



MEETING OF THE CITY COUNCIL  
CITY HALL, Fifth Floor  
6801 Delmar Blvd.  
University City, Missouri 63130  
**June 26, 2017**  
**6:30 p.m.**

- A. MEETING CALLED TO ORDER**
- B. ROLL CALL**
- C. APPROVAL OF AGENDA**
- D. PROCLAMATIONS**
- E. APPROVAL OF MINUTES**
  - 1. June 12, 2017 Study session minutes
  - 2. June 12, 2017 Regular session minutes
- F. APPOINTMENTS to BOARDS & COMMISSIONS**
- G. SWEARING IN to BOARDS & COMMISSIONS**
- H. CITIZEN PARTICIPATION (Total of 15 minutes allowed)**
- I. PUBLIC HEARINGS**
- J. CONSENT AGENDA**
- K. CITY MANAGER'S REPORT**
  - 1. 1500 block of Mendell Dr. – Approve remaining asphalt resurfacing by University City's contractor Ford Asphalt Company  
*VOTE REQUIRED*
- L. UNFINISHED BUSINESS**
  - BILLS*
    - 1. **Bill 9317** - AN ORDINANCE AMENDING CHAPTER 330 OF THE TRAFFIC CODE, TO REVISE TRAFFIC REGULATION AS PROVIDED HEREIN
    - 2. **Bill 9318** – AN ORDINANCE AMENDING SCHEDULE III OF THE TRAFFIC CODE, TO REVISE TRAFFIC REGULATION AS PROVIDED HEREIN

**M. NEW BUSINESS**

*RESOLUTIONS*

1. **RESOLUTION 2017- 8** WASTE REDUCTION GRANT FROM ST. LOUIS COUNTY DEPARTMENT OF HEALTH
2. **RESOLUTION 2017- 9** A RESOLUTION TO ADOPT OF FISCAL YEAR 2018 BUDGET
3. **RESOLUTION 2017-10** A RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A UNIVERSITY CITY STORM WATER TASK FORCE
4. **RESOLUTION 2017-11** A RESOLUTION TO APPROVE COMMITTED FUND RESERVES FOR VARIOUS FUNDS

*BILLS*

5. **Bill 9319** - AN ORDINANCE FIXING THE COMPENSATION TO BE PAID TO CITY OFFICIALS AND EMPLOYEES AS ENUMERATED HEREIN FROM AND AFTER JULY 1, 2017 AND REPEALING ORDINANCE NO. 7012

**N. COUNCIL REPORTS/BUSINESS**

1. Boards and Commission appointments needed
2. Council liaison reports on Boards and Commissions
3. Boards, Commissions and Task Force minutes
4. Other Discussions/Business
  - a. **Council Manager Form of Government: Roles, Duties, Powers pursuant to:**  
Charter Art I Sec. 2, Art. II Sec. 8, Art. III Sec. 19  
Council Rule 31  
Council Rule 32  
Ordinance Sec. 410.260

***Requested by City Councilmembers McMahon and Carr  
Discussion and Vote***

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

**P. COUNCIL COMMENTS**

**Q. ADJOURNMENT**

**UNIVERSITY CITY COUNCIL  
STUDY SESSION**

5th Floor of City Hall  
6801 Delmar  
June 12, 2017  
5:00 p.m.

**MEETING CALLED TO ORDER**

The City Council Study Session was held in Council Chambers on the fifth floor of City Hall, on Monday, June 12, 2017. Mayor Welsch called the Study Session to order at 5:07 p.m. In addition, the following members of Council were present:

Councilmember Rod Jennings; (*Arrived at 5:16 p.m.*)  
Councilmember Paulette Carr  
Councilmember Steven McMahon  
Councilmember Terry Crow  
Councilmember Michael Glickert; (*Arrived at 5:20 p.m.*)  
Councilmember Bwayne Smotherson

Also in attendance was Interim City Manager, Charles Adams; Senior Vice President GovHR USA, Lee Szymborski and City Attorney, John F. Mulligan.

Councilmember Smotherson stated that he would like to amend the agenda to add more time to citizen participation in the first section to allow as many people as possible the opportunity to speak. At least fifth teen additional minutes or whatever Council fills is appropriate. The Mayor asked if would make the motion when the meeting starts.

Hearing no other requests, Mayor Welsch turned the meeting over to the Interim City Manager, Mr. Adams.

**AGENDA**

*(Requested by City Council)*

**1. Discussion regarding the City Manager Search**

Mr. Adams introduced Mr. Lee Szymborski, Senior Vice President for GovHR USA, who was present to review and explain the process and roadmap details for the City Manager search.

Mr. Szymborski thanked Mr. Adams and expressed his appreciation for the opportunity to work with the City. He stated several things would be covered during the meeting including a proposed recruitment calendar to step members through what to expect along the way for the recruitment of the next City Manager. He would then move to the memo that everyone received in advance of the meeting which outlines some of the mains points that he plans to talk about during the discussion. The discussion will fall into three categories; one is to understand from the Council what skills, attributes and background you're looking for in the next City Manager. The second is to understand the community issues; things that you want to make sure we highlight in the recruitment profile, and what we want to let candidates know about. We want to look at community issues both in the short-term and the long-term that we

will bring to the attention of the candidates. And then thirdly we want to talk about organizational issues; again both short-term and long-term issues. Things we want to let candidates know about University City as an organization. Mr. Szymborski said he would be back tomorrow to meet with the department heads to gather similar feedback from them on the points laid out for tonight's discussion, and then tomorrow evening he would conduct the community forum with similar thoughts in mind from the community stakeholders to get as rounded of a picture as possible of the community as well as what skills, background attributes and traits you're looking for in the new City Manager.

The recruitment profile is important because it serves as the touch point that we will keep referring back to throughout this process. Mr. Szymborski plans to distill all the input that is received to understand all the issues and things that are important to highlight and lift up. So as the recruitment process moves along and a portfolio of candidates is presented for consideration, you will be able to compare how the candidate's measure up to what is in the profile. So the profile is a guide for the recruiter but it also a guide for all of you. Early in the process you will receive a draft of the profile to review and agree upon.

Copies of the proposed timeline were handed out. Mr. Szymborski stated the dates are based on what was presented in the proposal to the City. So GovHR said they would be able to accomplish the recruitment from the point of kickoff to when the Council would be ready to make an offer to a candidate in about 12 weeks. The handout is an outline of the steps that will take place during the 12 week timeframe. Then you add to that, which could be an additional 30-60 days before the new City Manager is actually in the seat; because candidates today will typically need to give 1-2 months' notice if they're currently employed. Meeting with all of the stakeholders is the opportunity to gather input and develop the ad for the position and also for the more detailed profile. The plan is to have a draft back to you in time for next Council meeting in two weeks. If necessary he could be available to talk via conference call or skype to check in to see you if concur with profile. The calendar here suggests that once the ad and the profile are complete, the deadline for resumes would be toward the end of July. The idea would be to have interviews soon after Labor Day. In the time between when resumes are due and when he returns to St. Louis, which would be mid-late August, he will be talking to candidates to understand how their resumes actually match up with their experience. He hopes to boil it down to a portfolio of 8-12 candidates for Council to take a closer look. Then he'll come back to walk Council through each of the candidates and provide detailed commentary about his thoughts on each of them. Out of the pool, Council will decide who they want to talk with, typically between 3-6 candidates. He will also help us decide how we want to structure the interview process. Whether it includes a community reception to give the community an opportunity to meet the candidates; that could also include the department heads talking with candidates. All of which could go into the mix of your decision.

In short the calendar suggests that you'll have the recruitment profile within 2 weeks; then the process gets underway. He will return to St. Louis around mid-late August to talk about the candidates and then back again after Labor Day. He asked Council to think about and decide if this is sufficient and to provide him with any feedback.

Mayor Welsh asked for clarification on whether the position would be posted before the draft profile is approved; does the position announcement not talk about the profile? What is usually put in the position announcement? Mr. Szymborski stated the position announcement

is a one page ad, which will also be part of the profile but it's just to get a head start on getting the word out. You will find that it's a quick mini version of the profile. It talks mainly about the community in a one paragraph snapshot, the skills that we want to lift up for example if skills in economic development are important to this body; we will lift that up in the ad. And of course the basics, it will have a copy of the position description for the City Manager, the amount of years of experience and the starting salary range; which he needs to understand tonight if possible. The profile will be much more detailed.

Councilmember Crow asked what the normal response numbers have been in other cities with regard to the resume deadline; is it 50 or 100 responses? And then how many do you comb through typically? Mr. Szymborski stated that a few years ago you could expect a range of 75 to 100; today we have a "candidates market" so we'll see a range of about 40-60. That's because market is very competitive today. Mr. Szymborski tracks one of the main sources of advertising which is the International City Management Association newsletter; it comes out weekly and has grown to several pages.

Councilmember Crow asked if people want to relocate for shorter or longer distances or just not at all? Is there any kind of trend that Council should be aware of?

Mr. Szymborski stated that most likely we will see people from around the region which will make up the majority of the candidate base. We will not see a lot of cross country movement; it's just nature of the beast. It depends on where a person is in both their career and their personal life. It's sometimes hard to get candidates that are mid-way in the career and have a family to relocate. Mr. Szymborski asked if there were any other questions about the calendar? He stated if 60 or so applicants are received for the position he would look at each resumes individually. They are not put through any kind of software application; they look at each resumes very closely. The process is not just advertising but also the old fashion way of getting on the phone and talking to people. The Firm has a pretty wide network to tap into to inquire if people have you taken a look at University City? The City has a great story to tell in terms of the community profile and his job is to highlight that story.

In terms of timing; a few weeks ago he was at the Missouri City Managers Association's summer conference and starting getting the word out there. He will attend the Illinois conference as well as the Wisconsin conference, which will provide an opportunity to get the word out at those conferences as well. Mayor Welsch asked if there were any other questions about the calendar and there none.

Mr. Szymborski referenced the memo outline and stated the three things that he is looking to learn from Council as the following;

1. What background, attributes, skills and traits are important for the next City Manager to have?
2. What are the organizational challenges and opportunities?
3. What are the Community opportunities and challenges both short and long term?

He started in inverse order with what are the community issues that you want make sure get lifted up to candidates?

Councilmember Carr stated the City is in the process of looking at some redevelopment. The City has two major streets; one is Delmar for which the Loop is the premier retail area and the second is Olive Blvd. which is largely untapped, so redevelopment is needed.

The City is currently in discussions about a proposed plan, which is pretty exciting because it's the first large redevelopment to be considered that looks like it has real potential. She thinks it's a good opportunity and a challenge as well. Another right out challenge has to do with something the entire Country is facing right now; and that is the clean water problems. Making sure the sanitary waste is not dumped into the rivers and streams and backs up into basements. We recently received a proposed plan by Metropolitan Sewer District (MSD) that does not at all fit with the vision for the City. MSD is planning to put 2 larger tanks in a very dense populated single-family residential area, so we will be trying to find another solution. Somebody else may want to talk about the School District. The City has a partnership with the School District and also with a large private University. These are challenges and also opportunities because each of these could play positively for the City.

Mr. Szymborski asked if anyone could elaborate more on the clean water issue? Councilmember Carr stated MSD entered into a consent decree; they have about 23 years to comply with the terms of the decree. They are addressing sewage overflow problems right now, but we also have flooding problems in University City especially in Ward 2; where the River Des Peres runs through it. MSD will not be addressing the flooding per se; they are addressing only the sewage. Their proposal is to put 2 large, three plus story tanks into the middle of a very dense populated area; largely inhabited by African Americans. This is a City of diversity, we pride ourselves, in fact we brag about it. We like to consider ourselves inclusive and seek all kinds of diversity. These issues are being addressed with MSD, and the City has indicated that their plan is not acceptable. We are at the beginning of negotiations and could use a strong City Manager to help. Councilmember Carr stated, she "*with great pride*", this is a City where the people who live here feel their two cents is worth five; because it is.

Mayor Welsh stated there are multiple challenges (these are in no special order):

1. The Police department is housed in a temporary facility, that has be changed and do it at a cost that will not be overwhelming for the residents
2. The pension funds (uniformed and non-uniformed) are underfunded by \$11 million
3. Streets, sidewalk and curbs are in need of millions of dollars of repairs before they can get to a level that can be routinely maintained within our regular budget

Residents already consider themselves highly taxed, some feel we're the highest taxed in the region; which we're not, but people feel they are highly taxed. A lot of the work that needs doing in the City; the Capitol work may necessitate tax hikes which will put real pressure on a good portion of the residential population. Tax revenues are not coming as quickly as was hoped this year. In fact the budget is down about \$4 million from when she first came on the Council. The Missouri State Legislator is passing multiple bills that are trying to limit local control on a number of issues that will be an ongoing challenge for the new City Manager. She would like to see the new City Manager get the pay scale for all employees into the top 20% region wide, which was the goal in the past when the budget was more expansive. Not just emergency services personnel but department directors and everyone else. She also believes this a diverse community but it is still divided by race and geography.

Councilmember Jennings thanked Mr. Lee from coming and working with Council. It is imperative that new City Manager have strong communication skills, not only to deal with and keep the Council informed but also to enlist comments and input from staff and other employees. And also to communicate with every group, every class and all residents and their differences no matter what part of the city they're from. It's important that he/or she can deal with the businesses to build strong relationship. The businesses are important because we are a flat revenue land locked inner-suburb that has to be savvy in doing economic development. The Mayor mentioned race, Councilmember Carr mentioned diversity, which are true but University City as well as St. Louis City have to deal with the Delmar Divide and here in University City we also have the Olive Divide. This is not necessarily a bad thing but we have to understand it and deal with the issues around that. They will need to have strong organizational skills and be prepared to explore community policing. One problem with crime in the region is the lack of beat cops; police officers that live in the neighborhood they work in. It used to be that police officers had relationships with the residents, we have gotten away from that as a community and he would like to see more community policing and open government. Some cities have all the things that go in government listed on their websites; with details and statics available to the residents and residents are able to receive responses right away.

Mayor Welsch added that there a lot of vacant and foreclosed homes in the community with a large concentration in one ward, but also in the other two wards as well. She feels this pulls the whole community down.

