

MEETING OF THE CITY COUNCIL
CITY HALL, Fifth Floor
6801 Delmar Blvd.
University City, Missouri 63130
May 8, 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, May 8, 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
Councilmember Paulette Carr
Councilmember Steven McMahon
Councilmember Terry Crow
Councilmember Michael Glickert
Councilmember Bwayne Smotherson

Also in attendance was Interim City Manager, Charles Adams.

C. APPROVAL OF AGENDA

Hearing no requests to amend the Agenda, Councilmember Glickert moved to approve the Agenda as presented, it was seconded by Councilmember Jennings and the motion carried unanimously.

D. PROCLAMATIONS

E. APPROVAL OF MINUTES

1. April 19, 2017, Study Session Minutes were moved by Councilmember Jennings, it was seconded by Councilmember Smotherson and the motion carried unanimously.
2. April 24, 2017, Regular Session Minutes were moved by Councilmember Jennings, it was seconded by Councilmember Carr and the motion carried unanimously.
3. April 26, 2017, Special Session Minutes were moved by Councilmember Jennings, it was seconded by Councilmember Smotherson and the motion carried unanimously.

F. APPOINTMENTS TO BOARDS & COMMISSIONS

1. Aleta Porter Klein is nominated to the Library Board by Councilmember Carr, seconded by Councilmember McMahon and the motion carried unanimously.

2. Andrew Ruben is reappointed to the Plan Commission by Councilmember Jennings, it was seconded by Councilmember Glickert and the motion carried unanimously.

G. SWEARING INTO BOARDS & COMMISSIONS

H. CITIZEN PARTICIPATION (Total of 15 minutes allowed)

DON FITZ, 720 Harvard, UNIVERSITY CITY, MO

Mr. Fitz discussed some of the issues that in his opinion have plagued this City's Government for the last several years:

- Linking National politics to what is going on in U City;
- The Trump Administration's efforts to privatize everything since Franklin Roosevelt's New Deal;
- U City's attack on its Emergency Medical Services;
- U City's failure to defend City-owned buildings;
- Councilmember Glickert's failure to provide a genuine apology to citizens for his violent behavior against Bart Stewart;
- Mayor Welsch's failure to provide a genuine apology to citizens for the actions she took against Andrew Roberts, her acceptance of Councilmember Glickert's behavior, and all of the taxpayer dollars wasted on the pursuit of frivolous lawsuits, and
- Councilmember Jennings' failure to provide an apology for his de facto encouragement of Councilmember Glickert's behavior

Mr. Fitz stated that if the desire is to prove sincerity, then all three of these individuals should resign from their current positions. And if they fail to resign, then everyone should keep a close eye on them to make sure they never get elected to a public office again. He then requested that Mayor Welsch use her own wealth to pay back the City for all of the lawsuits that have occurred over the last two years. Mr. Fitz concluded by stating that all of these patterns; although occurring at different times and places, fit into one overall pattern of attack on the rights and social welfare that everyone holds collectively. And until everyone starts to look at what's happening around the country, they will never be able to understand what is happening in their own community.

Mayor Welsch stated there are two requests to speak during the Council Comment section of the agenda which is typically not allowed. However, due to the subject matter of tonight's discussion, these requests will be honored.

I. PUBLIC HEARINGS

J. CONSENT AGENDA

K. CITY MANAGER'S REPORT

1. Approve Conditional Use Permit Application 6655 Delmar Karaoke Entertainment.

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

2. Approve Conditional Use Permit Application 6662-D Delmar Food and Beverage Establishment.

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

Mayor Welsch announced that she would be unable to vote in support of approving this permit because one; she does not feel she has the legal authority to do so, and two; she is concerned about the ratio of retail versus restaurants that currently exists in The Loop. She stated she has always been told that the best practice is to have more retail than restaurants because it generates foot traffic that supports all of the businesses. Mayor Welsch asked Mr. Adams if the Department of Community Development, and perhaps, the Plan Commission, could provide Council with their expertise and guidance on what guidelines, if any, they follow with respect to encouraging or restricting businesses interested in locating within The Loop, because she thinks that currently, this area is a little out of balance.

