and references the Municipal Code. However, per the suggestions of the Anti-Defamation League and Councilmember McMahon, he would like to amend this Bill to add an educational component. Councilmember Jennings appealed to Council for their support and expressed appreciation for any feedback his colleagues deemed necessary prior to its introduction on March 27th. He then thanked everyone who had come out in support of Bill No. 9307 and extended an invitation for them to return again on the twenty-seventh.

Mayor Welsch asked Councilmember Jennings if it was his intent to make his motion later in the proceedings? Councilmember Jennings stated that it was. Mayor Welsch reiterated Councilmember Carr's suggestion regarding the need to place Bill No. 9307 under New Business based on the substantial changes, and asked Councilmember Jennings if he would be introducing a new Bill on the twenty-seventh, pursuant to Council's approval? Councilmember Jennings stated it was his intent to do so.

POINT OF INFORMATION: Councilmember Carr questioned whether a first reading would be required for Bill No. 9307, as it is being presented this evening? Mayor Welsch stated that it would be.

Pursuant to Councilmember Carr's request for a clarification, Mayor Welsch stated that Council's Agenda Item Cover Sheets had incorrectly identified Unfinished Business as New Business. She then called for a vote to approve the agenda as presented.

Voice vote to approve the agenda as presented carried unanimously.

POINT OF ORDER: Councilmember Carr informed Mayor Welsch she had asked that the agenda be amended by removing Bill No. 9307 from Old Business and placing it under New Business. Mayor Welsch advised Councilmember Carr that when Council reached that portion of the agenda she would allow Councilmember Jennings to make the change, along with his motion. Councilmember Carr voiced an appeal to the Mayor's ruling, based on the fact that the version of Bill No. 9307 being presented tonight is a different version than the previous Bill, and therefore, should be documented and presented as New Business. So, although she has no objection to Councilmember Jennings being allowed to make his motion, it should be noted that the previous version states, "*An Ordinance adopting and enacting a new Section 2015.040 of Chapter 2015*". However, the version being presented tonight reads, "*An Ordinance adopting and enacting a new Section 2015.227 of Chapter 2015*," making them radically different documents with respect to their content. Mayor Welsch asked Councilmember Carr if she would be amenable to allowing Councilmember Jennings to make the change once Council reached that portion of the agenda? Councilmember Carr stated that she would not be.

Councilmember Crow stated his assumption is that Councilmember Jennings would be supportive of Councilmember Carr's motion because they are both going to reach the same conclusion regardless of how it's handled. It's clear that this is not the same Bill Council first talked about, and for that reason believes Councilmember Carr's request represents the most appropriate parliamentary way to handle this situation.

Mayor Welsch informed Council she had not understood Councilmember Carr's request to be in the form of a motion.

Councilmember Carr made a motion that Bill 9307 be moved from Old Business to New Business. Seconded by Councilmember Smotherson and the motion to approve the agenda as amended carried unanimously.

Mayor Welsch asked Justine Enochs and Denise Goings to come up and stand by the podium for the reading and presentation of the following proclamations.

D. PROCLAMATIONS

1. Proclamation for Justine Enochs and Denise Goings - Appreciation and gratitude for their life-saving contribution to the well-being of a fellow citizen on February 28, 2017.

E. APPROVAL OF MINUTES

1. February 27, 2017, Regular Session Minutes were moved by Councilmember Smotherson, seconded by Councilmember Glickert and the motion carried unanimously.
2. March 1, 2017, Special Open Session were moved by Councilmember Jennings, seconded by Councilmember Smotherson and the motion carried unanimously.

F. APPOINTMENTS to BOARDS & COMMISSIONS

G. SWEARING IN To BOARDS & COMMISSIONS

1. Jeff Zornes was sworn into the Traffic Commission on March 3, in the Mayor's office.

H. CITIZEN PARTICIPATION (Total of 15 minutes allowed)

Brian Burkett, 7471 Kingsbury, University City, MO

Mr. Burkett stated last year he asked Councilmember Glickert to resign after witnessing him physically attack a citizen at a public meeting. Now that Councilmember Glickert has been convicted by a jury he is here tonight to make the same request. In a June 2014 email to Councilmember Glickert wrote, *"I really hope my Councilmembers share my firm belief that there is no place for violence, harassment or threats, verbal or physical of any kind. As a lifetime citizen of U City, I am glad to see the community so involved, but I can only hope we will be held to a higher standard than resulting to threats and violence"*. Mr. Burkett stated he was holding Councilmember Glickert to that higher standard he set for himself and his colleagues and asking that he resign. He then elaborated on his rationale for making this request, underscoring his belief that Mayor Welsch had created an environment that fuels this type of behavior.

Jen Jensen, 706 Pennsylvania, University City, MO

Ms. Jensen, a resident of U City for forty-seven years, provided several examples of why she believes this community is divided over the best course for U City, and what it means to be a citizen. She stated she and her husband attended the Historical Society's Annual State of the City event here at City Hall, where the guest speakers were Mayor Welsch and the Interim City Manager. Just as she had been feeling down about the viciousness occurring in this community she began to rethink all of the good things that Council, the Mayor, the former City Manager, the City Clerk, City staff and volunteer citizens have done to make U City one of the best places to live and work. And in spite of the fact that she may not always be in agreement on a given issue, she personally thinks Mayor Welsch has been an excellent Mayor; that Lehman Walker was the best City Manager the City has had in a long time, and that Councilman Glickert has always been fair and upstanding. This incident was uncalled for, but as his constituent, she is asking Councilmember Glickert not to resign from his position on City Council.

E. F. Porter, 341 West Gate, University City, MO

Mr. Porter stated this is his second time he has appeared before Council to protest Washington University's proposal, which he believes is absolutely unnecessary. He stated that his kitchen window backs up to the Greenway where he is able to see the walkway every morning and night. And in his opinion, this is an absolute waste of time and money because the traffic on that walkway is not heavy enough to warrant any widening or removal of trees.