Councilmember Glickert stated he would agree with all that was stated earlier. He would like to see a City Manager that understands a landlocked community and have the ability to work within that parameter to redevelop. They will need to understand the nuisances and the financial tools that are needed to redevelop. In his experience with City Managers he observed that a lot of them have experience in counties where they have acreage to build, but we do not; we're locked by municipalities on each side of us. We have a definition of ourselves which is much clearer than some others which is a plus, but being landlocked is an issue that he or she will have to deal with. He believes there is some settle gentrification taking place north of Olive. His mother lives there; she's 92 and has lived in the same house for 76 years. Her street the 6700 block of Etzel, has had 3 white families move in and buy the homes. When he was growing there, he and his brothers were the only Caucasians on that street; so there are some good things going on that the new manager should understand. There are positive things that we can build upon which goes back to redevelopment, infill and things of the nature.

Councilmember Jennings mentioned that another group stated banks will not loan money to individual owner occupied situations for anything less than \$50 thousand dollars. For economic development perhaps the new manager to look at ways to encourage banks to provide starter loans for families that want to come to U City and want to be homeowners for less money. Maybe provide improvements monies. It's not a bad thing that landlords and investors are buying, but it does make some gentrification when we really need families embedded in our community.

Councilmember McMahon stated he agreed with many of the comments already made. Regarding people buying new homes where these issues exist, we still need to maintain and allow for different stratifications of our society to be thread throughout the City. So it is a good thing that people are moving in but we don't want to that to the exclusion of other people. We need starter homes, middle of road homes and higher end homes, but none are contained in

one pocket of the City but that we have that diversity spread throughout so that we all share in the new increases and at the same we all share in the help and burden of things that are being spread. That's the focus of the discussion in those areas where we're trying to shift the type of housing in a way that doesn't exclude people. But that it brings them in. Other Cities when faced with these problems, where people had lower income homes; the \$50-75 thousand dollar homes, they get priced out of the City completely. That would be a new problem, where you love the changes but want to make sure we don't lose the openness that U City has, so it's a double-edge sword. Another thing we need to be aware of is returning to a full service emergency services unit. We outsourced our EMS service to a private for-profit company and much of the community was not happy with that decision and we need to look at ways to bring them back. While we might be looking at monetary issues and equipment issues that have to be maintained so that when we pull the trigger we are ready and can handle that situation so that the residents feel comfortable with their safety in their homes and their bodies based upon the services provided. This could be a short-term issue or could take a couple of years, but hopefully sooner than later.

Councilmember Crow thanked the Mayor and stated his comments would be brief. He looked at the previous Cities that Mr. Lee have done recently and U City has a little bit of Ferguson, a little bit of Kirkwood and a little bit of Maryland Heights; so we have a little bit of all three of them and the issues that those communities have faced. Looking at the list; the police station issue has to be addressed in the near term not immediately but in the near term. He agrees with Ms. Welsch that there are number of capital improvements that have needed to be done for some time and we need to be addressing them. However, they may not be able to be done within the current confines of the budget. Speaking of economic development, there has not been a substantive discussion for years on this Council. The opportunity to develop a quadrant of the City that is an entry point by way of massive transportation is very exciting for all of us and likely exciting for a candidate that would like to come here. The candidate should know that we have very engaged and educated Electorate that participates to a strong degree. There have been overflow crowds in the Chamber with over 200 people that have let their opinions be known very clearly rather pro or con. We have a neighborhood partner that is quite large, Washington University; this is both good and has challenges when properties are coming off the roll. But they also do wonderful things for the community and employee a number of our citizens. We are clearly an inner-ring suburb and the location has been key; years ago the folks who came before us designed University City to be a residential community without much of an industrial base. It's made for a beautiful place to live but not for a large tax base going forward. This community has a mix of just about every faith based group you could imagine. Within the state of Missouri we have as big a mix as anyplace. He appreciates Councilmember McMahon bring forth the EMS issue because that issue has been a paramount concern for a number of our citizens. So any candidate will need to hit ground running on that type of an issue.

Mayor Welsh stated she believes the new manager should know and will have a challenge in that the City does not run the School District; it is a separate taxing district. The district has some challenges; it has a board and a superintendent working the meet those challenges. However many people think the district is run by the City but it is not. And the perception of the district, some will argue it's accurate some will not, has been challenging for our community. She is on the other side of the EMS issue than her colleagues. She feels this is one of the challenges that the new manager will be pressed hard to move on this issue and she feels it would put the City in very direr fiscal straits short and long term with the pension plans and with



the quality of care received. The person will have to understand that whatever he/she decides to do, there is going to be pressure within our community.

Councilmember Carr stated regarding a decision such as EMS, it is not the City Manager's purview to make the final decision; it's his purview to recommend and provide all of the information. The Council makes the decision; and Council is a group of seven equals in terms of voting.

The matter is which things have been conducted over the last several years has been such that we have moved away from a Council/Manager government to a strong Mayor/strong manager government. That has been a great source of frustration for her personally and for others in the community. So she wants the new manager to clearly understand the Charter and to act accordingly and provide information to all equally; interacting with all members of Council equally. The job of the Council is to determine the policy and it is the job of the City Manager to decide how to institute that policy and to do it.

Mr. Lee stated he had a few questions on what is a pretty hearty list of issues. *"And of course you want it all to be addressed in the first ninety days...right?"* He heard tonight and hears it from every Council... that communication is vitally important.

**What does strong communication look like...what would be your expectation in terms of how the City Manager keeps you informed and keeps you up to date?**

Councilmember Carr – said she would give a couple of examples of what not, sometimes it's easier to say what not. In the case of EMS, two Council members found out about the outsourcing 48 business hours ahead of time. Whereas the rest of Council fully knew that it was happening; in fact that the contract was put together, etcetera. With regard to the MSD problem, the Council in general found out on May 19 in the Council packet. She would like to see the City Manager communicate the issues on an ongoing basis equally and stays out of politics; which has not always been the case. The longevity (some City Managers were here for 25 years or more), depends upon walking that tight rope and making sure that he or she does not align himself or herself with one group or the other. There will be times when all 7 members disagree and there will be times when it's clearly bifurcated. Communication means in a timely manner, providing as much information and opportunity to question; *"because I ask a great many questions"*. And that the information is provided in a timely accurate complete manner and nothing is withheld. We can add the words transparent and accountable.

Councilmember Crow – stated one of the biggest issues for us that would overshadow so many things is for the City Manager to be apolitical. It is incumbent upon the City Manager to share information with all of Council at the same; not picking and choosing. Because we have been there and clearly we are frustrated. A timely and professional manner of sharing information is something we should all expect and receive. Directors have told citizen groups they didn't need to talk to their Councilmembers but to instead talk with them and then Council is left dealing with citizens who are frustrated because Council was supposed to know about something and they didn't. While we are all very proud of our community we also recognize the reputation that our government, not the school district, but City government has in the boarder St. Louis community. All you have to do is google U City and you will get more video tapes and news articles than you can imagine. He believes that a large part of this could be prevented

with open, transparent sharing of information by the City Manager to all of Council. Council decides policy and then the manager decides the best way to implement it.

Mr. Lee stated that candidates who will look closely at U City and also from the conversations he had with people a few weeks ago at the City Managers conference, confirmed that people do pay attention and will do their own research and they will draw their own conclusions. His job is to put U City in the best light. One question a candidate will ask, especially with a lot of issues that will need to be dealt with, is where should they begin?

**Is there a current strategic plan in place and if not is the Council open to a candidate suggesting doing some strategic planning giving the robust list of issues?**

Councilmember Glickert stated Council has done some strategic planning in the past, but not as much recently. For the sake of Councilmembers understanding each other this would be something that we should want to get back to doing again.

Councilmember McMahon stated communication is a subset of trust. The goal for all members of Council is to be able to trust what their City Manager tells them; so they go out to the community and have everyone doing the job of selling University City and making sure the residents have the information because that's who we all work for; whether its staff, City Manager or Councilmembers. He vision on communication is that everyone is given what is needed to do what is right for the residents. Nobody on Council is trying to harm U City, we all carry the same burden and communication with the City Manager helps us do that. We should be open to strategic; that might be why the list of issues is so long.

Mayor Welsch stated one of the things she liked that Mr. Walker started was the Council Brief that was sent out every couple weeks. It lists all the things that are going on in every department; the department heads put it together and the City Manager's office consolidates it for distribution. This gave her much better understanding of what was going on and she had never seen that before. She stated she had been on Council under a previous City Manager's administration and there was nothing like that. He also continued with the weekly crime reports, which she thinks is beneficial. She would like to see an open door policy for all members of Council. She happens to be in the office 4 days a week and would see different members of Council coming in regularly, some almost weekly to sit down with the City Manager which she thinks is good. The City Manager needs to be open to that and she would encourage all members of Council to do that. She appreciated being updated on everything that goes out. She disagrees with her colleague in that she does not think there was so much communicating with only one member of Council as other members believe there was. The City Manager has to speak on many issues and shares it all with Council. She wants to know what is going on in the whole city and that's why the briefs have been good. They should also understand that communication extends beyond City Hall out to the residents; we have the ROARS newsletter and she hopes it or something like it continue under the new City Manager. It is currently mailed to every household and business in University City every 6-7 weeks which we never had before. There used to be a tabloid that went out 4 times a year and was basically a PR rag for the departments. ROARS provides more updated information to the residents and she hopes the new manager understands that type of need.

Councilmember Crow stated based the calendar that indicates the manager would come around mid-October/November which is about 5-6 months from the time when there will be a whole new election cycle when a majority of this Council is up. This person is coming right as

things will heat up more so than they have been so it will be an interesting time. He said he can't state enough that there has to be an opportunity to restore the creditability of City Hall. Speaking of ROARS... you can read it and determine how it was used for good or not. You can tell that we are not all necessarily on the same page. Mr. Crow said it would good for Mr. Lee to spend some time with the Interim City Manager to determine how the priorities have been set since he came on board in November. There has been a level of candor and understanding, not only amongst the Council but a clearly delineated data stream from Council as to where we are, where we're going and how the steps are implemented. There really haven't been surprises. He appreciates getting details from department heads, but this board isn't about the details from departments but more about making policy and not having surprises. The goal since Mr. Adams stepped into the position has been to make sure there are no surprises, that we are moving forward and that we list out to the residents ahead of time what they should expect, what the priorities are and the direction we're heading. If residents think we're heading down the wrong pathway, please let Council know. We really don't want 200 people showing up to protest about something they just found out about 48 hours before. This is not good government.

Councilmember Carr stated she is the keeper of the records and many of her colleagues would agree. The Council briefs were started by Julie Feier; she has copies of the ones that Ms. Feirer put out. She too is of the mind of wanting to know what is going. Regarding the question about strategic planning, which this Council does not do; we have not had a Comprehensive City Plan since 2005. There have been some addendums to it and some tinkering around the ends. We have been in the process for the 2 years, even hired a consultant to help us put out a strategic Comprehensive Plan but have been unable to bring it home. That speaks to management and we desperately need it. We can sit around and do the kumbaya here but we need the vision, the action and the guidance of a professional City Manager who knows where he or she can go. The strategic plans on all levels are missing which includes something to with the storm water masterplan.

Councilmember Jennings said Councilmember Carr mentioned the word kumbaya, he hopes to have someone who is strong enough to keep us focused on policy, working together on serving and to help us stay above the fray that we've been involved in before. They should help us take our service to a new level collectively.

**Mr. Lee asked if someone could elaborate on housing and community diversity. Does the Council currently have initiatives on the agenda to address any of the issues?**

Councilmember Jennings stated when he came to University City there was a stellar group called the University City Residential Services. They knew about every vacant property, provided resources for mortgage lenders and real estate agents and that helped. They took data and knew exactly what was going on in the neighborhoods and he believes it was created to level the field to help those who weren't being welcomed readily. It was a way, a path to get into the community; he would like to see initiatives like that again. There may be some organizations maybe some churches but as whole we could do a better job to stabilize the neighborhood. To let the investors know that using University City as tax shelter, buying up property and pulling all the money out and putting any kind of tenant in the home; that we're not happy with that. We would like to see them do business a better way in University City.

Councilmember Carr stated the recession of 2008 hit the City pretty hard; especially in the third ward where we had some of the smaller and lower priced homes and also where many

seniors live. Many of those houses were vacated, at the same time the price of those homes dropped to below \$50 thousand dollars. There is a study that was brought to Councilmember Smotherson by a group called WIT, where they looked at the third ward in particular regarding banking, services and schools, all of the things that go into making a community. With prices below \$50 thousand dollars, banks will not make loans and so it's the cash investor that comes in and buys homes for \$20 thousand, puts a couple of thousand back into property and then rents people into for \$800 a month or so. There is a sense of destabilization in these neighborhoods. WIT is a not-for profit group, they've already incorporated themselves and they are willing to work with the City. There are other groups that come in and take over delict properties and renovate them and resell them. These are resources that we as a City need to evaluate and take advantage of. She is pleased to see the millennials coming into these areas. Her son is one and it seems that they are willing to buy whereas before they were not. The City is ripe for this transition if millennials can actually get loans. This group has also worked with HUD. What we don't want to do, because we know this area is vulnerable, is encourage more low income projects in that area because that will only further depress the area. We would like to see more of a mix of residential types rather than excluding one. Ward 2 is a perfect mix of ward 1 and ward 3, with some pricy homes, some less pricy homes and some that experience the same things that you see in ward 3; where the value becomes so depressed that they become targets for rental as opposed to owner occupied. Ward 1 is fairly stable with moderate to higher income residences.

Mayor Welsch stated the City has a vacant home registry that was sent up a number of years ago. So we at least have someone within 50 miles of University City that we can call when we have problems with vacant properties. It might be more of a challenge with the foreclosed homes because we don't know who owns them. We have worked Beyond Housing and Habitat for Humanity in renovating homes that already exist as well as working with St. Louis County in paying off the liens on the properties from St. Louis County and working the non-profits to build new homes. There's a grant program, for which there is a public hearing tonight on the Community Development Block Grant; some of this money is targeting to expand the grant program to help qualified residents do some repairs and maintenance on their homes. The City has spoken a number of developers over the years to come up ideas of how they might work with current homes or the properties under those homes to do other developments. She would like to us move forward with that. She hopes the new manager understands this is a drawdown on the whole City not just the properties where the homes are located.