Voice vote on the motion to approve carried unanimously, with the exception of Mayor Welsch.

3. Approve Fogerty Park Phase I Improvements Change Orders 1 through 3 for Spencer Contracting Company in the amount of \$29,380.27.

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

4. Approve Asphalt Rejuvenation Project for Corrective Asphalt Materials, LLC, in the amount of \$53,000

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

L. UNFINISHED BUSINESS

BILLS

1. **BILL 9311** – An ordinance authorizing the City Manager to execute a contract between the City of University City and the Missouri Highway and Transportation Commission providing for the Kingsland Ave. Alley Bridge reconstruction over NE branch of River Des Peres. Bill 9311 was read for the second and third time.

Councilmember Carr moved to approve, it was seconded by Councilmember Glickert.
Roll Call Vote Was:

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

Nays: None

2. **Bill 9312** - An Ordinance amending Chapter 340, Section 340.160 of the City of University City Municipal Code to add no passing of Loop Trolley cars. Bill 9312 was read for the second and third time.

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

Roll Call Vote Was:

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

Nays: None

3. **Bill 9313** - An Ordinance amending the Traffic Code creating a new Chapter 367 of the Municipal Code of the City of University City, Missouri enacting and adopting "*Unauthorized stopping and parking along Trolley track*". Bill 9313 was read for the second and third time.

Councilmember McMahon moved to approve, it was seconded by Councilmember Carr.
Roll Call Vote Was:

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

Nays: None

4. **Bill 9314** - An Ordinance amending Schedule III of the Traffic Code to revise traffic regulations as provided herein. Bill 9314 was read for the second and third time.

Councilmember McMahon moved to approve, it was seconded by Councilmember Jennings.

Roll Call Vote Was:

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

Nays: None

M. NEW BUSINESS

RESOLUTIONS

BILLS

Introduced by Councilmember Crow

1. **BILL 9315** - An ordinance authorizing the execution of a retainer agreement for City Attorney Services. Bill 9315 was read for the first time.

N. COUNCIL REPORTS/BUSINESS

1. Boards and Commission appointments needed
Mayor Welsch made no appointments at tonight's meeting
2. Council liaison reports on Boards and Commissions

3. Boards, Commissions, and Task Force Minutes

Mayor Welsch thanked Mr. Adams for the minutes that had been included in Council's packets.

4. Other Discussions/Business

a) Apology of the City of University City to Andrew Roberts pursuant to Consent Judgment approved by United States District Judge Audrey G. Flessing.

Requested by Councilmember Carr and seconded by Councilmember Smotherson

Citizen's Comments

JoAnn Roberts, 940 Alanson, University City, MO

Ms. Roberts congratulated her son, Andrew Roberts and the ACLU, for the successful lawsuit brought against Mayor Welsch, to defend every citizen of U City's First Amendment Rights. She also thanked the dedicated members of this community for their voices and courage to speak truth to power. Ms. Roberts expressed her thoughts about the actions taken by Mayor Welsch, and reminded her of this statement found in the minutes of September 24, 2015; *"Mayor Welsch obtained a legal opinion from the City's Attorney on the limits that she, as the presiding officer of these Council Meetings could impose and that U City staff and members of Council are not subject to personal attacks. She further stated she will be more forcible in calling residents out of order and will reserve the right not to call those individuals to the podium at future meetings"*.

Ms. Roberts continued her recitation of various excerpts from past meeting minutes and then asked the Mayor; what greater personal attack could there be then claiming she is not responsible for Mr. Roberts' removal from this Chamber? She stated that when the Mayor makes such statements she is using the language of abuse and the power of her position. However, now that this community knows the truth it will not tolerate more lies at any level of their government.