Mary Ann Zaggy, 6303 McPherson, University City, MO

Ms. Zaggy stated there are several reasons why the proposed Wash U Bridge Project should not proceed:

1. The current bridge over Forest Park Parkway to Wash U is only 10 years old, and is not deteriorating;

2. Widening the walkway will not improve safety;
3. The Mayor and members of Council may have been given the impression that most Ames Place and Parkview residents favor the new bridge. However, at a recent meeting only neighbors who were in favor of the bridge revisions were allowed to attend and speak at that portion of the meeting attended by some of the Councilmembers; and
4. There is a lot at stake for U-Citians who value having control over their parks. By seeding the Greenway South Park to Wash U via either a licensure agreement or an easement, and transferring the maintenance to Wash U, this City will be in jeopardy of giving Wash U legal rights to ownership of this land.

Ms. Zaggy stated that instead of the proposed bridge project Wash U should replace the trees that have been devastated over the years in the backyards and behind fences of Westgate neighbors; perform extensive landscaping to repair the aesthetic damage that has occurred; create a visual barrier along the existing bridge and heighten Westgate fences to block the view of these neighbors' backyards.

She said it is only reasonable and fair that adequate time be allotted and publicity provided, to alert all U-Citians about these proposed changes to their park to ensure there is an opportunity for informed input.

Thomas Jennings, 7055 Forsyth, University City, MO

Mr. Jennings expressed concerns related to the hiring of Lehman Walker; the future of the Police Department; the complicity of actions and lack of accountability by the Mayor and a select group of Councilmembers; monies spent by the City on legal fees, and the lack of citizen participation. He stated in his opinion, The Mayor and Councilmembers Glickert and Jennings should all resign.

- I. PUBLIC HEARINGS
- J. CONSENT AGENDA
- K. CITY MANAGER'S REPORT
- L. UNFINISHED BUSINESS

BILLS

1. **BILL 9308** - An ordinance amending schedule III of the traffic code, to revise traffic regulation as provided herein. Bill 9308 was read for the second and third time.
Requested by Interim City Manager Charles Adams.

Councilmember Glickert moved to approve, seconded by Councilmember Carr.

Roll Call Vote Was:

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

Nays: None

M. NEW BUSINESS
RESOLUTIONS

BILLS

1. **BILL 9307**- An ordinance adopting and enacting a new Section 215.2270 of Chapter 215, Article XIV, "Crimes Committed Against Certain People and Property", of the Municipal Code of the City of University City, Missouri. *Requested by Councilmember Jennings and seconded by Councilmember Glickert and Mayor Welsch.*

Councilmember Jennings made a motion to postpone Bill 9307 until March 27th.

Mayor Welsch advised Councilmember Jennings that there appeared to be a consensus that this Bill represents a substantial change, and asked whether it was being removed and replaced with a new Bill on the twenty-seventh? Councilmember Jennings stated that it was. Mayor Welsch suggested that Bill 9307 be tabled. Councilmember Jennings stated he would be willing to do so. It was seconded by Councilmember Carr.

Councilmember Jennings stated he would be reaching out to all of his colleagues for feedback on the revised Bill.

Voice vote on the motion to table carried unanimously.

Councilmember Glickert asked if the revised Bill would be presented on March 27th? Councilmember Jennings stated that it would be.

Councilmember Carr questioned why this Bill had not been submitted to the Human Relations Commission for review and recommendation prior to a vote?

Councilmember Jennings stated that he would love to have the Human Relations Commission, as well as the Police Department, involved, as resources for information. However, he would prefer to talk to Councilmember Carr about this at a later time. Councilmember Carr stated the basis for her comment is that when the Traffic Division wants to change the Code first they seek the assistance of the Traffic Commission. But it seems like the way this is being handled is a little backward. Councilmember Carr stated that the Human Relations Commission really does want to participate, so she thinks it would be appropriate to send this Bill to them first for their input, rather than taking a vote and then ask them to contribute. Councilmember Jennings stated he was open to giving consideration to that suggestion.

Mayor Welsch stated Councilmember Jennings' Bill as it is written, is not setting up a new process. The City's Police Department already reports on hate crimes at both the State and Federal level, and what this Bill is suggesting is to set up a local registry where residents could ascertain whether any of these crimes have been reported in their community. She stated she is not of the opinion that every time a constituent asks us to consider something that it has to go to a commission for recommendation. Although she had been copied on an email from a member of the HRC today, who suggested that Council bring another organization in to discuss the educational component since the HRC is focusing their efforts on housing.

Councilmember McMahon stated he had received the same email, however, what the HRC has been tasked with, is to foster mutual respect and to further amicable relationships among the various segments of the population, which together comprise the City of U City; to help preserve and further the good name of U City for tolerance and fair play, and promote even better relations among its people; to provide help, if possible, for each citizen, regardless of race, religion, creed, color, ancestry, national origin, sex, sexual orientation, gender at any age, disability, political affiliation, marital status, family status, income and educational level, to develop their talents and abilities without limitation. And their first goal listed is to advise the City Council on legislation, so he's pretty sure this is a part of their job.

He stated he understands the suggestion to bring in the volunteer organization Conversations On Race, which is a great idea because more voices can help. But they are a volunteer organization that is not an arm of this City's Government. So he thinks it would be helpful to let these volunteers who have committed themselves to two and three-year terms weigh-in on this issue because that's what they were created to do. If you volunteer to do work, the last thing you want to hear is that we don't have any work for you to do.

Councilmember McMahon stated he did not want to make it sound like he is trying to hold off on this Bill, but thinks when there is important legislation Council needs to get it right. That involves citizen participation and making sure that the process is followed correctly. He stated there are a lot of issues he has with this legislation. Number one, he does not think it sets up a registry. It requires the Police Department to report about hate crimes, but no one convicted of a crime is required to do anything when they move into or out of U City. When we promise things like that to our constituents, but we don't deliver, we are not doing our jobs. He stated he thinks there's also a problem that this legislation might not pass the City's Charter because Ordinances are limited to one subject. The last time this was presented it was entitled "*Hate Crime Reporting*," now it's entitled "*Crimes Against Property*," but the content of the Bill talks about reporting, as well as creating new crimes. So it's all over the place. Councilmember McMahon suggested that presentation of the Bill be postponed until the HRC has had a chance to weigh-in and assist Council in getting this done the right way.