Councilmember Glickert stated Habitat for Humanity has come in and done some extensive work in the third ward. The question of what has the City done regarding real estate, we work with organization like Habitat because we're not really in the realtor business but we can tap in to those resources that are there. The first and second ward's pretty much run on their own. The third ward has a lot of properties that are in foreclosure and vacant lands. Habitat for Humanity took on some of the vacant lands and so property was put on those lots. One critical problem is when the houses were built they were 3 bedroom homes. In the third ward we have an inordinate number of 2 bedroom homes; which really suffocates the opportunity for people with families with 2 or 3 kids. He grew up in a 2 bedroom house with 3 boys in 1 bedroom. But this is an issue in the third ward.

**Mr. Lee asked that the discussion move to issues inside the organization. Regarding the issue raised by the Mayor regarding the compensation and classification system.**

Mayor Welsch stated when she was first on the Council which was back 2002 to 2006, they would do a review every year or every other year and the goal was to have all of the positions, the compensation to be at a level that was in the top 20% to other comparable positions in the region. When the economic downturn happened she was not on the Council and not around when City staff and the previous City Manager first started dealing with the challenges. But when she came back on Council in 2010, the City was not able to raise the employee salaries for 3 or 4 years in a row. Then we raised it 2% for last couple of years, so we have gone down a bit in the region. But we had to do that to maintain the fiscal health of the City at that time, but she hopes that we can move back up again because it's beneficial. There was story in Post-Dispatch a week or so ago on the highest average pay of municipal employees in the region and U City was number 10 or in the top 10, so we're still up there but could be a little higher.

Councilmember Carr stated she agreed and would like to see the employees paid fairly and well compensated for the jobs they do because that helps in retention. But what's happened over the last few years is that positions have been eliminated. So not only was there a freeze for 4 years but positions were eliminated which meant that the job responsibilities for each remaining person grew and again the compensation didn't quite keep up. So we need a professional to take a look at it to see what was done in the last 7 or so years needs to be examined not in terms of pointing fingers but in terms of fixing the problem. At one point the Mayor talked about raising the compensation for firefighters and several years they were talking about not doing that and accusing the firefighters of demanding too much. We have 2 unions, the police and fire unions and other than that all employees are non-union. Up until the last few years she believes people felt they were fairly compensated, there wasn't a lot of turnover. She is not in the position to evaluate each employee because they work for the City Manager.

Mayor Welsch said she believes if we can afford 2% for 90% of the employees, we give it to 100%. Her disagreement was we should give one group 2% and another 10%; which was requested. We should treat them all fairly. We did go through a reorganization, which she thinks was badly needed. 2008 hit us just as hard as it hit every other city in the country; we weathered it better than many but it was not easy. It did involve reorganization and some layoffs but some just not filling jobs that opened up.

Councilmember McMahan stated compensation isn't the only thing you must deal with when you're dealing with the classified and the unclassified workforce here in University City. When these disagreements about compensation and the City Manager allows that to become a disagreement internally between the different groups; it causes moral problems and that's a big issue. It became a political issue especially when it dealt with EMS and firefighters. The City Manager has to be able to steer that ship through that so that it doesn't affect the employees that touchstone to the residents in the community. It's a bigger picture than just the dollars in their pocket because there's dollars other places and these good hardworking people do leave for other jobs; so it's not like they can't do something else. They are hard workers and good people so want to keep them here but it's not just money that keeps them here. It's important that we focus on the morale that goes beyond how much a person took home the previous year. The City Manager has to be cognizant of because in the past that has been overlooked when we were focusing on dollars and not people.

**Mr. Lee asked if the City has looked at the workforce demographics in terms of will there be a wave of retirements within the next 5 or 10 years in the workforce in general and among department heads? Public sector workforces tend to be older than private**

**sector; does U City's workforce reflect that trend and is that something we need to make the new manager aware of in terms of transitions and preparing for the future workforce?**

Mayor Welsch stated the previous City Manager was aware and working towards that and if you look at his hires for instance in public works and parks, the one director knew he would only be here 3 or 4 years because he was nearing retirement. The next person down was a much younger director who has longevity. She believes he was aware of that in all of the departments'. When she talked with Mr. Walker in their meetings, he said they have to build bench strength which he did not feel was there when he came.

Councilmember Carr stated we have an older chief in the fire department that would need to be looked at. We have loss not in terms of directors but the next couple of levels down, so there has been some turnover so it's right for reorganization or for refilling.

Mayor Welsch stated we have lost some people since November. She informed everyone there is about 6 minutes left and just about time to wrap up to be in place for the 6:30 meeting.

**Mr. Lee stated with all that we have on the list, issues both internal and external, he heard some of the traits that we say are important, is there anything else that he needs to understand in terms of the skills and abilities for the next City Manager?** He has noted that we have redevelopment issues, so we are looking for someone with experience or at least a good working knowledge in that area. What else?

Mayor Welsch would like a City Manager that has a Master's in Public Administration, who's resumes shows that they have steadily moved up the ladder and has worked in more than 1 department within the city although that's not mandatory. They should be able to provide concrete examples of challenges in the past and how they met those challenges. She doesn't think that having City Manager experience is mandatory if they have expansive experience in municipal government and is ready to make that step. People take the first step at some point, but they need the willingness and enthusiasm because it's not going to an easy job.

Councilmember Carr stated the City Manager should be a people person because they've got a lot people to interact with. And they need to have City Manager experience; the last 2 City Managers did not and neither one of them survived for a period of time. Because we are in a sense in a crisis, we need someone that can step in and help us get back on track. The compensation should be fair and in line with other municipalities in this area.

Mayor Welsch stated that she's been told that a City Manager is at his or her best when they're in a community about 8 years. Ms. Fierer left quickly, Mr. Walker was here 7 plus years and that was not a short tenure. She is not looking for someone who been here 25 years or who wants to stay 25 years. This job and with many jobs after a certain amount of time, 8 or 10 years, you're just kind of protecting your own legacy and new outlooks are needed.

Councilmember Jennings stated compensation should be tied to regular periodic evaluations. What are other communities doing, can we provide benchmarks, thresholds and incentives for meeting those goals and performance.

Mr. Lee said he would review the salary plan that is already in place to see what the range is also look at the surrounding area because there has been movement lately there's current

data out there that we can look at. He will bring back a draft and give a recommendation for where to advertise salary wise.

Mayor Welsch asked Mr. Lee if he was aware of the pool point of sales situation in St. Louis County? If not perhaps Mr. Adams could have the director of finance explain because some of the recent hires are in point of sales cities and their treasury can be much larger than ours. For instances Maryland Heights has the casino, we don't. The point of sale will help you see what we're dealing with.

## **ADJOURNMENT**

Mayor Welsch adjourned the Study Session at 6:23 p.m.

Larette Reese  
Interim City Clerk

DRAFT

DRAFT



MEETING OF THE CITY COUNCIL  
CITY HALL, Fifth Floor  
6801 Delmar Blvd.  
University City, Missouri 63130  
**June 12, 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, June 12, 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 and City Attorney, John Mulligan.

**C. APPROVAL OF AGENDA**

Councilmember Smotherson requested that an additional 15 minutes be added to the first Citizen Comment section to ensure that all comments are heard and made a part of the public record. It was seconded by Councilmember Glickert and the motion to approve the agenda as amended carried unanimously.

**D. PROCLAMATIONS**

1. Proclamation - Recognizing David White in achieving the rank of Eagle Scout in the Boy Scouts of America, Troop 493 in University City.

Councilmember McMahon made a motion to recognize David White for achieving the rank of Eagle Scout through the reading and issuance of a Proclamation. It was seconded by Councilmember Carr and the motion carried unanimously.

**E. APPROVAL OF MINUTES**

1. May 22, 2017, Study Session minutes were moved by Councilmember Carr, seconded by Councilmember Glickert and the motion carried unanimously.
2. May 22, 2017, Regular Session minutes 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. Lauren Masterson-Rodriguez was sworn into Arts and Letters in the City Clerk's office.

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

**Jeff Hales, 7471 Kingsbury, University City, MO**

Mr. Hales stated he was pleased to see the Town Hall Meeting regarding MSD's proposal and thinks it is important that this Council moves forward together for the benefit of all residents. He stated he is troubled to learn that the former City Manager and the Mayor had not disclosed this information to Council. And although the Mayor has refuted the claim that she received notice of MSD's proposal in November of 2015; during the breakout session at the Town Hall Meeting one of MSD's representatives, Lance LeComb, mentioned that he had talked to the Mayor about this project in 2014. Mr. Hales expressed the importance of communication and noted that the Mayor has an obligation to her colleagues, as well as the public, to address these unresolved issues.

**Mary Ann Zaggy, 6303 McPherson, University City, MO**

Ms. Zaggy stated Council's Declaration of U City's intent to become a Welcoming City, encouraged residents to live out the hospitality to their new neighbors from around the world. As a result, several families have reached out to refugee and immigrant families in the Hodimont Apartment Complex, providing them with support to help improve their lives. These host families; now named Welcome Neighbor STL, would like to propose that U City extends a welcome to these families by offering to waive this summer's entrance fee for the Heman Park Pool. Ms. Zaggy stated after being appraised of management's unwillingness to let these kids play outside, Welcome Neighbor STL viewed this proposal as a plan that not only would provide these kids with an outlet, but lend itself to numerous opportunities for the entire community. Welcoming Neighbor believes U City should continue to lead the way in welcoming refugees and immigrants and that Heman Pool would be the perfect venue for accomplishing that task. Ms. Zaggy thanked Council in advance for their consideration. *(Copies of Ms. Zaggy's letter; which was read in its entirety, were previously provided to the City Manager, Mayor, and members of Council.)*

**Mae Etta Weston, 1595 Mendell, University City, MO**

Ms. Weston stated that in May of 2012 Councilmembers Price and Sharp requested additional funding for street and sidewalk repairs. In June of 2012 City Council approved a 32.3 million dollar budget which included an additional allocation of 1.2 million dollars for street and sidewalk repairs. And throughout this period of time, she has constantly been assured that once MSD's project was complete the City would pay for the necessary repairs. Yet, while leaving her home to attend tonight's meeting, she still found herself swerving to avoid potholes and crumbling asphalt left by MSD. So her questions for Council are;

1. What happened to the approved funding for these repairs?
2. Why has this work still not been completed?
3. When can residents expect to see these repairs made to their street?

Ms. Weston stated she had also been in attendance at the Town Hall Meeting and heard Lance LeComb clearly state that his initial discussion about this project had been with the Mayor.

But she's certain that the Mayor had no idea when this all began that this would be the issue that would unite this fractured City. *"Oh what a tangled web we weave when first we practice to deceive."* For many years and for whatever reason, the 3rd Ward has been collateral damage no matter what plans were hatched.

And this secret plan which appears to be designed to rob people of their homes, health, and their future, is no different. However, this time, residents who are directly impacted, as well as those who are indirectly impacted, will not be dismayed; will not be discouraged, and will not be dismissed.

**Charlene Willis, 1570 Mendell, University City, MO**

Ms. Willis expressed concerns about her current personal property tax assessment; disapproval of MSD's proposed stink tanks, and the dispute between the City and Berra Construction which has left her street in disrepair and accessing her home nearly impossible. Ms. Willis stated to have the beauty of U City taken away by the construction of two sewage storage tanks will not be endured.

**Don Fitz, 720 Harvard, University City, MO**

Mr. Fitz stated flooding is a natural occurrence that has been intentionally exacerbated by the building of levees and cementing over land and it will get worse if it is not properly addressed. So trying to pretend that the construction of two large sewage storage tanks in Ward 3 will solve the problem is not only silly, it avoids the real issue and contributes to the problem. Therefore, he would propose the following:

1. That the City call for an immediate halt to the building of levees and cementing over land;
2. That there be an immediate halt to the construction of new homes and businesses in areas where rivers and streams regularly overflow;
3. Once sewage and toxic waste can be separated from rainwater urban and overflow areas can be utilized for parks and urban gardens;
4. That the utilization of rain barrels be implemented to capture water. *(Although not a total solution, they comprise a serious component of the plan.)*
5. That rain barrels be required on all new residential and commercial construction;
6. That rain barrels be phased into preexisting buildings by offering homeowners free installation and tax breaks, and
7. That engineers and planners go back to school and learn how to remove levies and cemented banks of rivers and streams with minimal disruption to homes and businesses.

Mr. Fitz stated if the City does not take radical steps at this point in time, there will be more storage tanks generating foul odors and multiple leaks. Because if they are unable to stop leaks for something as high profile as the Dakota Access Pipeline, or as dangerous as nuclear waste, then he would suggest that the City not bet money on MSD's assurance that there will be no leaks from these proposed storage tanks.

**Barbara Chicherio, 720 Harvard, University City, MO**

Ms. Chicherio stated after reading Mayor Welsch's recent newsletter and reviewing her May 26<sup>th</sup> memorandum documenting the timeline and synopsis of meetings with MSD, her belief is that the best course of action for MSD's Project Clear is to turn back the clock. Residents are still in a state of shock to learn that the first meeting between the City and MSD took place in January of 2014, and they were told nothing about the plan until May 31, 2017

In fact, Mr. LeComb apologized at the Town Hall Meeting after learning that residents had been in the dark all this time. He reassured everyone that this was not the way the process was supposed to unfold and had no clear understanding of how it had happened.

Ms. Chicherio stated citizens have the right to be brought into the process; have time to learn about the project; research the project, and think about all of their options. And at this point, she is interested in a process that includes the affected citizens. So, she is calling on City Council to demand that the City dial back their timeline on this project and start over. According to the Consent Decree MSD has 23 years to complete their work. So there is plenty of time to give residents the respect they deserve and the same three and a half years the City has had, to learn and make plans. *(Ms. Chicherio asked that a copy of her statement be made a part of the record.)*

### **Sharon Danziger, 7222 Stanford, University City, MO**

Ms. Danziger stated she is vehemently opposed to MSD's plan for above-ground sewage retention tanks for the following reasons:

- Unlike St. Ann and Crestwood, U City's tanks will be located in a residential neighborhood, negatively affecting property values and the City's continuous plan for redevelopment on Olive Blvd.
- The selected site is in well-established predominantly African-American neighborhoods.
- A 40 percent decrease in flooding is not large enough to substantiate the displacement of so many people and disruption of an entire community.