Andrew Roberts, 940 Alanson Drive, University City, MO

Mr. Roberts stated he had hoped that the Judge's Order compelled by the intervention of the American Civil Liberties Union would have served as a message to the Mayor and that she might simply have recognized that she was in the wrong, acknowledge that fact, and move on. So he was astonished when he learned of the Mayor's denial of having any responsibility. He then cited Article 13, Section 73 of *Roberts Rules of Order*, which state, *"When the assembly either by a rule or by a vote decides that a certain person shall not remain in the room, it is the duty of the chairperson to enforce the rule of order using whatever force is necessary to eject the party"*. Mr. Roberts stated he has never objected to Council right to have citizens removed or silenced in certain limited cases, but Roberts Rules and those of the United States require that there must be a written rule or a vote to do so and that it cannot be done by an executive whim. Section 73 also states, *"The chairman can detail members to remove the person without calling upon the police,"* and stresses that only force which is necessary should be employed. He stated he was not disposed of in a manner which would suggest to anyone that he would not have left the podium if ordered to do so, and no force was required to remove him.

Mr. Roberts expressed numerous concerns associated with the Mayor's actions and concluded by stating that he will continue to speak so that other people know they are not alone and that their voices should also be heard. He will continue to speak to let those members of Council who demonstrate fealty to supremacy of the citizen over the ruler know they will always have supporters.

And he will continue to be the face in the crowd at these meetings to ensure that the Mayor knows citizens are still watching, will not forget, and have justice on their side.

Jeff Hales, 7471 Kingsbury, University City, MO

Mr. Hales stated based on his recollection, up until 2014; probably around the time that the firefighters were suspended, citizens were always allowed to speak during the Council Report/Business segment of the agenda.

Items of interest are discussed during this portion of the agenda, and for citizens to be asked to reserve their comments until after Council has taken its vote is not acceptable in his mind. Therefore, he would ask that Council revisits its rules on whether or not citizens can be allowed to participate during this segment.

Mr. Hales expressed his views on partisan politics and the standards that have been adopted by Council, noting that this chapter of the City's history needs to end. He then thanked the four members of Council who are working very hard to make that happen, and Mr. Mulligan, for his willingness to act as Special Counsel and his attendance at these meetings.

Council's Comments

Councilmember Crow stated earlier this evening Council held a closed Executive Session, for the purpose of crafting an apology on behalf of the City. Council voted to have the Mayor Pro Tem deliver the apology, which was approved by a vote of 5 to 2.

This is the apology of the City of University City, to Andrew Roberts, pursuant to the Consent Judgment approved by United States District Judge Audrey Flessing. *"Actions speak louder than words. On January the 11th, 2016, Andrew Roberts was removed from the University City Council Meeting by order of the Mayor as presiding officer, while he was speaking during the public comment portion of the meeting. The City of University City through its City Council wishes to apology to Mr. Roberts for the way in which he was treated by his own municipal government. As a presiding officer, the Mayor's decision to remove Mr. Roberts was in violation of his First Amendment and due process rights. It was inconsistent with Council Rule 14, where citizen participation sections of the Agenda are designed to allow members of the general public time to express their thoughts and concerns to members of Council, staff, and the community-at-large, and further, does not represent the values of University City. To assure that this will never happen again, the City Council has agreed to take the following actions:*

- 1. The City of University City will cease making the public statement at City Council Meetings that personal attacks on Councilmembers will be ruled out of order;*
- 2. The City of University City will cease making the public statement at Council Meetings, that Councilmember's motives may not be called into question;*
- 3. The City of University City wishes to extend an invitation to Mr. Roberts to attend and speak at any future City Council Meetings without regard for the content of his speech;*
- 4. The City of University City will no longer allow its presiding officer to remove citizens from a City Council Meeting based on the content of their speech;*
- 5. The City of University City will no longer allow its presiding officer to ban citizens from attending and speaking at City Council Meetings as punishment for the content of their speech, and*
- 6. The City of University City will develop, implement, and enforce a written policy prohibiting content-based restrictions on speech during the public comment period at City Council Meetings*

The City of University City wishes to express its appreciation for Mr. Roberts' efforts in protecting his First Amendment Rights. Our City prides itself on its openness, inclusivity, and respect for its citizens. Clearly, the actions taken on January the 11th do not reflect those values.