Mayor Welsch stated although Councilmember Jennings certainly has the option to follow Councilmember McMahon's suggestion, he is not required to do so. She stated this Bill does not create new crimes because everything contained within the Bill is already in the Municipal Code. Mayor Welsch informed Council that Ms. Pumm had been successful in determining that the 1999 Hate Crime Ordinance 6220 was superseded by State and Federal law, and the remaining portions incorporated into a part of the Municipal Code.

Councilmember McMahon stated most hate crimes are called an enhancement of penalties on an existing crime. In this legislation there is no enhancement, and if these crimes already exist what's the point of creating something that has no impact? That's exactly why this Bill needs more work.

Councilmember Carr stated in a sense, she does not believe the decision of whether to submit this to the HRC is up to Councilmember Jennings unless he wants to see it fail. So she hopes Councilmember Jennings is open to this suggestion and looks forward to the citizen input.

Councilmember Jennings stated he would seek the help of Council because his goal is to get their unanimous support.

In support of Councilmember Jennings Mayor Welsch noted that the work on this Bill started last November, so it had not been just trotted out.

Introduced by Councilmember McMahon

2. **BILL 9309** – An ordinance adopting and enacting a new Chapter 215, Offenses, the Code of ordinances of the City of University City, County of St. Louis, State of Missouri; and providing for the repeal of existing code Chapter 215, and providing when this ordinance shall become effective. Bill 9309 was read for the first time.

Requested by Interim City Manager Charles Adams.

Councilmember Carr asked why these changes were being made to the Code? Mr. Adams stated the changes are being made to ensure that City Ordinances are in compliance with recent Bills passed by the State Legislature.

N. COUNCIL REPORTS/BUSINESS

1. Boards and Commission appointments needed
Mayor Welsch made the appointments that were needed
2. Council liaison reports on Boards and Commissions
3. Boards, Commissions, and Task Force minutes
4. Other Discussions/Business
 - City Manager Search

Requested by Councilmember Carr and seconded by Councilmember Crow

Councilmember Carr stated this discussion concerns the process that will be used to select the new City Manager. She stated Council has been provided with a copy of the Subcommittee Report on the City Manager's Transition Process, prepared by former Councilmembers, which includes Mayor Welsch. Council has already completed a portion of that process, in that Chief Adams has been appointed as the Interim City Manager. Councilmember Carr stated upon completion of her review of numerous documents pertinent to this process, it seems as though Council needs to do something different by conducting a national search to find a premiere City Manager. Someone with experience, who can help this City build a police station, address the problems of unfunded and under-funded infrastructure, as well as increase the City's revenue.

Councilmember Carr stated it is not her desire to go down the path previously followed with the selection of Mr. Walker. So while ascertaining input from citizens is important, ultimately, Council will make the final decision. However, her hope is that Council concedes to the fact that they are not experts in this field and approves her motion to issue an RFP for a search firm that would include managing the citizen involvement. Councilmember Carr stated she would be happy to work with the Interim City Manager to put together the first draft, to be presented to Council for review and comment. It was seconded by Councilmember Glickert.

Councilmember Jennings asked if there was an anticipated timeline associated with the RFP? Councilmember Carr stated her thought is that it would take three or four weeks to put the RFP together. She stated that she had not drafted a timeline because any firm that does this kind of work on a regular basis will be able to assist the City in developing all of the necessary components.

Councilmember Glickert thanked Councilmember Carr for her efforts and suggested that Council also weigh-in on this with the City's new HR Director. Councilmember Carr stated the reason she noted involvement by the Interim City Manager is because she cannot direct City personnel.

Councilmember Jennings stated he would like Council to establish a target date for completion of the RFP in 30 days.

Mayor Welsch stated she believes it can be completed sooner than 30 days, and Councilmember Carr has expressed a goal of completing the RFP within three to four weeks. Councilmember Carr concurred.

Voice vote on the motion carried unanimously.

O. CITIZEN PARTICIPATION (continued if needed)

Don Fitz, 720 Harvard, University City, MO

Mr. Fitz stated before acting on the proposed Hate Crime Registry he would ask Council to remember the history of hate and violence in U City and explore what the registry would actually accomplish. He then provided a history of the hate and violence in U City and the nation.

Mr. Fitz stated the accomplishment of a registry would gloss over the recent history of hate within U City; pretend that it was doing something, while it was, in fact, doing nothing; divert attention away from the urgent need to provide sanctuary for immigrants, and be a cheap publicity stunt to kick off the election campaign for its author. He asked that Council postpone consideration of the Hate Crime Registry until after U City declares itself a sanctuary city.

Patricia McQueen, 1132 George Street, University City, MO

Ms. McQueen stated her comments were in reference to Bill No. 9307, so she will hold them in abeyance until the new Bill is presented.

Brigid McCauley, 6309 Pershing Avenue, University City, MO

Ms. McCauley stated in Wash U's many presentations of their bridge and ramp project safety is always presented as their number one priority and the reason for wanting to take over and fix up her end of town. When the University first acquired the bridge there were numerous signs in the middle and at both ends urging people to dismount and walk bikes, stay to the right, and generally obey standard traffic safety rules. And yet, emails from various park walkers indicate that more bikes are being ridden up the bridge from U City than ever encountered before, and the behavior of these riders is much more aggressive. The original signs have been replaced by signs about good manners that seem to encourage these current conditions. Now even the good mannered signs are gone, replaced with one sign on a light standard too high for cyclists to see. There are large construction signs telling commuters the current state of their route to campus, and all remaining signs give the clear message that this is a commuter route owned by Wash U, and assisted by Great Rivers Greenway. Ms. McCauley stated this is how Wash U will achieve getting the walkway to become the bottleneck at the end of the bridge. She stated she thinks it's time for Council to just say no to Washington University. It's U City's park and it should stay that way. Keep our park; save our shade.

Matthew McCauley, 6309 Pershing Avenue, University City, MO

Mr. McCauley expressed several reasons why Wash U's plan for a bridge over Forest Park Parkway, a related elbow, and ramp, are not currently in a condition for a vote by citizens nor for adoption by Council. He stated this issue has also revealed a need for a change in Council and Commission procedures. The extensive discussion of the proposed Hate Crime Ordinance ended inconclusively when someone mentioned the City already had such an Ordinance. Similarly, at a meeting of the Parks Commission, the Chairman told those present that Greenway South was not a City Park. And Council is likely to have a number of such groundhog day moments if materials submitted for action by the Commissions or Council are not first reviewed by the City Attorney.