Ms. Danziger then suggested several options:

- That MSD, Missouri/American Water, local municipalities, and citizens, all work together to find a process that has been proven to solve the issue of rainwater flooding;
- That the drainage areas within River Des Peres be cleaned on a regularly scheduled basis, and
- If it is determined that this current plan is necessary, that additional studies be conducted on the use of underground tanks or the placement of above-ground tanks in non-residential areas. *(Ms. Danziger requested that a copy of her statement be made a part of the record.)*

### **Ben Senturia, 7031 Waterman, University City, MO**

Mr. Senturia stated the good news is that he is a member of the U City Action Network who was involved in organizing a public meeting to include the voice of citizens in the process of hiring a new police chief, and the successful passage of Proposition P; a sales tax designated for public safety. The bad news is that there are no prescribed rules or accountability requirements for how these funds should be used. He stated U City is slated to receive in excess of 1 million dollars per year, for numerous years to come, so he is hopeful this administration will be receptive to the idea of developing a model for the use of these funds that can be duplicated in other municipalities. Mr. Senturia stated there are a number of ways this can be accomplished, but one suggestion would be to appoint a committee comprised of representatives from the Police Department and residents to develop recommendations with respect to reporting and prioritized use. Police officers have a strong sense of what their needs are and taxpayers will have an opportunity to weigh-in on what they would like their police department to be.

## I. PUBLIC HEARINGS

### 1. Community Development Block Grant (CDBG)

Mayor Welsch opened the public hearing at 7:11 p.m.

Andrea Riganti, Director of Community Development, stated this public hearing is being conducted in accordance with St. Louis County and Housing and Urban Development requirements for the allocation of Community Development Block Grant Funds. In accordance with those requirements, Ms. Riganti read the following excerpt from the handout provided to Council and placed on the table for those in attendance. *"The National objectives of the Community Development Block Grant funds must be achieved primarily to benefit low and moderate income residents; eliminate slums and blight; alleviate urgent, serious and critical community needs. Eligible activities include: acquisition by a public or private entity; public facility improvements, such as installation of public facilities, streets and sidewalks; land clearance, demolition and removal of buildings; public services, such as a provision of crime prevention; interim assistance for repairing streets and sidewalks; rehabilitation and preservation activities, such as the rehab of residential properties, and subsistence payments for low to moderate income residents for rent and mortgage assistance."*

The City's allocation of CDBG funds from the County is \$103,400. Staff is proposing to use these funds for home rehabilitation and preservation activities; specifically, \$80,000 to supplement St. Louis County's Home Improvement Loan Program, and \$20,400 for home improvements that require immediate attention like plumbing, flooding, et cetera. St. Louis County's Home Improvement Program provides a \$5,000 forgivable loan to income-qualified individuals for essential home improvements and currently has a waiting list of seventy homeowners. Ms. Riganti stated in previous years these funds were used for streets, sidewalks, and crime prevention, therefore, staff's proposal is based on the fact that other resources have been identified to assist with these activities, and there are no resources available for home assistance. Per St. Louis County requirements, Ms. Riganti asked that anyone interested in speaking on behalf of this public hearing sign in for the record.

Mayor Welsch asked if there were any requests to speak on the CDBG funds. Hearing no requests, Mayor Welsch closed the public hearing at 7:15 p.m.

### 2. University City FY2018 Proposed Budget

Mayor Welsch opened the public hearing at 7:15 p.m.

#### Citizen Comments

#### **Margie Diekemper, 839 Gannon, University City, MO**

Ms. Diekemper stated she works in the community as a Board Certified Public Health Nurse Specialist, Certified Geriatric Nurse, senior advocate, and member, of the City's Commission on Senior Issues. However, her comments today reflect her own viewpoint and are not being presented on behalf of the Commission.

Ms. Diekemper stated she is thankful for the positive and progressive policy demonstrated by City administrators and members of Council who have taken two initial steps to make U City more senior friendly; establishment of the Senior Commission and the allocation of funding for a part-time Senior Services Coordinator. However, establishing these initial steps does not constitute a done deal. And as the lead person on this initiative, she strongly believes that the next step would be approval of the Commission's request for \$7,500, to fund ride scholarships for U City seniors and adults with visual impairments through ITN Gateway; Independent Transportation Network.

This \$7,500; which was unanimously approved by the Senior Commission, represents the funds needed to match a Federal Expansion Grant designed to introduce ride-needy seniors and their families to this mode of transportation. Presently there are eighteen communities throughout the U.S. that participate in this not-for-profit venture, which includes St. Charles County. There is also a well-documented survey and demographic data prepared by St. Louis County Planners, which supports their position that transportation services should be a priority for all County municipalities. ITN scholarships would help seniors maintain their activities and independence; is cheaper than a taxi, and is more reliable and efficient than many of the ride services currently available.

Ms. Diekemper stated a community that supports transportation for its residents who cannot or should not drive makes a positive statement about the measure of its concern and ongoing friendliness to all residents. *(Ms. Diekemper asked that her written statement be made a part of the record.)*

### **Mary Adams, 6985 Dartmouth Avenue, University City, MO**

Ms. Adams stated she is here in her capacity as Director of the U City Chamber of Commerce, an independent, non-political, not-for-profit, mission-driven organization, that promotes, supports and attracts businesses for every corner of the City. The Chamber's emergent membership and Board of Directors are composed of business owners and managers that represent the diversity of local industries within multiple business districts. Ms. Adams stated The Chamber has had the honor to work in partnership with the City by managing and successfully growing several economic development projects.

1. Since its inception six years ago **The Taste of U City** has grown in both the number of participating restaurants and attendees and is now a seminal annual event.
2. The first **North and South Block Party** benefitted an underrepresented business district and attracted approximately 1400 attendees. Both of these events support economic and community development by providing critical exposure for small businesses; bringing diverse residents together in celebration, and attracting non-residents who can experience the greatness of U City.
3. **City-Wide Advertising and Marketing** provided a lot of bang for the buck.
  - 24 small businesses received free advertising to promote Shop Small Saturday. Promotional flyers were distributed to 31,000 homes.
  - 18 social media campaigns were developed in October that reached more than 123,000 people; was viewed more than 961,000 times, at less than a third of the average cost of a Facebook impression, and resulted in 73,000 post-engagements.
  - 3 professional videos focusing on the arts, diversity and City amenities, was created featuring several U City businesses. All of these videos depicting U City as a great place to shop, live, and work, can be used in perpetuity. The project also yielded a library of more than 100 professional photographs that can be used for promotional and marketing purposes.
  - U City restaurateurs participating in Taste of U City were featured in four television ads.
  - Banner and audio ads were featured on Channel 4 and ran throughout the day prior to Taste of U City. In addition, print advertising was distributed in the *Post-Dispatch*, *Go Magazine*, *West End Word*, and *Feast* Facebook articles.
  - KMOV 's Great Day St. Louis segment raised awareness and fortified the branding initiatives for the Olive-Link, and can also be used for future marketing campaigns.
  - A Commercial Realtor's Tour was hosted in May for each district on Olive Blvd. The tour showcased Olive as a desirable place for new businesses to settle and informed realtors about the City's incentives.
  - Development of the Olive-Link informational brochure.
  - Revision of the Olive Dining Guide which has now been distributed to every home and business in U City. Future revisions will include a City map.

Ms. Adams stated by virtue of The Chamber's organizational mission to promote economic development, and its demonstrated success for each of these important projects, the Board of Directors and its members trust that Council will find The Chamber to be uniquely qualified to continue building on the momentum created and approve the requested funding, as recommended by the EDRST Board. Ms. Adams thanked Council for their time and encouraged members to inform her if additional information was needed.

**Ken Rice, 8505 Delmar, University City, MO**

Mr. Rice, a resident, small business owner, and current President of the Chamber of Commerce, thanked Council for all of their previous support. He then articulated his rationale for why funding of the three projects mentioned by Ms. Adams is critical to U City's economic development and welfare.

**Liling Wemhoemer, 8409 Gilmore, University City, MO**

Ms. Wemhoemer, a business owner and member of The Chamber of Commerce, stated joining this organization has provided her with a broader understanding and appreciation of why businesses need to connect with one another. The Chamber provides the support that businesses need. Now she is very happy, and her business is booming.

**Edward McCarthy, 7101 Princeton Avenue, University City, MO**

Mr. McCarthy stated although he is here tonight on behalf of the Pension Funds, his first genial request is to ask Council to approve the funding for the Chamber of Commerce.

Secondly, he would request that the City set aside some of the funding it will receive from Prop P for the Pension Funds. These funds now have a deficit of approximately 7 million dollars. Benefit payments total 2 million dollars every year, but the revenue received from taxes only generates 1 million dollars a year. And although income received from investments has on occasion, supplemented this revenue, it is not consistent. Mr. McCarthy stated he believes it is important to fund these pensions and would suggest that 2 to 300,000 of Prop P funds be set aside to address this immediate need.

**Linda Collins-Shaw, 846 Warder Avenue, University City, MO**

Ms. Collins-Shaw stated it has been brought to her attention that Council is now giving consideration to reallocating the \$10,000 originally budgeted for Fair U City, to provide additional funding for street repairs. She stated during her 44 years of residency her street has been paved once and patched three times. So, she is at a loss to understand how \$10,000 will make a difference when the allocation of millions of dollars has only resulted in these miserly improvements? \$10,000 won't make any difference to the City's streets and sidewalks, but it will make a huge difference if it is used to subsidize a fair that engages and encourages families to promote a diverse and fun cultural experience within their community; spawns notoriety; boosts revenue for vendors and businesses, and provides information and resources to fair attendees. But more importantly, Fair U City provides revenue for the upcoming grants that will be implemented under the U City Foundation. So let's keep this money in a place where it will make a difference.

**Patricia McQueen, 1132 George Street, University City, MO**

Ms. McQueen stated with respect to the budget, she would like to see a detailed breakdown of the following line items:

- **Implicit Bias Training for Police** - The type of program being utilized; the cost of the program and the number of times an officer can take this training. Numerous states and municipalities; to include Chesterfield, Creve Coeur, and St. Charles County, have utilized training called "*Fair & Impartial Policing*" which is considered to be the gold standard. The program is directed by Dr. Lorie Fridell of the University of South Florida and Chesterfield received its funding through the U.S. Department of Justice, Office of Community-Oriented Policing Services.

- **Vacant Property Initiatives** - Has members of staff in the Department of Community Development participated in this training now being offered throughout the County? If so, how much does it cost, how many members of staff have attended, and how often is the training provided?
- **Prop P Funding** - Have these funds been allocated for FY2018? If so, greater detail is needed on sales revenue, expenditures, and the City's definition of public safety.

**Ellen Bern, 7001 Washington Avenue, University City, MO**

Ms. Bern stated she served on the EDRST Board for several years and during that time there were very few guidelines. So she is impressed by the evolution of this group who now uses a rubric to professionally evaluate each proposal.

EDRST funds bring in over \$600,000 every year for the purpose of improving U City's business climate; which based on her understanding, City Council generally likes to support. But today, that fund has a balance of over 1 million dollars. So she is really confused as to why City Council would not be in support of the EDRST Board and the projects brought before them for recommendation. In particular, she is referring to the Board's recommendation of \$50,000 for marketing to the Chamber of Commerce, an organization that represents the business community and spurs economic development. As well as, the \$25,000 allocated to the City's budget for marketing; especially after just completing the Commercial Realtor's Tour. Ms. Bern stated she was curious to know whether Council has read the newspaper over the last few years and noticed the type of PR and image being portrayed here in U City, because that fact alone, merely adds to her confusion. Marketing and positive information are the driving factors for why a business or an individual might decide to join the mix and locate within a community. There have been a lot of complaints about the number of vacancies that have existed on Olive for years, and in order to fill those vacancies, U City must demonstrate the strengths of its business community. The Chamber of Commerce has been doing an excellent job in terms of targeting the market in a variety of ways that work. So, she thinks Council should rethink pulling this item from the budget, especially since these are EDRST funds specifically earmarked for the economic development of this City's business community.

In terms of Prop P, Ms. Bern agreed with Mr. Senturia's suggestion to have a public meeting with a variety of stakeholders where healthy discussions can be conducted in a meaningful way to address the growing issues surrounding crime and safety in this community. Her hope is that Council will not go into a back room and decide how to spend 1.6 million dollars on their own.

Mayor Welsch stated Ms. Reese has just handed her a statement from Mary Hart, who had to leave, but asked that her comments be read into the record. *"I would like to voice my recommendation that Council include money in the budget to provide scholarship funding for transportation for seniors and visually impaired adults, who are U City residents. The need for senior transportation has been identified by data as one of the top areas of need and support for seniors."* (Ms. Hart's letter was read in its entirety, attached, and made a part of the record.)

Hearing no additional requests to speak, Mayor Welsch closed the public hearing at 7:52 p.m.

**J. CONSENT AGENDA**

**K. CITY MANAGER'S REPORT**

1. Approve Liquor License for Asian Kitchen.



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

**Ayes:** Councilmember Glickert, Councilmember Smotherson, Councilmember Jennings, Councilmember Carr, Councilmember McMahon, Councilmember Crow and Mayor Welsch.  
**Nays:** None.

## L. UNFINISHED BUSINESS

### *BILLS*

1. **Bill 9316** - AN ORDINANCE AMENDING SECTIONS 400.030, 400.210, 400.220, 400.260, 400.280, 400.320, 400.340, 400.380, 400.390, 400.400, 400.1110, 400.1120 AND 400.1125 OF CHAPTER 400 - ZONING CODE, OF THE UNIVERSITY CITY MUNICIPAL CODE, TO REVISE CERTAIN ATTACHED SINGLE-FAMILY DWELLINGS AND MULTI-FAMILY RESIDENTIAL DEVELOPMENTS AS PROVIDED HEREIN. Bill 9316 was read for the second and third time.

Councilmember Glickert 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 Carr*

1. **BILL 9317** - AN ORDINANCE AMENDING CHAPTER 330 OF THE TRAFFIC CODE, TO REVISE TRAFFIC REGULATION AS PROVIDED HEREIN. Bill 9317 was read for the first time.

*Introduced by Councilmember Glickert*

2. **BILL 9318** - AN ORDINANCE AMENDING SCHEDULE III OF THE TRAFFIC CODE, TO REVISE TRAFFIC REGULATION AS PROVIDED HEREIN. Bill 9318 was read for the first time.