Mr. Roberts has shown that once again, one person can make a difference. We apologize and thank you."

b) GovHR-USA contract amended proposal

Requested by Councilmember Carr and seconded by Councilmember McMahon

Councilmember Carr stated the City received an amendment of the contract, per the request of Council, that meetings shall be conducted with all seven members of Council. Council also had a desire to ensure there is robust participation by its citizens, and \$25,000 was set aside to accomplish this portion of the contract. As a result, the consultant for GovHR-USA has agreed to conduct a meeting with the general public immediately following any meetings held with Council and members of City staff. However, in the event Council believes these public meetings are inadequate and do not provide the level of engagement deemed necessary, Councilmember Carr asked Council if they would give consideration to making an amendment to the contract at the point in time it becomes apparent? *(All members expressed their concurrence with the proposal.)*

Councilmember Carr made a motion that Council authorize any additional public meetings they deem necessary to ensure robust participation, as long as doing so does not impact the initial costs allocated within the contract. The motion was seconded by Councilmember Glickert and the motion carried unanimously.

O. CITIZEN PARTICIPATION (continued if needed)

Gloria Nickerson, 7576 Blackberry, University City, MO

Ms. Nickerson posed the following questions to Council and staff:

- Does the City still have a phone number citizens can call when they experience flooding?
- Does the City have any records to determine how many citizens have a grinder top in their yard furnished by MSD? *(Ms. Nickerson stated that Thursday, May 4th represented her eighth experience with flooding.)*
- Does the City have any records to determine the number of homeless people living in U City?
- Does U City offer any type of services for the homeless?

Ms. Nickerson stated she had been provided with a list of missing persons and was amazed to learn that there were nineteen people from U City who have been reported missing from 2014 through March of 2017. She then questioned whether there was anyone she could contact to determine whether these individuals have been found of if they are still missing?

Bobette Patton, 8639 Spoon Drive, University City, MO

Ms. Patton stated last week she received a message from Councilmember Carr, who even though she was out of town, cared enough to contact her and ask whether U City had experienced any flooding. She stated that she used to live in Ward 2, and never saw or heard from Councilmember Glickert when residents in that area experienced flooding in their homes.

Ms. Patton stated that she purchased another home in U City because she wants to live here, but Council has to do better because these people need to be protected and helped.

P. COUNCIL COMMENTS

Councilmember Jennings stated he has been pro-development on Olive for many years and actually runs a small construction company that completed two projects in this area. Council voted to move forward with this development through the issuance of an RFP to 41 developers which yielded only one response. This is concerning to him, especially in light of all the development taking place in St. Louis. He stated although he would certainly like to see the City move forward with this project, he would ask everyone to be very cautious when reviewing this proposal. This is his home; his community, and while he is excited about the possibilities, there is also a need to make certain that this redevelopment provides the best outcome for all involved.

Councilmember Jennings stated that after discussing this idea with Councilmember Smotherson, he believes they are in agreement with asking the Interim City Manager and the Department of Community Development to investigate the possibility of issuing an RFP for the corner of Midland and Olive, with a goal of bringing other interested parties to the table.

Councilmember Jennings invited everyone to come out and support the juniors and seniors of U City High School who are sponsoring a gun violence prevention panel discussion at the Joylynn Pruitt Media Center on Saturday, May the 13th, at 10 a.m.

Councilmember Smotherson stated the reason he agreed to the RFP for Midland is because he thinks it is important to publicly announce what is being offered with respect to this property, which hopefully, will lead to further development.