Dennis Fuller, 7365 Colgate Avenue, University City, MO

Mr. Fuller thanked Councilmember Glickert for his apology to Mr. Stewart and questioned why he had not done so a year ago? He stated that he is also appalled by the amount of money that has been spent on lawsuits and the impact it has had on the City's liability insurance premiums. However, his main objective tonight is to urge Council to seek the removal of Councilmember Glickert.

Lisa Hummel, 7575 Stanford Avenue, University City, MO

Ms. Hummel stated she was reading the *Post-Dispatch* on Saturday and came across a letter by Lois Clark, of Oakville, that reminded her of U City. *"Contrary to what some think, the Constitution has not changed. Freedom of speech is not based on gender, religion, race or even political party. It guarantees that each of us has the right to be ourselves, to have our own opinions, and to voice those opinions. Nowhere does it state that if you don't think like or hold the same opinion as me, you are stupid, you should shut up, or you don't belong."* Ms. Hummel read the letter in its entirety and stated Bart Stewart was being civil, and he had a right to distribute flyers. However, he was denied his right to free speech and assaulted by his own Councilman, Councilmember Glickert. So she would urge Council to listen to what Ms. Clark had to say.

David Howard, 319 Westgate, University City, MO

Mr. Howard stated as our elected officials, the Mayor and Council both deserve our respect. And many times he doesn't agree with some of the decisions they make, but they don't deserve to be treated like they have been in the past. We can be civil to each other, and we don't have to give up our First Amendment rights to do it.

Mr. Howard passed out a copy of the plat presented by Wash U as the design for the bridge improvements illustrating two danger points. The elbow curve, which will cause bikes to lose stability, and the path which narrows from 10 feet to 8 1/2 feet causing bikers to encounter oncoming pedestrians in order to crossover to the right side of the path. Wash U has offered perks to residents who accept their proposal; phones, cameras, lighting changes and better policing. All of these things can be given to residents now if it's so dangerous. And the four people who spoke in favor of the proposal at the Town Hall Meeting are being paid for their property, so they want this project to succeed. Mr. Howard stated this bridge does not need to be replaced, and residents are sick of all the construction. So it's time to move on to other matters.

Paul Moskovitch, 7375 Shaftesbury, University City, MO

Mr. Moskovitch stated he has been a resident of U City for thirty years and a twenty-five-year business owner. He stated he would like to encourage Council to deny issuing an easement to Washington University for its bridge proposal.

Mr. Moskovitch expressed numerous concerns associated with the issue of safety and urged Council to be careful and to be smart. Wash U has tricked this City before, and now they're trying to trick us again, by creating a danger to U City property.

Jeff Hales, 7471 Kingsbury, University City, MO

Mr. Hales stated last March he spoke at the Council Meeting following the assault about the need for equitable standards, i.e., Mr. Price, whose actions were deemed worthy of a censure. In the minutes of the February 28th Council Meeting, the Mayor commented, *"It is not an action taken lightly, but she believes it is an action that is needed to make clear what type of behavior is acceptable by members of Council as we meet to do the business of the people of this community. This is a difficult step to make clear to this community that the Council will only accept behavior from elected officials of this body that is worthy of the people who put them on this Council"*. He then provided several examples of incidents that went unchecked by the Mayor and noted that tonight appears to represent a crossroad. And like Mr. Fuller, he also wonders why Councilmember Glickert's apology took so long. Tonight he states that he did not remember a physical altercation, but does he remember the things he said as he went towards Mr. Stewart or when he exited the building with Captain Hampton; *"If he wants to go, I'm ready"?*

Mr. Hales stated his belief is that none of these actions would have taken place if not for the culture that has been fostered. Clearly, there have been two standards set and it's time for the Mayor to begin applying her standards equally and not just against those with whom she disagrees. He stated it is beyond him to understand why everyone cannot agree that Councilmember Glickert's behavior is not worthy of this community. So his hope is that Councilmember Glickert simply does the right thing and resigns.

Bart Stewart, 714 Harvard Avenue, University City, MO

Mr. Stewart stated while he certainly appreciates Councilmember Glickert's public apology tonight, he continues to be flustered by the current attacks to defame his name and reputation. And as a result, he wants Councilmember Glickert to know that he too has not decided what legal remedies he may seek. As a father and teacher with a stable career at the same location for seventeen years, working with students to press upon them the importance of responding in non-violent ways, it is simply not his nature to be violent. And in no way has he ever threatened any member of this Council, including the Mayor, before, during or after the incident in question. However, the bigger issue at hand is the rapidly deteriorating adherence to the First Amendment Right of free speech. Mr. Stewart stated while he is pleased that a jury saw behind the mistruths of Mayor Welsch, the termination of his right to attend that public meeting and have his voice heard, is something a criminal court cannot adjudicate. Councilmember Glickert, I do accept your apology and sincerely hope that you and your supporters will move forward and stop defaming his character. He stated his voice will not be silenced, and he looks forward to resolving this matter civilly, which if necessary, may be in court. Mr. Stewart thanked everyone who had reached out to him over the past year with kind words and support.

P. COUNCIL COMMENTS

Councilmember McMahan stated in the few months he has been a member Council has passed a Resolution protecting employees' rights for political affiliation; to campaign; file grievances and act as a whistle-blower, all to ensure that they had a voice in City Government. Council passed a Resolution to become a Welcoming City, demonstrating that all are welcome here; helped residents in Teasdale begin the process of getting some sorely needed street work done; passed the site plan for Senn Brewery; approved an RFP to further the development on Olive and the 170 Exchange, which could also augment improvements to housing, expand the tax base, increase home ownership and attendance at City schools. All things that will help to strengthen U City. Council just conducted a Town Hall Meeting on Greenway Parkway South so residents could have a voice and express their ideas, for which he would like to thank the members of staff who were in attendance and stayed late to make sure everybody had an opportunity to speak. And thank all of the residents who were in attendance and voiced their opinion. Councilmember McMahan stated a number of these measures help keep the City moving forward. So he wants to make sure that everyone knows this Council is working and doing the things they need to do.