## 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

- a. **Change to Council Rules of Order and Procedure – Rule 14**  
*Requested by City Council*

Councilmember Crow stated the City entered into an agreement with the ACLU, per a Consent Judgment, wherein one of the stipulations contained therein required the City to add supplemental language to Rule 14. This language was drafted by the City Attorney, and states, "*The content of the speech will not be restricted*". Councilmember Crow stated that the addition of this language ensures that the City is now in compliance with the Consent Judgment, and therefore, would make a motion that the supplemental language be added to Rule 14, and enforced accordingly. The motion was seconded by Councilmember Carr and carried unanimously.

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

**Timothy Cusick, 7915 Glenside Place, University City, MO**

Mr. Cusick expressed his dismay and disappointment upon learning of this administration's decision to withhold information concerning the MSD proposed project from residents; specifically, those residents in the 3rd Ward. He stated this is a gross injustice and violation of the trust this public has placed in its government.

**Patricia McQueen, 1132 George Street, University City, MO**

Ms. McQueen stated upon reflection of the May 22nd Study Session, May 31st Town Hall Meeting, and June 8th MSD Board Meeting, what comes to mind is that she showed up. Unlike the Mayor and Councilperson from the 2nd Ward, who have been conspicuously absent. So she would strongly recommend that they attend the June 20th meeting and any future meetings concerning this matter. She stated that based on MSD's proposal to install two, 35-foot storage tanks containing 9.2 million gallons of wastewater in the middle of an old, established residential neighborhood north of Olive Blvd., she would ask that Council and the City Manager draft a written demand asking MSD to provide them with the following information:

1. A large blow-up of the maps displayed at their May 22nd presentation depicting the location of the two sewer lines. These maps should also be made available for residents to review online.
2. A clear definition; in laymen's terms, of their interpretation of "*An option is not feasible,*" along with financial documentation to support their conclusion.
3. That all data, maps, spreadsheets, et cetera, pertaining to this proposal be provided to the City.

Thereafter, she would suggest that Council;

1. Issue an RFP to hire an engineering consulting firm to advise the City, and the Department of Public Works on this matter and help identify other sites and options that may be feasible.
2. Issue an RFP to hire a crisis management firm.
3. Draft explicit questions based on the concerns and demands expressed by residents and deliver them to MSD prior to the June 20th public meeting.

Ms. McQueen stated it should also be made clear that this is the beginning of the conversation and not the end. Implicit bias is shown when decisions are made to disrupt and wipe out an established multicultural neighborhood with a predominately African-American and senior population. And the placement of two huge storage tanks in this neighborhood will disrupt the American process of accumulating wealth and cause the remaining property values to fall. She stated she is proud of the residents who came out to the Town Hall and MSD Board Meetings, each time filling the room to overflow capacity. And she was also impressed by the four layers of government officials; federal, state, county and municipal, who showed up to hear their concerns. (*Ms. McQueen asked that a copy of her comments be made a part of the record.*)

**Carmen Garcia-Ruiz, 987 Warder Avenue, University City, MO**

Ms. Garcia-Ruiz, a member of U City's Action Network, expressed concerns associated with the organization's inability to obtain a copy of the report prepared by a facilitator they had hired to conduct a Town Hall Meeting related to the hiring of a new police chief. This report contained an abstract of the comments/suggestions received by citizens during this meeting; specifically, the call to action for this City's Police Department to implement all segments of the Ferguson Commission Report. She stated that numerous calls have been made to the new Police Chief in an attempt to meet and discuss this issue, however, their requests were denied premised on his belief that he had too many meetings.

Ms. Garcia-Ruiz stated she laid this foundation to emphasize her organization's apprehension with respect to tomorrow's public forum on the hiring of a new City Manager. As a result, members would strongly urge Council to take the comments from citizens seriously, and that the process is viewed as an opportunity to garner meaningful participation, rather than insignificant chatter.

On a personal note, Ms. Garcia-Ruiz stated this process should not be used as a weapon for either faction and believes that the allowance of citizen participation will help minimize the recriminations and factional politics that have been reflecting poorly on this community.

**Jan Adams, 7150 Cambridge Avenue, University City, MO**

Ms. Adams stated the meeting held at Heman Community Center on May 31st regarding the MSD proposal was an illegal meeting.

1. The notice of the meeting did not comply with the City Charter or the Sunshine Laws.
2. There was no official recording or minutes.
3. The three members of Council who claimed to have sponsored the meeting did not follow Council Rules for how a meeting should be conducted.

Ms. Adams stated initially she could not understand why this new majority of Council would risk further sanctions for conducting such an illegal meeting. But it took only a few minutes to learn that their intention was to scapegoat the Mayor; asserting that they had no prior knowledge of MSD's proposed activities, but the Mayor and Former City Manager had knowledge and intentionally withheld the information from them. But, does MSD's notification of this well-publicized Federal Court Consent Decree directing them to formulate a plan for remedial work on sewer pipes within City limits; which all members of Council should have been aware of, translate into the Mayor possessing and withholding knowledge about their plans to put two storage tanks in a residential area? These three members of Council have created a false political narrative to cover their own lack of due diligence and should be ashamed for engaging in fear mongering for the sake of political theater.

Councilmember McMahan claimed that Lehman Walker should have told him. Yet, Councilmember McMahan voted to suspend Mr. Walker the very day he was sworn into office. Councilmember McMahan also reported that MSD had asked Council to schedule a closed session to discuss their plans several weeks prior to the May 29th Study Session, but they were prohibited from doing so because of Sunshine Laws. But on the other hand, Councilmember McMahan has attended fourteen closed sessions since being sworn in on November 28th.

Councilmember Carr alternates between saying the Mayor has no special authority or position over Council; she is one person with a few ceremonial duties, to now saying this is all the Mayor's fault. Councilmember Carr represented in her newsletter that key personnel had been replaced. However, the Acting City Manager and City Clerk are merely placeholders. They have no special education; no special training or expertise in these areas, and that, in and of itself has resulted in numerous problems.

This new Council majority cannot avoid their responsibilities to its taxpayers. The buck stops with them. *(Ms. Adams asked that her written comments be made a part of the record.)*

Mayor Welsch stated Ms. Reese had presented her with another note from Mary Hart, of 6901 Cornell, which she asked to be read into the record. *"I want to voice my opposition to MSD's Clear Project to build two massive storage tanks in the middle of one of our neighborhoods in U City. This is clearly an environmental injustice issue and will have an extremely negative impact in that neighborhood and beyond. MSD needs to work with residents, Council, and staff, to develop a plan that has resident approval".*

**Sonya Pointer, 8039 Canton Avenue, University City, MO**

Ms. Pointer expressed her opposition to MSD's proposal for storage tanks in the 3rd Ward. Sewage is a toxic waste and should never be in a residential area. So the installation of these tanks will impact their quality of life, their health, and destroy their neighborhood. Ms. Pointer stated she was very disappointed in the members of Council who had not been in attendance at these meetings, and believes both the Mayor and Councilmember Glickert, owes citizens an explanation for their actions. And while she is thankful for the five members who demonstrated a sense of solidarity, there is still a need to address U City's fragmented government that continues to be a topic of discussion for the media and residents.

**Byron Price, 1520 Seventy-Eighth Street, University City, MO**

Mr. Price stated he has been a resident of U City for 38 years and cannot remember anything having such a dramatic Impact as this proposal, which affects schools, business districts, pending redevelopment projects, the City's revenue and the health and safety of their residents. There is nothing in MSD's Consent Decree with the EPA that mandates MSD to destroy a neighborhood, and that's exactly what will happen if they are allowed to place storage tanks filled with toxic raw sewage 500 meters away from an elementary school. People that can afford to leave will leave. Speculators will start buying and selling property and your once stable neighborhood suddenly becomes destabilized. Mr. Price stated he was also astounded by how all of this unfolded. Did MSD really show up at a Study Session and give Council three weeks to make a recommendation? Well, if that's the case, his hope is that Council sends back a direct vote of no.

**Jan Adams, 7150 Cambridge Avenue, University City, MO**

Ms. Adams stated that in spite of being reminded of an agreement with the State Auditor the new Council majority failed to issue a Request for Quotation (RFQ), and authorized the Acting City Manager to hire John Mulligan as City Attorney. In essence, conducting the same egregious act they complained about in 2010 when Lehman Walker was hired without an RFQ and citizen input. Mr. Mulligan's Retainer Agreement is \$100.00 more than the last agreement and grants him the authority to hire additional lawyers, experts, consultants, and paralegals, with no checks and balances. And if she understood Councilmember Carr's comments during the last Council Meeting, her suggestion was to grant Mr. Mulligan authorization to conduct research, negotiations, or whatever it takes to challenge MSD's proposal. However, the last time this City barred no expense challenging the validity of Social House, the legal bill was over \$400,000.

Ms. Adams then provided the following litigation status report:

- An Amended Petition has been filed by Lehman Walker, adding a new claim regarding Council's decision to fire him in a closed session.

- And since his contract states, "*Termination shall occur if and when the majority of the governing body votes to terminate him at a duly authorized public meeting,*" more than likely, the City will end up paying Mr. Walker close to half a million dollars.
- The Petition filed by Former City Clerk, Joyce Pumm, alleges facts that go far beyond defamation and discrimination, and may well result in the City being sanctioned for numerous Sunshine Law violations. Specifically, Ms. Pumm alleges that John Mulligan instructed Charles Adams to withhold documents that she; (Ms. Adams) had requested, to ensure they were not in her possession until after the pending court date. Ms. Adams reported that her case; which was filed to prevent the use of taxpayer money for the defense of personal claims against individual Councilmembers has not been decided on the merits. The Court opined that the allegations contained in the Petition did not represent the type of emergency warranting an injunction, in that it involved money that could be recovered if, in fact, it is deemed to have been misappropriated.
- The Diekemper case which asked the Court to declare a date for the expiration of Councilmember McMahan's term was dismissed on procedural grounds prior to the Court's determination on the date of expiration. The Judge ruled that since the case had been filed prior to May 1st, Plaintiffs must re-file; which she understands they will be done in the near future. Ms. Adams stated what she also finds astounding is that during the period when John Mulligan was acting as Special Counsel, he argued that if citizens wanted to challenge the validity of Steve McMahan being allowed to serve on Council after April 30th; they would have to file a quo warranto action. So this next round of litigation falls on the shoulders of Mr. Mulligan.

Ms. Adams stated under the Charter's current organizational structure taxpayers are paying for legal services which are not in their best interest, and this needs to be changed. (Ms. Adams asked that her written comments be made a part of the record.)

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

Ms. Holly stated the 8100 block of Teasdale Avenue is one of the projects identified as a priority in the Public Works and Parks' capital improvement budget, and the benefit of this project is twofold. First, it addresses the issue of stormwater management needed to eliminate significant erosion of the road and damage to property on several streets. MSD's replacement of the combined stormwater sanitary line with a larger sanitary-only line and the removal of residential downspouts within the last two years have only added to the existing stormwater. Now there are deep puddles at the intersection of Teasdale and Westview in warm weather and patches of ice in cold weather.

Secondly, it addresses the issue of the condition of the pavement on the Teasdale, which is considered unimproved. The Safety Pacer Scale; a nationally recognized 10 point rating scale for the condition of pavement, rates the 8100 block of Teasdale as a one (1). And although the condition of the street prior to the work performed by MSD was poor, the heavy trucks required to complete this project have exacerbated the street's deterioration. As a result, pedestrians, consisting mainly of families with small children and neighbors with significant visual impairments, are now being forced to walk further into the flow of traffic. Ms. Holly stated the residents of the 8100 block of Teasdale understand the value of this project and are looking to Council to maintain these improvements as a priority in the Public Works and Parks' capital improvement budget.

**Jeff Hales, 7471 Kingsbury, University City, MO**

Mr. Hales expressed thoughts about the comments made by Ms. Adams regarding the extent of the Mayor's knowledge with respect to MSD; the litigation status report; which he believes can be attributed to Lehman Walker, along with the City's new general liability deductible of \$150,000. He stated an additional waste of taxpayer dollars can be found by simply looking out the window at the trailer park which now constitutes the Police Station. All because the previous administration did not maintain the City's infrastructure. So he is thankful for Council's fortitude to alleviate the source of these problems, and even more grateful for the presence of Mr. Adams and Mr. Mulligan.

**Gregory Pace, 7171 Westmoreland, University City, MO**

Mr. Pace reminded everyone about a small public works project called MetroLink. Not only was it a major inconvenience for several years, but there is a high level of probability that the extreme vibrations from the work being performed by the heavy pieces of equipment caused micro-cracks in the external walls of his masonry home.

So while he is absolutely in line with the folks who are in opposition to the installation of these tanks, they are not the only ones who have had to suffer as a result of similar projects that have occurred in U City.

**P. COUNCIL COMMENTS**

Councilmember Jennings stated for the sake of Mr. Price, he would like to clarify that the only options presented to Council on May 22nd, were limited to two choices, Plan A or Plan B, which in his mind, equated to a recommendation that preyed on a predominately Black community. So there was no opportunity to vote either up or down. And while his statements are not meant to be divisive, he loves the 3rd Ward, and his only desire is to protect this community which he grew up being a part of.

Councilmember Jennings stated for Council to look back in an attempt to assess blame for these actions, serves no purpose. Because at this stage of the game importance should be placed on the ability of this community to come together and demonstrate a strong, unified front in opposition to the location of these storage tanks. Going forward, Council must utilize a full court press to stop MSD, either by guilt, shame or whatever it takes, to ensure that those tanks are not built in any neighborhood within U City. And in order to accomplish that task, his hope is that every resident will make coming to the aid of the 3rd Ward a priority.

Councilmember Smotherson informed Ms. Weston he believed that it was important for residents to be provided with an explanation from staff as to why their street has not been paved. And as a result, he had emailed the City Manager asking that a public forum be held on her block, where not only could these answers be provided, but the new issue of water runoff could also be identified and addressed prior to the advent of any paving.

Councilmember Smotherson stated he would not only agree with Mr. Price's statement but add to its propensity by acknowledging that this is the most impactful proposal he has seen in his 50+ years as a resident of U City. So he certainly wanted to thank everyone who attended the May 31st and June 8th meetings and would encourage the same or greater response to the upcoming meeting on June 20th.

Councilmember Smotherson stated he believes there is some validity to having someone who understands MSD's engineering process on board and would be interested in hearing Mr. Adams thoughts about the need to hire such an individual. He stated that he also would be interested in learning whether the questions previously submitted to MSD by Council would be answered at the June 20th meeting.