Councilmember Smotherson stated since this is a public meeting, his belief is that public information should be allowed. So, in light of the new directions that have been outlined at tonight's meeting, he would like to ask Council and the Interim City Manager to give consideration to removing the sign which restricts what can and cannot be placed on the counter here in Chambers.

Councilmember Smotherson stated he would also like Council to give consideration to revisiting the Ordinance associated with the young man who found \$500 and turned it in. He stated that while conducting research on this issue he determined that several cities maintain the same policy of holding unclaimed money for a year and then transferring it into the city's general fund. And so his question is why do cities get to take advantage of monies that are found in these types of situations?

Councilmember Crow thanked everyone for their attendance at tonight's meeting, and in particular, Mr. Roberts and his family. He stated that he hopes everyone knows how much Council appreciates their presence, and wants to make sure there are no surprises with respect to where this Council is headed. When you look at the members of this Council who were either currently elected or reelected to serve, what stands out is that the majority ran on similar platforms, and all won their elections by double digits. So to those residents who expressed a desire for change, he is pleased to note the following accomplishments:

- An Interim City Manager;
- An Interim City Clerk;
- A new City Attorney;
- An ongoing process to select a new City Manager;

- Impending deliberations on a budget that reflects the priorities identified by the residents of this City, and
- An impending review of EMS Outsourcing

In response to citizens' comments, Councilmember Crow stated he agrees wholeheartedly that not everyone on this dais has been treated fairly. He also believes that after all of the things he had outlined are completed, Council must next work to make certain that everyone who comes into this Chamber is treated with respect, and every member of this Council is held to the same standards. Mayor Welsch has made it very clear that *"Since November 2016, the City Manager, and the City Clerk, and the City Attorney, have been dismissed. I have not supported any of these dismissals and I believe they have not been done in the best interest of the residents of the City of University City."* A majority of citizens have also spoken on this issue. Therefore, with the support and encouragement of its citizens Council will be implementing the changes that have been requested in a methodical and professional manner.

Councilmember McMahon stated it would have been great to get more than one response from the RFP. Nevertheless, he is excited because this proposal represents a developer who sees the opportunity that exists at this interchange. So now is not the time to throw roadblocks into exploring this opportunity and doing what needs to be done to make this work. This is an area where the three Wards are the most connected, so it's not just one Ward's issue to get Olive up and running as the next economic engine for U City, it's everybody's issue.

Hopefully, the apology issued on behalf of the City can help heal wounds and bring everyone together as a community that supports the free expression of ideas and the right of people to address their elected officials without fear of being silenced. And hopefully, the City won't be facing further litigation involving someone at a public meeting being silenced when trying to express their political thoughts. Councilmember McMahon stated he would personally like to thank Andrew Roberts for taking action. He didn't just protect his rights he was protecting every citizen's rights; be it the smallest or the most repugnant voice in this community, to ensure they are heard. That's what the First Amendment protects. He stated it is his belief that this Council should make the podium in this Chamber a safe place to speak, where every resident is not worried that their comments might offend someone on this dais or their ideas might put them in jeopardy of being arrested. So thank you, Mr. Roberts, for helping us do our job of making the free debate of ideas strong in U City. As elected officials, he and his colleagues may miss the mark from time to time, but the words, ideas, and opinions uttered by the folks who live here can help get them back on track.

Councilmember Carr stated she too would like to express great excitement about the redevelopment firm who has presented their proposal. Council was given a mandate several years ago, to redevelop Olive, so this is a game-changing opportunity. And hopefully, over the next few months, as additional details are disclosed, the residents of this City will become equally as excited.

Councilmember Carr stated that she also would like to thank Mr. Andrews, who reminded her of something she tries constantly to be reminiscent of; that liberty is something that is very fragile; very fugitive, and dependent upon your leaders, it can disappear in a moment's time. Councilmember Carr stated she is sorry that she did not stand up in Andrew's defense, and would like to apologize for not doing so.