Councilmember McMahan thanked the Historical Society for the State of the City address held last week. That event provided a condensed version of the current state of affairs, which also included things that were not so rosy, like the pension plans that need work, the condemned police facility, and streets that need repair. In fact, it sounded a great deal like the issues he addressed during his campaign. So he was glad to hear them being discussed because they clearly represent issues that have been around for a long time. However, one thing they did not address is the need for Council to work on rebuilding the trust of its residents.

A jury found a member of this Council guilty of the misdemeanor of assault, and he would like to wish Councilmember Glickert the best on his deliberations related to the issues that remain before him. He stated he can't help but think that but for the grace of God go I. Could he ever find himself in a position where he lashes out in some way and loses control in a burst of anger? His hope is that he wouldn't find himself in this same position and that he would have found a way to mend the fence before today. What comes next, in large part, will be dependent upon the decisions Councilmember Glickert makes. And based on those decisions, Council may need to address this issue. Councilmember McMahan stated his belief is that residents must be given an opportunity to express how they would like to see Council move forward and that Council should take the opportunity to review the matter and not rush to take any action. Council must first understand what actions can be taken if any, and then provide an opportunity for all of the information to be presented. Therefore, in fairness to everyone involved, he would ask Mr. Adams to request a copy of the trial transcript from the St. Louis County Courts to ensure Council has a full understanding of what took place.

Councilmember McMahan stated Council must look at these events as an opportunity to rebuild trust and initiate actions that move the City forward without acrimony or retribution while focusing on upholding Council's responsibilities to its citizens. Not too long ago a resident came to this Chamber to announce he had filed a lawsuit against four individual Councilmembers, which included him. He stated as they walked into City Hall he assisted this individual with locating the meeting venue, even though he knew what he was coming here to say. But that's the point, we don't push the people out of City Hall that might disagree with us, we welcome them.

The criminal court is tasked with determining punishment; Council is tasked with ensuring its actions best serve the community.

Councilmember Crow applauded Councilmember Carr for taking leadership in the implementation of a process to find a City Manager. And he would like to ensure everyone that there will be a search conducted this time. Council will balance the speed and efficiency with making the right choice because this City has a lot of things that need to be addressed by an experienced City Manager.

Councilmember Crow commended Councilmember McMahon and Mayor Welsch for their organization of the Town Hall Meeting on March the 2nd. And noted that this is going to be a lose/lose for both himself and Steve, no matter how they vote. Nevertheless, they are listening to those who have expressed their opinions and taking everything into consideration. It is clear that this is a divided issue, and as such, would agree with the comment made by Mr. Howard regarding the need to be civil manner, no matter what an individual's view may be. He stated this is also a good time for Council to have a much broader conversation regarding Wash U's role in this community.

Councilmember Crow stated it would be an understatement to say that much has happened since the last Council Meeting. But first and foremost, he would like to say whether pro or con, Council is interested in hearing everyone's opinion on the status of Councilmember Glickert. Moreover, whether anyone agrees or disagrees about what his future on this Council should be, the fact is that Councilmember Glickert was convicted by a jury of his peers for a misdemeanor assault which occurred at a public U City meeting. And while it's only fair to give Councilmember Glickert an opportunity to determine what actions he thinks are in the best interest of this community, and he does accept his apology, in his opinion, this is just the beginning. Councilmember Crow recounted three incidents involving members of Council where the Mayor and Councilmembers Jennings and Glickert sat silent and did nothing; *(Council has voted to make the entire file regarding Councilmember Crow's censure public.)* However, in Councilmember Glickert's case, an independent prosecutor chose to file charges; an independent judge conducted the trial, and an independent jury issued a unanimous verdict of guilt in one hour. So, residents owe it to themselves to review the tape and transcript once they become available because this is going to be a public process. Councilmember Crow stated as someone who has been involved in numerous minority rights movements, he continues to be disheartened by people; including members of this Council, who have the Montra of blaming the victim. It didn't work with the jury and it is not going to work with this community, who certainly deserves better.

Councilmember Crow stated he also hopes that Chief Hampton has reviewed the tapes, which he believes will reveal a teachable moment. He stated after reviewing the tapes himself, he was saddened by the blatant preferential treatment shown to an elected official who was clearly in the wrong, versus the assaulted citizen. While everyone should be treated with respect, members of Council do not deserve the type of preferential treatment exhibited that night. Councilmember Crow thanked Mr. Hales for his recitation of the statement made by Mayor Welsch, which makes him question what Council should expect this time in terms of her leadership? Whatever the case, his hope is that in the coming week Councilmember Glickert and Mayor Welsch will put the interest of this community ahead of their own and come to a fair and equitable conclusion.

Councilmember Smotherson thanked the witnesses who testified at the trial and Councilmember Glickert for his apology. As a member of Council, he felt it was important to be in attendance, and even more important to give Councilmember Glickert an opportunity to determine what the right approach should be. Councilmember Smotherson stated he has residents in the 3rd Ward that hold him accountable and believe in his credibility; which is something he is having difficulties with in this case. The witnesses for the prosecutor were U City residents, but the witness for the defense was Mayor Welsch. Most people know who should have had the advantage, but as Councilmember Crow just exemplified, the independent decision-makers in this case disavowed the Mayor's credibility by finding Councilmember Glickert guilty. So he would also encourage residents to review the tape and transcript, and after doing so, provide Council with an opinion about how this issue should be handled going forward.

Councilmember Carr thanked Councilmember Glickert for his apology, in spite of the fact that the statement about rescuing the Mayor, simply did not sit right with her. There was no need to rescue the Mayor. She stated she too attended the trial of Mr. Michael Glickert last week, for the 3rd Degree Assault of a constituent at a focus group meeting where the City was presenting recommendations of the architects they had hired for the police facility. This was a community-based gathering which allowed for the sharing of information between citizens and the City. All sorts of papers can be found on tables, where discussions range from barking dogs, trash, broken fences and flooding, to public safety, elections and Code violations. It was during this meeting where one of her colleagues got up out of his seat, walked to the back of the room and shoved one of his constituents twice because, in his opinion, the papers this constituent was carrying were inappropriate. Those papers were an appeal for a recall of the Mayor and petitioning is a form of free speech and a protected First Amendment right.