Councilmember Smotherson stated he would like to reinforce the fact that it has never been Council's intent to mislead anyone. So the statement regarding Council's failure to perform due diligence with respect to this project seems a little unfair. He stated although the information provided to residents may not have been pretty, it is an accurate representation of what MSD provided to Council, which was substantiated by Sinan's comments during the Focus Group meeting that he had been directed not to discuss this project with anyone. So, for the record, he believes that Council, as well as residents, should be provided with an opportunity to gain a clear understanding of what the Mayor knew, when she knew it, and why no one was apprised of this information prior to May 22nd.

Councilmember Crow stated in response to this morning's *Post-Dispatch* survey regarding pay for City police officers, he thinks it would be beneficial for Council to see exactly where its officers stand in comparison to neighboring communities in terms of the salaries and benefits being offered. And as the City continues to see more and more homes popping up that do not appear to be in compliance with the quality of construction or aesthetics of neighboring properties, he would also be interested in learning about when and why the In-Fill Review Board was eliminated.

Councilmember Crow stated he would like to reassure everyone that the process of hiring a new City Manager would entail a broad search, and be as transparent as possible. He stated that he recognizes the need to restore confidence in this building, so if any resident believes citizen participation has been negated in some manner, please feel free to email or call any member of Council and inform them of your concerns.

Councilmember Crow stated at this point, it appears as though Fair U City is the only entity that has complied with the City's request to submit a copy of their budget to be used in conjunction with Council's determinations associated with the FY2018 budget. And without the submission of this information, he does not feel the need to defend any position he might take with respect to U City in Bloom, The Chamber of Commerce or any other government-funded entity. Councilmember Crow advised Ms. Holly that she could rest assured that Teasdale was still a priority, and he, himself, would be shocked if this project was not fully funded.

To the regular attendee who gives far more legal advice than anyone else he knows, Councilmember Crow stated he is always utterly amazed at her track record. And in his opinion, no one should be surprised by the number of Executive Sessions that have been held, since this Council has had to move through legal, personnel and real estate matters in an attempt to get things done and move forward. He stated with respect to marketing and the City's reputation, everyone is living through and trying to recover from the actions taken by several members of this administration over the last few years. And no marketing campaign conducted by either The Chamber of Commerce or the City's PR firm, can, on their own, resolve this issue. But on the other hand, he is extremely pleased to see the renewed interest in transparency associated with Prop P and the City's administrative procedures.

Councilmember Crow stated for all three Wards to come out and attend the MSD Town Hall meeting on such short notice was impressive.

And if Council gets sanctioned for that, then so be it. This process has been astounding. But his belief is that moving forward it is the residents of this community that are postured to have the greatest impact. MSD is accustomed to dealing with governmental entities; they are not accustomed to dealing with massive amounts of people coming out in solidarity, not necessarily to kill the project, but to make them rethink it. So he would like to thank this engaged and educated community for doing a phenomenal job.

Councilmember McMahon thanked everyone for coming out tonight to talk about their budget priorities, which is greatly appreciated; especially when Council is being asked to do as much as they can with declining or flat revenues. And he would certainly concur with Councilmember Crow's comments regarding Teasdale being a priority.

Councilmember McMahon stated after the May 22nd Study Session he made the choice to attend MSD's meeting because he believed their intent was to gain approval from the City's elected officials rather than the residents, which was something he wanted to let residents know about. It was also the rationale behind the Town Hall Meeting held on May 31st.

However, with respect to his presentation on the timeline, the information he provided to residents came from a document generated by City staff. And it's still his belief today, as it was at the time of the meeting, that everything he reported from that document was true and accurate. So it was clearly not his intent for this information to be interpreted as anything else, but the truth. And if proper notice was not given to conduct this meeting, perhaps, Council needs to look at changing the current regulations. Because the room was packed with people who wanted to hear from their elected officials and the information provided to them was as much as any member in attendance was privy to. Councilmember McMahon stated it had nothing to do with theater, and everything to do with doing the right thing. Therefore, he is in total agreement with U City's Action Network that if this City is ever going to achieve transparency there must be meaningful participation. Council has been working hard on the implementation of this process and will continue to do so going forward.

Councilmember Carr thanked everyone who came out tonight to talk about anything that was on their mind, especially as it relates to MSD.

She stated one of her constituents talked about Fair U City and the small amount of money the City gives to support this event. However, the truth is that every year since 2011, the City has provided over \$16,000 in in-kind services to Fair U City, which does not include over \$60,000 for electrical services. At some point, we all grow up and leave home, so she is happy to see that the Fair; now known as the Foundation, has successfully reached that point. And while there will probably be a continuation of in-kind services, she is not in favor of allocating the funds being requested by this organization.

Councilmember Carr stated she can honestly say that until she received her packet on the nineteenth of May, she knew nothing about MSD's proposal. In spite of the fact, that she held a Town Hall Meeting on floodproofing in November of 2015, and made numerous requests, on a daily basis for information related to her constituents who were experiencing stormwater issues that in some instances were up to their hips, the City Manager; who was well aware that a massive project associated with flooding was on the horizon, refused to provide her with any information or support. Even as it related to the Director of Public Works being allowed to provide residents with information on Neighborhood Improvement Districts; NID(s).



So here we are today, and although this City is still facing some of the same issues, in the very near future, Council will begin the process of forming a Stormwater Task Force.

Councilmember Carr stated she thinks the strongest voice in the world is the voice of the citizen because she believes citizens have the ability to move mountains that Council is unable to move. U-Citians have consistently been present to inform Council of their needs, which she applauds and stresses the importance of continuing to do so. Even those voices who may espouse a dissenting opinion. In fact, she gives credence to those dissenting voices because it is their First Amendment right to be heard. And as an elected servant, it is her obligation to listen. Councilmember Carr stated to be sure that everyone has a clear understanding going forward; the position of both MSD and EPA is that U City does have spills into its waterways and basement backups that are endangering the health of residents. And somehow this has to be addressed. However this, in her opinion, is a keystone project, in that if they can, in a sense, force the residents of U City to accept this project, they can be successful in convincing other communities to do the same. MSD is willing to listen, but whenever you attempt to challenge a system, there will be pushback. So, while she is unhappy with the turn of events, she is proud of the citizens who have taken a stand; many of whom do not live in the 3rd Ward, to say this solution is not acceptable.

She stated that no matter how long the ride, her belief is that if residents continue to be resilient and work to change the equilibrium, in the end, everyone will come out of this situation with something they can be proud of.

Mayor Welsch made the following announcements:

- The Public meeting to gather citizen input on the search for a new City Manager will be held in these Chambers tomorrow night at 6:30 p.m.
- MSD's public meeting on its proposed project will be held on June 20th, at the Mandarin House Banquet Center located on Olive, at 6:30 p.m.

#### **Q. ADJOURNMENT**

Mayor Welsch thanked everyone for their attendance and closed the City Council meeting at 9:01 p.m.

LaRette Reese  
Interim City Clerk

DRAFT

June 11, 2017

To: City Council of University City

From: Barbara Chicherio, 720 Harvard 63130

Re: MSD Project Clear

After reading Mayor Welsch's recent Newsletter and reviewing her May 26, 2017 Memorandum that documents the timeline and synopsis of meetings with MSD, I believe that the best course of action for Project Clear is to merely turn back the clock.

Just for review-The first meeting with U City staff attending took place in Jan. 2014..

I attended the MSD Trustees' meeting on June 8, 2017 and the breakout meeting that occurred spontaneously on the same date. Lance LaComb chaired this meeting with approximately 40-50 U City residents. We (U City residents) were shocked that we knew nothing about the plan until May 31, 2017. Mr. LaComb stated that he was also completely shocked that the U City residents were in the dark about this project this and that this was not the way the Project Clear process was supposed to unfold. He apologized and said that he did not understand how this could have happened.

At this point I am interested in a process that includes the affected citizens. Since finding out about Project Clear I have felt this sense of urgency and stress as it feels that the project has moved forward w/o citizen participation and that large crucial decisions are going to be made quickly.

This is not fair. U City residents have the right to be brought into the process. We need time to learn about the project, research the project and think of all options.

We (the residents of U City) have been disrespected by being shut out of the Project Clear discussions and meetings. We have very little information about the project. I am calling on the University City Council to demand that MSD dial back their timeline on the project and start over, following a process that includes citizens. Since the first meeting between the city and MSD took place in Jan. 2014, by my calculations that was three and one half years ago. According to the Consent Decree MSD has 23 years to complete the work. That would be 2035. There is plenty of time to give U City residents the respect we deserve, start now and give us three and one half years to meet, learn and make plans.

June 12, 2017  
Sharon Danziger  
7222 Stanford Ave.  
University City, MO 63130  
314-721-2599  
[mrsd@multiplicationremix.com](mailto:mrsd@multiplicationremix.com)

To the University City Council and members of the community,

As a resident of University City I am vehemently opposed to MSD's plans and sites for the above ground sewage retention tanks that are proposed in my city. 1.) MSD's sites are located in residential areas (unlike the sites in St. Ann and Crestwood). 2.) The tanks will negatively affect property values and the city's continuous plan for business development on Olive Boulevard. 3.) Tanks are extremely unsightly in a residential community. 4.) MSD's proposed sites in University City are in predominantly African-American, long-established neighborhoods. 5.) To me, 40% less flooding/backup problems is not a good enough percentage for such a costly project that will displace so many people and disrupt a whole community.

Other options must be considered. First, I would prefer to see resources spent on solving water/flooding issues using proven procedures. MSD and Missouri Water must work together with local municipalities and citizens to ensure this is done. Also, the River Des Peres drainage areas would be less problematic if they were periodically cleaned. (Surely, someone owns machinery to get the job done.) Secondly, if indeed a "tank plan" is necessary, the original plan of underground tanks or tunnels, or above ground tanks in non-residential areas (industrial zones) must be considered.

Thank you for reading my concerns.

Sincerely,



Sharon Danziger

Good Evening Council Members, Mayor Welsch, Mr. Adams. Thank you for this opportunity to speak tonight. My name is Margie Diekemper, I live at 8039 Gannon Avenue in the 1<sup>st</sup> ward. I retired fairly recently after 45 years as a registered nurse – and worked mostly in the community as a board certified public health nurse specialist, certified geriatric nurse and senior advocate. I am the first and immediate past chair of the U. City Commission on Senior Issues and continue to serve as a member in my second term. I am speaking only for myself tonight, not on behalf of the Senior Commission.

1) First of all, let me say how appreciative and thankful I've been as a U. City senior resident for the positive and progressive policy demonstrated by city administrators and council members who have taken two initial steps to make U City more age friendly:

1: The establishment of the Senior Commission – that, in and of itself, has been truly pro-active in the face of our community's changing and aging demographics;

2: Supporting the concept, creation & funding for the Senior Services Coordinator. U. City now has a highly skilled, knowledgeable and energetic person in that part-time position. Every day she listens and documents the needs of U city's seniors and her work reinforces what I have known and advocated for over my years of work with seniors. I guarantee that coming to a Senior Commission meeting and hearing the Coordinator report on her activities will take your breath away. But work is not done and establishing those initial steps in senior services do not constitute a done deal. And that leads me to the request that was submitted for FY2018 funding for the ITN Gateway (Independent Transportation Network) and ride "scholarships" for u city seniors and adults with visual impairments.

2) As the U. City and Senior Commission lead person on ITN Gateway efforts, I have now communicated either in person or by email with all of you about this innovative way in which U. City seniors with ride needs might have this transportation option soon in U. City and the mid-St. Louis County corridor. There is no expectation that U. City will ever again provide a city-funded U. City-only transportation service. This small funding requested - \$7500 - is not a down payment on a van with all the associated costs, or a driver, or free rides for field trips. The dollars requested represent a "jumpstart" for ITN to help match a federal expansion grant and to provide ride-needy U Citians with "scholarships" that will introduce them and their families to ITN's nationally known ride model. ITNAmerica is the largest non-profit senior transportation provider in the country with operations in 18 communities including St. Charles County where since 2010, ITN St. Charles has provided thousands of rides each year. While that ride service in St. Charles leave me somewhat envious of my senior counterparts there, I don't want to live there – I want us in St. Louis County, including U. City, to have the same service. It was my hope that the \$7500 funding proposed for inclusion in the FY2018 budget would contribute to something that would be a real win for U. City. This request was unanimously approved by the Senior Commission.

3) The need for senior transportation beyond rides to doctors and grocery stores and occasional field trips, is well documented in survey & demographic data provided to ITN by St. Louis County planners who have assisted the project. But I have also personally experienced the need and the potential for this service in my professional work with families and in own family. Currently, 2 senior relatives live in the designated ITN service area - my mother in law has already lost the ability to drive and my brother's MIL is not far behind. An ITN would help them maintain their activities and sense of independence, would be cheaper than a taxi, and take them more places and more reliably and efficiently than most of the current senior ride services. Closer to home here in U. City... a good friend of mine has provided rides on a regular basis to 2 senior women who otherwise might not get out much. What a boon a service like ITN would be! And lastly, I just yesterday visited a 67 y.o. friend of mine, who has progressively worsening dementia. She lives in St. Charles County, and soon she and her husband may more and more rely on ITN to help with her transportation needs. While a diagnosis like Alzheimer's most often does not suggest optimism, just the fact that ITN will be available to them is heartening.

A community that supports transportation for its residents who can't or shouldn't drive makes a positive statement about the measure of its concern and ongoing "friendliness" to all residents. I know our U. City budget is tight and there are always difficult funding decisions to make. I see ITN as a win for U. City and, really, a next step in our city's efforts to make this a livable, friendly and supportive community for seniors – us – who want to age in place, spend our money here, and actively participate in social and civic life. I hope you will consider this as a special budget request and it give it careful thought. I would be happy to provide any of you additional information. Thank you very much.

Monday, June 12, 2017

University City Council Meeting

Citizen's Comments

My name is Patricia McQueen and I live at 1132 George Street in the north central Third Ward. I would like to speak on the Metropolitan Sewage District (MSD) proposal as part of complying with the 2011 Consent Decree that was presented to the City Council at their May 22<sup>nd</sup> Study Session. MSD presented two location options to the City Council that will place two 35-foot storage tanks that will hold 9.2 million gallons of wastewater (in other words, sewage, not rainwater overflow) into the middle of an old, established residential neighborhood north of Olive Boulevard, behind Royal Bank.