She stated that she, along with several of her colleagues have been subjected to some very harsh critiques. And while she may not like to hear it, she will absolutely defend the right of any citizen to make such an assessment. Councilmember Carr thanked everyone who has continued to come to these meetings in spite of what they have observed, and thanks God, that none of these actions have deterred them from coming back again.

Q. ADJOURNMENT

Mayor Welsch thanked everyone for their attendance and closed the City Council meeting at 7:28 p.m.

LaRette Reese
Interim City Clerk

Apology of the City of University City to Andrew Roberts pursuant to Consent Judgment approved by United States District Judge Audrey G. Flessig

Actions Speak Louder Than Words.

On January 11, 2016 Andrew Roberts was removed from University City Council meeting by order of the mayor, as presiding officer, while he was speaking during the public comment portion of the meeting.

The City of University City, through its City Council wishes to apologize to Mr. Roberts for the way in which he was treated by his own municipal government. As the presiding officer, the mayor's decision to remove Mr. Roberts was in violation of his First Amendment and due process rights, was inconsistent with the Council rule 14, where "Citizen Participation sections of the agenda are designed to allow members of the general public time to express their thoughts and concerns to members of Council, staff and the community at large," and, further, does not represent the values of University City.

To assure that this will never happen again, the City Council has agreed to take the following actions:

The City of University City will cease making a public statement at city council meetings that personal attacks on councilmembers will be ruled out of order.

The City of University City will cease making a public statement at council meetings that councilmembers' motives may not be called into question.

The City of University City wishes to extend an invitation to Mr. Roberts to attend and speak at any future city council meetings without regard for the content of his speech.

The City of University City will no longer allow its presiding officer to remove citizens from a City Council meeting based on the content of their speech.

The City of University City will no longer allow its presiding officer to ban citizen's from attending and speaking at City Council meetings as punishment for the content of their speech.

The City of University City will develop, implement, and enforce a written policy prohibiting content-based restrictions on speech during the public comment period at city council meetings.

The City of University City wishes to express its appreciation for Mr. Roberts' efforts in protecting his First Amendment Rights. Our city prides itself on its openness, inclusivity and respect for its citizens. Clearly, the actions taken on January 11th do not reflect those values. Mr. Roberts has shown that once again, one person can make a difference.

Thank you.

I had hoped that the judge's order, compelled by the intervention of the American Civil Liberties Union, would have served as a message to the Mayor. I thought that, finding herself in opposition to the great protector of the right to free speech, the Mayor might simply have recognized she was in the wrong, acknowledged the fact, and moved on. In retrospect, I'm not sure why I thought that. It has become clear to me that the Mayor will never change.

I was astonished when I read that the Mayor now denies any responsibility for having me removed, under police escort, in retaliation for criticism she just could not handle. It is infuriatingly absurd that she should try to tell us that we did not see what we saw, we did not hear what we heard, and we do not know what is true. Given the Mayor's reverence for Robert's Rules of Order, I thought I'd cite the relevant article.

Article Thirteen, section seventy three, states that, "...when the assembly, either by a rule or by a vote, decides that a certain person shall not remain in the room, it is the duty of the chairperson to enforce the rule of order, using whatever force is necessary to eject the party." I have never objected to allowing the Council to have citizens removed or silenced in certain limited cases, but Robert's Rules (and those of the United States) require that there must be a written rule or a vote to do so: it cannot be done by the executive's whim. It is also clear through Robert's Rules and the rules of common sense that the chairperson (in this case, the Mayor) bears responsibility for removing anyone. If the City Manager did have me removed, he would have been in violation of Robert's Rules.