What took place the night of March the 22nd, was the culmination of a culture of suppression of speech; the haves and the have-nots; or the era of us and them, as she likes to refer to it, in a City that residents celebrate as the bastion of inclusion and diversity. Councilmember Carr recounted six grievances exemplifying the aforementioned cultures and noted that Councilmember Glickert had been a participant in every one of these unjustified censures. The Mayor had no reaction when Councilmember Jennings called her a White privileged princess and threatened to crush herself and Councilmember Smotherson like cockroaches. And to this day, she has never received a personal apology. The Mayor had no reaction when the City Manager called members of Council liars to their face. Instead, the Mayor empowered and allowed the behaviors of her allies to escalate to the point where physical abuse became the mechanism for silencing free speech on March 22nd.

The jury unanimously found Councilmember Glickert guilty of 3rd Degree Assault, beyond a reasonable doubt. The jury was not asked to; nor did they find Mayor Welsch guilty of aiding and abetting this act by creating an environment where opposing speech was marginalized and suppressed, or establishing one set of rules for her supporters and another set for her opponents. The Mayor was not on trial that day, but in her mind, the Mayor is responsible for not exhibiting the type of leadership that would have brought this City together, rather than splitting it apart.

Councilmember Carr stated she does want to give Councilmember Glickert a few days to do some sole-searching to accept responsibility for his choices and demonstrate that in spite of his past actions and behaviors he can be a person of integrity, worthy of the trust that people placed in him.

Her hope is that he will take the time to reflect on what the people he represents might want to see happen. Facing the consequences of his actions may be the most painful task he has ever undertaken, which may require that he seek the guidance of someone who has special skills that most do not possess. But crises present us with the opportunity to grow and change. And it has been her experience that one must first acknowledge what has taken place prior to finding the strength to move forward. Councilmember Carr stated Council does have a range of actions they can take, and owe it to the people who have placed their trust in them to explore those options. She requested that Council begins to address this issue in a Study Session prior to the next meeting.

Mayor Welsch stated she met with the Superintendent of Schools who expressed an interest in a member of Council working with her on a proposal to restart the Council/Student Rep Program that existed in the past. The Mayor stated she had suggested Councilmember Jennings as the contact since he had previously been involved in this effort. Hopefully, they will be successful in completing that proposal by August. Mayor Welsch stated the Superintendent had also asked if any member of Council would be interested in working with the District to expand athletic opportunities within the community. Anyone interested was asked to contact the Mayor.

- 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 (2) Leasing, purchase or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefore.**

Councilmember Carr moved to approve the Executive Session, seconded by Councilmember Smotherson.

Roll Call Vote Was:

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

Nays: None.

Councilmember Jennings abstained from taking a vote.

- R. Adjournment**

Mayor Welsch closed the regular City Council meeting at 8:39 p.m. to go into a Closed.

LaRette Reese
Secretary to the City Manager

AS MANY OF YOU KNOW, LAST WEEK I WAS FOUND GUILTY BY A JURY OF A CLASS C MISDEAMENOR FOR TOUCHING UNIVERSITY CITY RESIDENT BART STEWART AT A MEETING HELD BY CITY STAFF IN MARCH 2016 AT THE HPCC.

TONIGHT, I WOULD LIKE TO APOLOGIZE TO MR STEWART WHO SAID HE FELT THREATENED BY MY ACTIONS I WOULD ALSO LIKE TO APOLOGIZE TO THE CITIZENS OF UNIVERSITY CITY ESPECIALLY MY CONSTITUENTS OF WARD 2 ALSO TO MEMBERS OF THIS COUNCIL ON WHICH I PROUDLY SERVE

I DID NOT RECALL THE PHYSICAL ACTION WITH MR STEWART THAT EVENING ~~BY~~ IT WAS CLEAR WHEN I LOOKED CLOSER AT THE SECURITY TAPE THAT I DID SO THAT..WAS WRONG

I WILL NOT TRY TO JUSTIFY MY ACTIONS AT THAT MEETING I WILL, THOUGH SAY THAT I REALIZE NOW THAT I SHOULD STOP AND TAKE A DEEP BREATH BEFORE RESPONDING TO A SITUATION WHEN I AM UPSET.

AND, I WAS UPSET THAT EVENING IN MY OBSERVING OUR MAYOR BEING PHYSICALLY INTIMIDATED BY A MEMBER OF OUR COMMUNITY I REALIZE NOW THAT IT WOULD HAVE BEEN MORE APPROPRIATE FOR ME TO DETERMINE WHAT HAD HAPPENED AND TO HANDLE IT IN A DIFFERENT MANNER.

AGAIN I APOLOGIZE TO ALL FOR MY ACTIONS

I KNOW AT A PREVIOUS MEETING SOME MEMBERS OF THIS BODY ARGUED AGAINST MY BEING APPOINTED MAYOR PRO TEM OTHER COLLEAGUES ARGUED THAT I SHOULD NOT BE DENIED THAT POSITION BECAUSE THE LEGAL PROCESS HAD NOT BEEN COMPLETED THAT PROCESS MAY NOT BE COMPLETED YET SINCE I HAVE NOT MADE A DECISION ON MY NEXT STEPS. HOWEVER, IF A MAJORITY OF THIS COUNCIL DECIDES THEY WOULD PREFER I NOT STAY IN THAT POSITION USUALLY HELD BY THE MEMBER WITH THE MOST YEARS SERVING I WILL ACCEPT THAT DECISION WITHOUT ARGUMENT.

IN CLOSING I WANT TO SAY THANKS TO THE OVERWHELMING EMAILS PHONE CALLS OF SUPPORT FROM MEMBERS OF THIS COMMUNITY SAYING NO TO MY RESIGNING THIS SEAT.

I WILL NOT RESIGN AS UNIVERSITY CITY SECOND WARD COUNCILMEMBER.