I attended that study session, the following City Council meeting, the May 31st Town Hall meeting, and the June 8<sup>th</sup> MSD Board Meeting and in prompt to meeting orchestrated by MSD following the citizen's portion of their Board meeting. I am attending tonight at this City Council meeting and will attend the Public Meeting on June 20<sup>th</sup> orchestrated by MSD at the Mandarin House on Olive Boulevard. In other words, I **show up**. I am a Show-Me State citizen and that's what we do, we **Show Up**; unlike our elected Mayor and one City Councilperson from the Second Ward who have been very conspicuously absent. I would strongly

recommend, if not demand, that the two absent City Council Officials **show up** at the June 20<sup>th</sup> Public meeting and any other future meetings concerning this matter, sunshine law or not. University City School education that taught me about Civil Disobedience when the matter of social justice is involved and Environmental Justice calls for a little Civil Disobedience and sunshine law be “darned” (I did hear one of the attendees at the May 31<sup>st</sup> Town Hall ask for us to be a little careful about our salty language). Many of the residents in all three wards felt and still feel this way as witnessed by the overflow capacity at the Town Hall meeting and the MSD Board meeting.

The following is what I would like our City Council and City Manager to demand from MSD for the June 20<sup>th</sup> meeting and put the demand in writing:

1. Large, blow-up maps of the two sewer lines maps presented in their May 22<sup>nd</sup> PowerPoint presentation and any other maps that are germane to this discussion. Also have an online document with links to those maps that can be easily read and viewed.
2. Clear laymen-term definitions on what they mean when they say an option is not feasible or feasible along with dollar/financial information.

3. Bring all data, (maps, spreadsheets, documents, etc., yes, that calls for them to bring their laptops with them that can access their data system) pertaining to the two wastewater storage tank proposals.

Next, this is what I would like City Council to do pertaining to this emergency issue:

1. Send out a RFP and hire an engineering consulting firm that has civil engineers, environmental engineers, mechanical engineers, etc. that could advise on whether MSD is presenting accurate information and help in identifying other sites in conjunction with our Department of Public Works that are not in a residential neighborhood.

2. Send out an RFP and hire a crisis management firm to advise the Council on how to handle this emergency matter.

3. Hold a special meeting where the Council will develop specific questions that will be put in writing and sent to MSD prior to the June 20<sup>th</sup> MSD Public Meeting that will strongly layout the concerns and demands of University City residents, especially in the Third Ward, for different location options for the storage tanks.

In conclusion [*ask for extra time* ], the meetings with MSD on May 22<sup>nd</sup>, June 5<sup>th</sup> and upcoming June 20<sup>th</sup> is just the start of the “conversation” not the middle or the end. University City has a different heritage and culture than St. Ann and



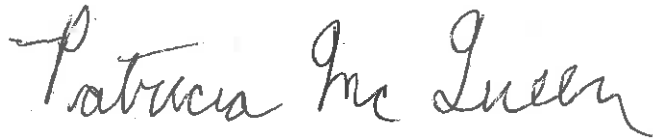
Crestwood. We uplift our multicultural diversity. Implicit bias is shown when decisions are made to disrupt or wipe out an established multicultural neighborhood that has a predominately Black and older population. The residents in the Northwest section of the Third Ward fought redlining, racial steering and disenfranchisement and started to accumulate wealth (land and property) that was denied elsewhere and that wealth can be passed down to their descendants. New and younger generations can buy affordable brick housing in those neighborhoods and starts their journey to accumulating wealth. Putting two huge waste storage tanks in that neighborhood will disrupt that American process of accumulating wealth by destroying property and causing the remaining property values to fall.

Go back and read the [University City Third Ward] Northwest Neighborhood Plan and the 1993 Northside University City Inventory of Historic Buildings Report that you can get from the U.City Community Development Department. Read Richard Rothstein's The Color of <sup>Law</sup> Money and Colin Gordon's Mapping Decline: St. Louis and the Fate of the American City to be reminded and understand what our residents had to fight against: redlining and racial steering that had a devastating effect on black families and black wealth.

I am so proud and moved by the U.City residents that came out and **showed up** at the aforementioned meetings at the beginning of my statement and I am impressed that four layers of government officials: federal, state, county, and municipal

showed up to hear the U. City residents' concerns at the May 31st Town Hall • Go  
U City!

Thank you for hearing my concerns tonight.

A handwritten signature in cursive script that reads "Patricia McQueen". The letters are fluid and connected, with a prominent initial 'P'.

Patricia McQueen

## COUNCIL COMMENTS - MSD

The meeting held at the Heman Community Center on May 31 was an illegal meeting. It violated numerous Sunshine Laws. There were 5 Councilmembers present, 4 of whom provided information to citizens in attendance, so there was a quorum. The Acting City Manager, the Interim City Clerk and the newly appointed City Attorney were in attendance and the City Attorney addressed citizen questions. The notice of the meeting did not comply with our Charter or the Sunshine Laws, there was no official recording or minutes and the 3 Council members who claimed to “sponsor” the meeting did not follow Council Rules in the conduct of the meeting.

Before the meeting commenced I did not understand why this new majority of Council would risk further sanctions for conducting such an illegal meeting. It took only a few minutes to learn that they intended to scapegoat the Mayor by asserting that they had no knowledge of the MSD activities but that both the Mayor and the former City Manager did have knowledge and intentionally withheld information from them – that is bull-pucky.

The question is what did you know and when did you know it. If MSD, based on a well-publicized Federal Court Consent Decree that all Council members should have been aware of, notifies City officials that it is formulating a plan for the remedial work on sewer pipes within City limits, that does not translate into the Mayor knowing 2 years ago that they planned to put giant storage tanks in a residential area.

The 3 Council members who “sponsored” the meeting should be ashamed for engaging in fear-mongering for the sake of political theater. They have created a false political narrative to cover their own lack of due diligence. Steve McMahan claimed that Lehman Walker should have told him - really? Mr. McMahan voted to suspend Mr. Walker the very day he was sworn in to serve – so, when exactly would Mr. Walker have that opportunity? The new majority wanted to shake up City government, well they did that, but they did not bother to ask what the City Engineer was working on.

Paulette Carr alternates between saying that the Mayor has no special authority or position over the other 6 Council members - she is just one person, one vote, with a few ceremonial duties. But now she says this is all the Mayor’s fault. What is? There has been no land acquisition, no approval of plans, no groundbreaking. So, when all is good in UCity, don’t give the Mayor credit, but when there is a problem, it is all the Mayor’s fault. She would have it both ways.

Steve McMahan reported that MSD had asked Council for a closed meeting to discuss their plans weeks before the May 29 meeting but he claims that they could not have such a

meeting due to Sunshine Laws. Has anyone else counted the number of closed sessions Mr. McMahon has attended since he was sworn in on Nov. 28 – there have been 14 in just 7 months – I think that is a record. MSD wanted to discuss buying property from residents and construction that would devalue residential property, possibly using the power of eminent domain. How is that not justification for a closed meeting?

As one citizen asked, why don't we have a City Manager in place yet? Paulette Carr misrepresented in her Newsletter that the key personnel have been replaced. They have not. There are place-holders, people who have no special education, training or expertise, either as City Manager or City Clerk. And that has resulted in a lot of problems, not just MSD.

This new Council majority cannot avoid your responsibilities to us taxpayers. The buck stops with you!

Respectfully submitted,



Jan Adams, 7150 Cambridge Ave.

Council Comments – June 12, 2016  
Litigation Status Report

First, the new Council majority authorized the acting City Manager to hire John Mulligan as City Attorney. In spite of their being reminded recently of the agreement with State Auditor, they again failed to issue an RFQ for that position. So, they have done exactly what they have been complaining about since 2010 when Lehman Walker was hired without conducting an independent, professional search.

The retainer agreement, in addition to paying \$250/hour (\$100 more than we paid the last city attorney) grants Mr. Mulligan authority to hire additional lawyers, experts, consultants, and paralegals. And, there is no check and balance on this contract. For any other contract, the City Manager must come back to Council before he can authorize an expenditure of more than \$25,000. If I understand Paulette's comments during the last council meeting, she wants to authorize Mr. Mulligan to conduct research and negotiate and do whatever else he can to help the city challenge the MSD proposal. The last time we did that - over the Social House - our legal bill was over \$400,000 in just a few months.

Now, for the litigation status report:

- 1) Lehman Walker just amended his Petition to add a new claim because this new majority of Council fired Mr. Walker in a closed session. Mr. Walker's contract states, "...termination shall occur if and when the majority of the governing body votes to terminate you at a duly authorized public meeting." Therefore, it is very likely that we will end up paying Mr. Walker at least his monthly salary of \$140,000 for the past 4 months – that is a Half Million Dollar error.
- 2) Former City Clerk, Joyce Pumm, has filed her Petition, alleging facts that go way beyond just defamation and discrimination. Her testimony may well result in the City being sanctioned for numerous Sunshine Law violations. Specifically, she will allege that John Mulligan instructed Charles Adams to withhold the documents that I requested just long enough to cause me to appear in Court without the evidence I needed. That was not just an unethical act, for which he will answer to the Bar Association, but it was a stupid tactic because my case was "dismissed without prejudice", which means that I have one year to re-open that case, when I will have obtained all of the evidence that I need.
- 3) Mulligan has been claiming court victories that are just not there. Being successful in stalling claim resolutions does not serve the taxpayers, it just buys time for the new Council majority. The case that I filed, to prevent the use of taxpayer funds for the defense of personal claims against individual council members, was not decided on the merits either. The Judge

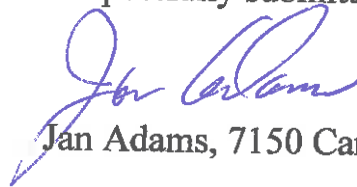
simply said this was not an emergency that warranted an injunction and that it involves money that we can recover AFTER it has been misappropriated.

4) The Diekemper case, which asks the Court to declare the date Steve McMahon's term ends, was dismissed on procedural claims. The court has NOT yet decided the date for the expiration of McMahon's term. That Judge ruled that because the case was filed before May 1, Plaintiffs must re-file, which I understand they plan to do in the near future.

What I find astounding is that when John Mulligan was acting as "Special Counsel", which I contend was an illegal appointment, he argued that if citizens want to challenge the validity of Steve McMahon serving on Council after April 30, they would have to file a Quo Warranto. So, you can blame this next litigation on Mr. Mulligan.

We need to change our Charter, because under the current organization, we taxpayers are paying for legal services that are not in our best interests. I am out of time, but stay tuned, there is more on the horizon.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Jan Adams", is written over the typed name below.

Jan Adams, 7150 Cambridge



## Council Agenda Item Cover

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**MEETING DATE:** June 26, 2017

**AGENDA ITEM TITLE:** 1500 block of Mendell Dr. – remaining asphalt resurfacing by University City’s contractor Ford Asphalt Company

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

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

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### **BACKGROUND REVIEW:**

In the beginning of April 2017 the department staff coordinated an MSD contractor’s performance of additional asphalt resurfacing work on Mendell Dr. outside of the MSD Mendell-Wolter project as this contractor began scheduling the asphalt resurfacing-restoration work for its project areas (please see attached map for the project area and outside areas).

The justification for the above consideration was due to the inaccessible (double cul-de-sac) location of the block in question other than through the sections of the roadway that were already receiving work under the MSD project restoration of the area roadways. The referenced block was regularly planned for work in the City’s fiscal year 2019.

Due to a dispute between the MSD contractor and our department, the section of roadway in the 1500 block of Mendell Dr. (marked with dashed lines on the attached map) has been milled but not paved to this date. Please see attached pictures showing the present condition of this roadway after its milling by the MSD’s contractor.

The MSD contractor performed its milling operation on the referenced block of Mendell Dr. without first securing University City’s agreement to do so and pay for it. Therefore the milling portion of the work is not a financial liability for the City.

University City approved an asphalt resurfacing contract for its annual work of fiscal year 2017 on April 24, 2017 and requested the MSD contractor’s consideration of matching the same awarded price for that work on the referenced section of the 1500 block of Mendell Dr. This contractor countered that inquiry with a higher priced offer and without further authorization went ahead and milled the surface of that section of the roadway. They later explained that from a practicality and minimization of neighborhood disruption standpoint, their action was justified. Staff didn’t agree with the performance of the work since an agreement on its cost had not been reached. The contractor responded that then they would not pave the section of Mendell in question. This contractor later at a meeting on June 15, 2017 agreed with the City’s price initially offered to complete the work in the block. Its cost is \$54,553 and can be completed in the soonest according to the MSD contractor. This is not the recommended option by the Public Works-Parks department.

**STAFF RECOMMENDATION:**

Authorize a change order to the University City's FY2017 annual street resurfacing work contractor for \$31,198 to complete the balance of the work (paving-only) since the roadway in the referenced block has already been milled. This work can be completed in the next couple of weeks.

The cost of the referenced work will need to be added to the expenditures of the 12-40-90\_8080 Street Construction account in the applicable fiscal year. This action will equally reduce the expenditure for this work from its future allocation to the fiscal year 2019.

**ATTACHMENTS:**

1. Area Map
2. Pictures of current condition



**PICTURES OF EXISTING CONDITIONS ON 1500 BLOCK OF MENDELL DR. – JUNE 19, 2017**



Picture 1 – 1500 block of Mendell Dr. at Milan Ave. intersection – milled road surface and protruding sewer manhole

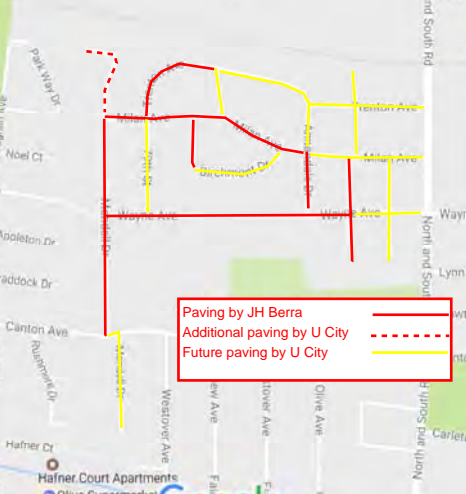


Picture 2 – 1500 block of Mendell Dr. at cul-de-sac – milled road surface

**PICTURES OF EXISTING CONDITIONS ON 1500 BLOCK OF MENDELL DR. – JUNE 19, 2017**



Picture 3 – 1500 block of Mendell Dr. at northern end – milled road surface and protruding sewer manhole



Paving by JH Berra  
Additional paving by U City  
Future paving by U City

K - 1 - 6



## Council Agenda Item Cover

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**MEETING DATE:** June 26, 2017

**AGENDA ITEM TITLE:** (1) Convert one-way section of Loop South Ave. from Kingsland Ave to the east from one-way to two-way traffic and; (2) Prohibit parking on the North side of the street

**AGENDA SECTION:** Unfinished Business

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

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### BACKGROUND REVIEW:

The Traffic Commissioners received a traffic request to consider changing Loop South Ave. from Kingsland Boulevard to the east from one-way to two-way traffic. Per minimum street width requirements in the applicable area this action requires prohibiting parking on the North side of Loop South Ave. The Loop Business District was the requestor and business representatives from the Delmar Loop area of the request also supported the request during the Traffic Commission deliberations.