Furthermore, section seventy three states, "The chairman can detail members to remove the person without calling upon the police." It stresses that only force which is necessary should be employed. I was not disposed in a manner which would suggest to anyone that I would not have left the podium if ordered to, and no force was required to remove me. Instead, the police officers (whose attendance we genuinely appreciate and respect) were summoned to escort me from the premises. ~~██████████~~

Sometimes, I wonder why I still make public statements. I clearly cannot change anything about the Mayor's behaviour. I can't get her to see that what she does in local government does not comport with the larger political views of liberalism she supposedly holds. Despite symbolic electoral losses, judicial decrees, and the outrage she is faced with every fortnight, the Mayor clings to her belief that we are the rabble-rousers, the malcontents, and, bafflingly, Tea Party communists. Perhaps it's a defense

mechanism: if she were to admit to herself how wrong she's been, the public humiliation and personal doubt she would experience would be difficult to bear. I have come to the realization that I do not make these statements for the Mayor to hear.

I am speaking simply to be heard by anyone who will listen. I'm speaking so that the other people who resist this strange autocracy know they are not alone, and that their voices should be heard, too. I am speaking to let the Council know that those members who demonstrate fealty to supremacy of the citizen over the ruler will always have supporters. I started speaking at meetings to protest the outsourcing of emergency services to a for-profit company, but I knew that night that speaking once or twice would not be enough. So I come to Council meetings. I am a face in the crowd to let the Mayor know that we are still watching. We will not forget. And we have justice on our side.

Madam Mayor and Councilmembers,

I want to congratulate my son, Andrew Roberts, and the ACLU for the successful lawsuit brought against Mayor Welsch to defend our 1st Amendment rights in University City. (As a life long member of this community I still find it incredulous that such action was ever necessary!) I want to thank Lisa Hummel and the other dedicated members of this community for their voices and courage to speak "truth to power".

I am, however, shocked that Mayor Welsch is now publicly stating that she did not have Andrew removed from chambers and that she only wishes she had acted more quickly (presumably to prevent his removal). She has placed the blame for this action on Lehman Walker.

Ms. Welsch I would like to remind you of your own words found in the minutes of multiple Council meetings:

Sept 24, 2015

Mayor Welsch obtained a legal opinion from the city's attorney on the limits that she, as the presiding officer of these Council meetings, could impose.....and that U City staff and members of Council are not subject to personal attacks....

She further stated that she will be more forceful in calling residents out of order....and will reserve the right not to call those individuals to the podium at future meetings.

March 28,2016

Mayor Welsch reminded residents and members of Council, that she was the chair of this meeting, and has the authority on whom to call to the podium. She stated that she has repeated these rules meeting after meeting, and Ms. Hummel, Mr. Simmons and Mr. Roberts, have all chosen to ignore them.

April 11, 2016

(Mayor Welsch stated that under her procedure announced at the start of each meeting, Andrew Roberts' actions have excluded him from being allowed to return to the podium

May 23,2016

Study Session meeting

Councilmember Glickert noted that as of late there have been two situations where the chair had to remove two people from the Chamber. He stated the Chair has the right to remove anyone that he or she thinks is disruptive to the meeting.

She said that there was only one time that she actually asked for someone's removal from the Chamber.

Mayor Welsch said that she has only asked one person to be removed so what is being talked about is how willing a speaker is to respect the order of the Chair. Once they are told that personal attacks are not allowed most have changed the way they speak to the Council. She said she has only addressed three speakers; one for going over the time limit and two for personal attacks.

Mayor Welsch said that she was uncomfortable with removal. One of the problems was the speaker continued to speak after being warned of the time expired and that speaker was not removed. She noted that she has only removed one speaker from the Chamber.

Madam Mayor, I ask you what greater personal attack could there be than claiming you are not responsible for Mr. Roberts removal from this Chamber?

The language and tactics used by Donald Trump during the recent Presidential election caused many survivors of physical and emotional abuse to relive their past traumas. The language, authoritarian behavior, attitude and lies were immediately recognized by abused women all over this country.

Mayor Welsch I am one of those women and while my experience took place more than 40 years ago I know abusive behavior when I see or hear it. When you say I didn't hear what I heard or I didn't see what I saw you aren't just lying you are using the language of abuse and the power of your position.

This community knows the truth now and we will not tolerate more lies from any level of government.

Jo Ann Roberts
940 Alanson Dr.
U. City, Mo 63132