MS REESE FOR THE RECORD

THANK YOU ALL FOR LISTENING

MAYOR THANKS FOR THIS MOMENT

My name is Jen Jensen and I live at 706 Pennsylvania. I have lived in U. City for 47 years.

Matt Sedensky of the Associated Press wrote an article that was in last Monday's PD (March 6th) headlined "Divided Americans fret country losing identity, poll says." He writes that we're divided over what it means to be an American.

I could say the same thing about what has been happening in University City for several years now.. We're a divided community over what it means to be a citizen of University City and what is the best course for University City. Good friends have become alienated from each other over these political issues. Here's an example: Recently I attended a meeting and had an unpleasant encounter with a friend. This friend was angry with me for supporting our Councilman on Facebook and felt it was not appropriate. I told my friend that it was okay to disagree and still be friends. It turns out this friend wasn't really mad at me but rather at another serious unrelated issue. But, obviously, this friend was upset with my post – enough to tell me so. However, we talked and found common ground again and I would like to think we are still friends.

Ugliness has raised its head on local websites which have become too common now. You can say terrible things about a person – things you probably would not say to their face. Usually it is the same folks over and over spreading hurtful rumors, half truths, and congratulating each other on their remarks. This is one reason for the division in our community.

Last week my husband and I attended the Historical Society's Annual State of the City event here at City Hall. Mayor Shelley Welsch and interim City Manager Charles Adams were the speakers. I wish more of our U. City citizens had attended. Just as I had been feeling down about the viciousness that has occurred in our community I begin to rethink all the good things that our Council, our Mayor, our former City Manager, our City Clerk, our City Staff and our volunteer citizens have done to make University City one of the best places to live and work. The Mayor spoke of many excellent programs that are going on in our City and many of them organized by her during her

tenure on the Council and as Mayor.

When push comes to shove we are there to help each other out whether we agree on any given issue. I, personally, think Mayor Welsch has been an excellent mayor – and I don't always agree with her. I think that Lehman Walker was the best City Manager we have had in a long time. I think that my City Councilman, Michael Glickert, has always been fair and upstanding as a councilman and this incident was uncalled for. Mr. Glickert, I am asking you – as your constituent – please do not resign your post on the City Council.

A citizen commented at the meeting I mentioned earlier – we don't live in the “real world” in U.City. Really – I think we do.

I support our Mayor, Shelley Welsch, and our Councilman, Michael Glickert!

From: Mary Ann Zaggy 6303 McPherson maryzagg@hotmail.com. 03/13/2017
To: City Council, Mayor, and City Manager, University City MO

Why the proposed Wash U Bridge project does NOT need to be done "right away."

THIS BRIDGE DOES *NOT* NEED TO BE REPLACED:

The current bridge over Forest Park Pkwy to Wash U is only 10 years old; it is NOT deteriorating; it has a LOT of life left in it. There is no need to rush this building project.

THIS WILL *NOT* IMPROVE SAFETY The claim that the only way to enhance bridge safety is to widen the bridge is simply not true. Bicyclists, especially Wash U students, who refuse to follow the rules of the road, will only ride faster, merging as they go downhill back into pedestrian traffic at the end of the dedicated "bike" path. Instead of this project, simply require bicyclists to obey the rules of the road and common courtesy: get off their bikes, and WALK their bikes over the bridge. (They have to respect pedestrians on the Wash U campus, don't they?) Maybe this rule-abiding behavior would also generalize to when they take their bikes into the Loop or ride down the sidewalks on Skinker....

THIS IS *NOT* THE ONLY WAY TO ENHANCE NEIGHBORS' PRIVACY AND BACKYARD AESTHETICS

The argument that this project is the best, the only way to restore neighbors' privacy and backyards' esthetics, is specious. I agree that the neighbors whose backyards' privacy and aesthetics have been marred by the current bridge, should have these problems corrected IMMEDIATELY by Wash U. Instead of the proposed bridge project Wash U should plant large, new trees in the backyards and behind fences of Westgate neighbors, replacing those which have been devastated over the years. Adequately large trees would greatly enhance the privacy and sight lines of these neighbors' backyards. Without delay, Wash U SHOULD do extensive, high-quality landscaping to those backyards and areas behind their fences to repair the esthetic damage done over the years. Wash U SHOULD also create a visual barrier along the existing bridge, and SHOULD attractively heighten neighbors' fences, to aesthetically block the view of our Westgate neighbors' back yards.

NEIGHBORS ARE NOT IN AGREEMENT ABOUT THE BRIDGE PROJECT Members of Council and our mayor may have been given the impression that most Ames Place and Parkview residents favor the new bridge. At a recent meeting of Parkview Agents, only neighbors who were in favor of the bridge revision were allowed to attend and speak at the portion of the meeting attended by City Council members. Bridge plan opponents were not allowed in at that time. Only if adequate time is taken to inform people all over our neighborhoods and the entirety of U City about the specifics of this plan--and giving EVERYONE adequate opportunities for input-- will this be a truly fair and democratic process worthy of University City.

U CITY COULD LOSE OWNERSHIP OF GREENWAY SOUTH PARK TO WASH U. There is a lot at stake here for U Citians who value OUR control over OUR parks. By ceding our Greenway South Park--and yes, this is a U City PARK, not a walkway, not jointly owned with Wash U--to Wash U via either a license agreement or via an easement, and GIVING OVER MAINTENANCE OF IT TO WASH U, U City will be in jeopardy of giving Wash U legal rights to OWNERSHIP of this land.* I am, as are most U Citians, opposed to giving up ANY property which U City owns, particularly anything close to Wash U, that very invasive "neighbor" to our south (and now, west, north, and east...) *(Tom Blackwell, Assoc. Gen. Counsel for Wash U, Jan. 23, 2017.)

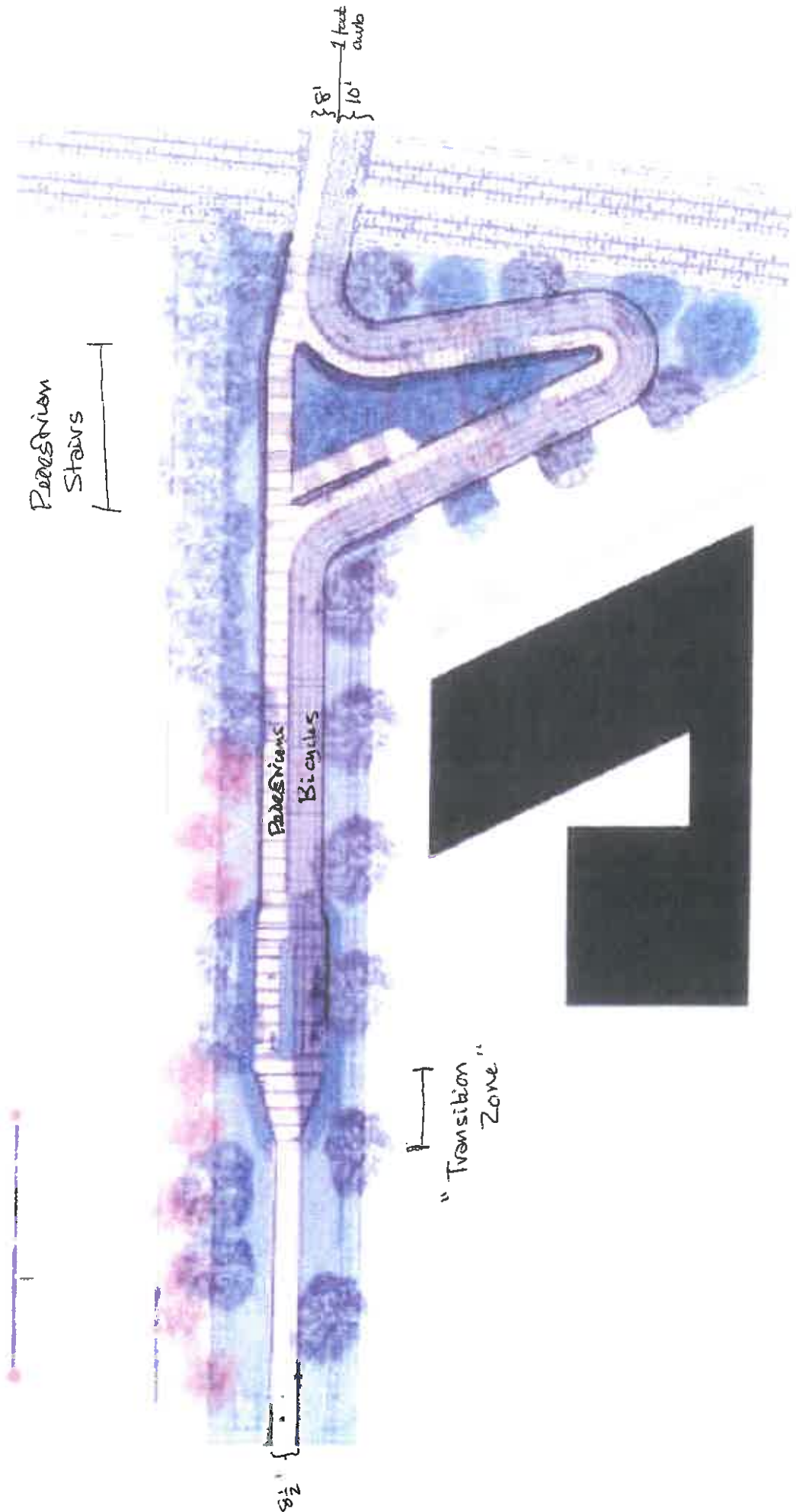
DECISIONS ABOUT OUR PARKS SHOULD BE MADE BY THE CITIZENS. Many people from all around U City will be traveling through this U City **PARK** and using this bridge in the future. So, it is only reasonable and fair that adequate time be allotted and publicity provided to alert ALL U Citians about these proposed changes to **OUR** park. This would allow for all concerned U Citians to become adequately informed about Wash U's proposed changes and in effect, the TAKING of our park land. Thus, all U Citians would then truly have opportunities for INFORMED input.

WashU is promising that they will make and construct various "Improvements" in the park, and also that they will take care of all maintenance, in perpetuity. At the Study Session on January 23, according to the minutes, Tom Blackwell, Associate General Counsel for Washington University, said that "under Missouri Law, an entity that maintains a property is considered to be the owner of that property."

Because Washington University has made a "promise to maintain the property" and is citing Missouri Law as assigning them ownership, it seems clear that in their eyes a transfer will be made if they get the easement they want, and that clearly triggers Section 98 of the City Charter.

Ackert Transition / Triangle Park Site Plan

Approx. 60' shorter than existing ramp



Members of the Council

My name is Matthew McCauley and I live at 6309 Pershing Avenue.

I have two points to make. The first is that Washington University's plan for a bridge over Forest Park Parkway and a related elbow and ramp is not currently in a condition for a vote by the citizens, nor for adoption by this Council.

In the present arrangement pedestrians approaching the bridge, and cyclists rolling down the ramp, can see each other and take action to prevent a collision. As a result, in spite of rumors to the contrary, no history of pedestrian/cyclist accidents has been reported.

The proposed plan calls for cyclists to merge with pedestrians in a "transition zone." The bikes will be coming down the incline from the side and will encounter pedestrians looking straight ahead. Those on foot may not be expecting a speeding vehicle coming from their right. Washington University recognizes this problem and says that design for the "transition zone" is not complete. This does not seem to be a trivial problem and it should be resolved before the city takes any action on this proposal.

A second point is that this issue has revealed a need for a change in Council and Commission procedures. At the last meeting of the Council there was extensive discussion of a proposed hate crime ordinance only to end inconclusively when someone mentioned that the city already has a hate crime ordinance.

Similarly, at a meeting of the Parks Commission last summer, the Chairman, an excellent lawyer, told those present that Greenway South was not a city park. Research has discovered that Greenway South, along with the other parks, was officially designated a park by the City Council in January 1990. Of course a sign at this park would be helpful, but the real issue is that the Council is likely to have a number of such Ground Hog Day moments if material submitted for action by the Commissions or the Council is not reviewed first by the City Attorney to see if it has been considered previously.

I'll leave a copy of these remarks with the Clerk.