At the March 8, 2017 Traffic Commission meeting, the Commissioners recommended that the City Council approve the request and staff followed up by obtaining a pavement marking design for the street in its two-way configuration for the Commission's and City Council's information and Street Division's implementation, if approved by the City Council.

### RECOMMENDATION:

It is the recommendation of the Public Works and Parks Department that the attached ordinances be approved to amend the respective Municipal Code sections to:

1. Convert one-way section of Loop South Ave. from Kingsland Ave. to the east from one-way to two-way traffic and
2. Prohibit parking on the North side of the street.

### ATTACHMENTS:

1. Bill 9317 amending Section 330.010 – One-way Streets and Alleys – Schedule IV One-way streets designated
2. Bill 9318 amending Section 355.100 – Parking in Prohibited or Restricted Zone
3. Staff Report
4. Approved minutes from the Traffic Commission March 8, 2017 meeting
5. Pavement marking design – Loop South Ave.



INTRODUCED BY:

DATE:

BILL NO: 9317

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

**AN ORDINANCE AMENDING CHAPTER 330 OF THE TRAFFIC CODE, TO REVISE TRAFFIC REGULATION AS PROVIDED HEREIN.**

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

**Section 1.** Chapter 330 of the Traffic Code, of the University City Municipal Code is amended as provided herein. Language to be added to the Code is represented as highlighted. This Ordinance contemplates no revisions to the Code other than those so designated; any language or provisions from the Code omitted from this Ordinance is represented by an ellipsis and remains in full force and effect.

**Section 2.** Chapter 330 of the University City Municipal Code is hereby amended to **Remove** Loop South Street: One way eastbound from Kingsland Avenue to a point four hundred twenty-four (424) feet east of the east curb line of Kingsland Avenue North side from Leland Avenue to Kingsland Boulevard where the City has designated as a “One Way Street”, to be edited to the Traffic Code as the “Chapter” – Chapter 330, as follows:

**Traffic Schedules**

**Chapter 330: One-Way Streets and Alleys**

**Section 330.010 One-Way Streets and Alleys**

**The following areas are “One-Way Streets and Alleys At All Times” and are regulated as set forth in section 330.010 of this Code:**

<b>Street</b>	<b>Block</b>	<b>Scope</b>
<b>Loop South Street</b>	<b>6600</b>	<b>One Way Street Removed</b>

\* \* \*

**Schedule IV** One-way streets designated

The following streets or parts of streets are hereby designated as one-way streets, and traffic shall move only in the direction indicated on such streets or parts of streets:

- Balson Avenue: From Warder Avenue to Wilner Avenue, traffic in the north lane shall move in a westbound direction only. From Warder Avenue to Wilner Avenue, traffic in the south lane shall move in an eastbound direction only.
- Bartmer Avenue: In the 6700 block, traffic shall move in a westbound direction only.
- Bland Drive: From Northmoor Drive to Forsyth Boulevard, traffic shall move in a northbound direction only.
- Cabanne Avenue: From its "Y" intersection with North Drive to Eastgate Avenue, traffic shall move in an eastbound direction only.

- Cates Avenue: From Westgate Avenue to Eastgate Avenue, traffic shall move in an eastbound direction only.
- Chamberlain Avenue: In the 6700 block, traffic shall move in an eastbound direction only.
- Corbitt Avenue: One way westbound between Pennsylvania and Purcell.
- Corbitt Avenue: One way eastbound between Purcell and Ferguson.
- Crest Avenue: One way eastbound between Sadler and Kingsland.
- East Park Avenue: From Maple Avenue to Bartmer Avenue, traffic shall move in a northbound direction only.
- Geoffrey Lane: From Delmar Boulevard to West Canterbury, traffic shall move in a northbound direction only.
- George Street: From a point one hundred fifty-six (156) feet north of the north line of Olive Boulevard to Wellington Avenue, traffic shall move in northbound direction only.
- Interdrive Avenue: From Clemens Avenue to Enright Avenue, traffic shall move in a southbound direction only.
- Irma Avenue: From Maple Avenue to Bartmer Avenue, traffic shall move in a southbound direction only.
- Leona Avenue: From Maple Avenue to Bartmer Avenue, traffic shall move in a northbound direction only.
- Limit Avenue: From Clemens Avenue to Enright Avenue, traffic shall move in a northbound direction only.
- Lindell Boulevard: From Asbury Avenue to a point one hundred twenty (120) feet north of north curb line of Forsyth Boulevard, traffic shall move in a westbound direction only.
- ~~Loop South: One way eastbound from Kingsland Avenue to a point four hundred twenty-four (424) feet east of the east curb line of Kingsland Avenue.~~
- Melrose Avenue: One way westbound between Ferguson and Purcell north of the River Des Peres.
- Melrose Avenue: One way eastbound between Ferguson and Purcell south of the River Des Peres.
- Melrose Avenue: One way eastbound between Pennsylvania and Purcell.
- North Drive: From Eastgate Avenue to its "Y" intersection with Cabanne Avenue, traffic shall move in a westbound direction only.
- Pennsylvania Avenue: From Cornell Avenue to Vernon Avenue, traffic shall move in a northbound direction only.
- Polk Avenue: From the Greensfelder School to Fullerton Avenue, traffic shall move in a southbound direction only.
- Purcell Avenue: One way northbound between Melrose and Roberts east of River Des Peres.
- Purcell Avenue: One way southbound between Melrose and Roberts west of River Des Peres.
- Raymond Avenue: One way westbound between Ferguson and Pennsylvania.
- Roberts Avenue: One way eastbound between Ferguson and Pennsylvania.
- Rossi Drive: From Waterman Avenue to Pershing Avenue, traffic shall move in a southbound direction only.
- Sixty-sixth Street: From Vernon Avenue to Chamberlain Avenue, traffic shall move in a northbound direction only.
- Syracuse Avenue: From Clemens Avenue to Enright Avenue, traffic shall move in a southbound direction only.
- Waldron Avenue: From Carlyle Avenue to Canton Avenue, traffic shall move in a northbound direction only.



- Warder Avenue: From Delmar Boulevard to the southern city limits, traffic shall move in a southbound direction only.
- West Canterbury Drive: From LePere Road to Delmar Boulevard, traffic shall move in a southbound direction only.
- Westgate Avenue: From Delmar Boulevard south to the Parkview Subdivision line, traffic shall move in a southbound direction only.
- Westgate Avenue to Melville Avenue Alley: In the alley two hundred (200) feet south of Delmar Boulevard, traffic shall move in a westbound direction only.

**Section 3.** This ordinance shall not be construed so as to relieve any person, firm or corporation from any penalty heretofore incurred by the violation of the sections revised by this amendment nor bar the prosecution for any such violation.

**Section 4.** Any person, firm or corporation violating any of the provisions of this ordinance shall be punished in accordance with the provisions of the University City Municipal Code.

**Section 5.** This ordinance shall take effect and be in force from and after its passage as provided by law.

PASSED THIS \_\_\_\_\_ day of \_\_\_\_\_ 2017

\_\_\_\_\_  
MAYOR

ATTEST:

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

CERTIFIED TO BE CORRECT AS TO FORM:

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

## STAFF REPORT

MEETING DATE: April 12, 2017  
APPLICANT: Loop Special Business District, 6504 Delmar Blvd  
Location: Loop South Street between Kingsland Ave and the Rear Parking Lot of the Commerce Bank Building  
Request: Make the Street Two Way  
Attachments: EDSI Draft Plan

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### Existing Conditions:

#### Loop South Street



Currently Loop South St., Kingsland Avenue to a point four hundred and twenty four (424) feet to the east is designated as one way with traffic traveling eastward. During the Trolley construction the street was opened to two way traffic for the flow of traffic. There is currently parking on both sides of the street except where prohibited by time restraints.

#### **Request:**

Permanently make Loop South Street Two way

#### **Conclusion/Recommendation:**

It was decided at the February and March Traffic Commission Meeting to have a traffic engineer assist with the roadway design and signage to implement two-way traffic. In the attachment there are two drawings one is the plan sheet and the other is a section detail sheet that shows existing condition and proposed improvement. It is recommended the Traffic Commission review both plans for comments to be sent back to the engineer.



Department of Public Works and Parks

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

TRAFFIC REQUEST FORM

LOCATION OF REQUEST: LOOP SOUTH (FROM MELVILLE TO KINGSLAND)

STATE THE NATURE OF YOUR REQUEST: TO PERMANENTLY MAKE IT TWO-WAY TRAFFIC

IT WAS TWO-WAY FOR ABOUT A YEAR AND A HALF DURING TROLLEY CONSTRUCTION AND IT WORKED EXCEPTIONALLY WELL FOR TRAFFIC FLOW.

WHAT ACTION ARE YOU REQUESTING THAT THE CITY TAKE CONCERNING YOUR REQUEST? SAME AS ABOVE.

THE LOOP SPECIAL BUSINESS DISTRICT DISCUSSED IT AT THE LAST TWO MONTHLY MEETINGS OPEN TO THE PUBLIC, EVERY MERCHANT AND PROPERTY OWNER IN ATTENDANCE WERE IN FAVOR OF MAKING IT TWO-WAY. IT WAS PUBLISHED IN THE NEWSLETTERS THAT GO TO EVERY MERCHANT AND PROPERTY OWNER.

WHAT IMPACT WOULD THE ACTION HAVE ON ANY ADJACENT RESIDENTS OR STREETS? IT WOULD HAVE A POSITIVE IMPACT FOR EVERYONE, IT'S A COMMERCIAL STREET PARALLEL TO DELMAR, NO RESIDENTIAL PEOPLE WOULD BE NEGATIVELY AFFECTED.

NOTE: The Public Works Department staff will review this request and, if warranted, this matter will appear as an agenda item for a traffic commission meeting. If a meeting is held, you will be encouraged to attend so that you may state your concerns.

NAME: JOE EDWARDS, CHAIRMAN, LOOP SBD (SPECIAL BUSINESS DISTRICT)
ADDRESS: C/O BLUEBERRY HILL, 6504 DELMAR, UNIVERSITY CITY, MO 63130
PHONE (HOME): PHONE (WORK): 314-727-0110 DIRECT
Email: FAX (WORK) 314-727-1288
Date: JANUARY 5, 2017

Please return the completed form to the Public Works and Parks Department, 3rd floor of the City Hall, attention Angelica Gutierrez, Public Works Liaison of the Traffic Commission, via email at agutierrez@ucitymo.org.

Or, by mail/fax: Traffic Commission
C/O Public Works Department
6801 Delmar Blvd. 3rd Floor
University City, MO 63130
(314) 505-8560
(314) 862-0694 (fax)

www.ucitymo.org



## Traffic Commission

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

### CITY OF UNIVERSITY CITY MINUTES OF THE TRAFFIC COMMISSION March 8, 2017

At the Traffic Commission meeting of University City held in the Heman Park Community Center, on Wednesday, March 8, 2017, Chairman Jeff Hales called the meeting to order at 6:32 p.m. In addition to Chairman Hales, the following members of the commission were present:

- Bart Stewart
- Eva Creer
- Curtis Tunstall
- Derek Helderman
- Jeffrey Mishkin

Also in attendance:

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

Absent (excused):

- Jeff Zornes

### 3. Approval of Agenda

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

### 4. Approval of the Minutes

#### A. January 11, 2017 Minutes

Mr. Tunstall made a motion to approve the minutes of the January 11, 2017 meeting and was seconded by Helderman. The motion carried unanimously.

### 5. Agenda Items

#### a. Restriction of high profile vehicles parking in the westbound lane of Forsyth in-between the entrance and exit of Bethel Lutheran Church at 7001 Forsyth Blvd.

Mr. Tate presented the request from Bethel Lutheran Church and members Gary Sheetz and Wayne Flesch.

Churchmember Gary Sheetz of 7722 Lyle of Richmond Heights addressed the commission about the issues with the poor visibility from the western exit



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drive from the church. He noted that cars often park right to the edge of the driveway and high profile vehicles block the line of sight for vehicles attempting to exit the church lot. The church operates a nursery school daily with regular pickup and drop-off. He requested a restriction on the height of the vehicles parked between the entry and exit driveways and a parking restriction of 10 to 15 feet east of the western exit.

Mr. Tunstall asked Mr. Sheetz and Mr. Sheetz confirmed that nature of the request is safety related.

Mr. Mishkin asked if the restrictions were to be everyday at all hours of the day. Mr. Sheetz confirmed that they would like the restrictions to be at all hours of the day, every day of the week.

Mr. Tunstall asked if they were seeking no parking in the space between the driveways or if the request was for parking of low profile vehicles. Mr. Sheetz clarified that they sought to restrict all parking for 10 to 15 feet to the east of the western exit drive and restrict the remaining spaces to low profile vehicles.

Mr. Stewart asked about the current no parking restriction in front of the church. Mr. Helderman clarified that the current restrictions restrict parking during certain hours.

Mr. Mishkin asked if the city had any restrictions about parking distance from driveways. Sgt. Whitley stated there were no such restrictions in the code and no such restrictions related low profile or compact cars.

Mr. Hales asked if there was an existing ordinance defining compact cars. Mr. Tate stated that the commission had discussed but no action had been taken.

Mr. Alpaslan stated that the staff would have to review and propose an ordinance to accommodate compact or low profile vehicle only parking restriction.

Mr. Helderman stated he thought it would be best to implement compact car parking in the entire space between the driveways.

Mr. Mishkin asked what the enforcement of a compact car only restriction. Sgt. Whitley stated that a compact car would typically be less than 60 inches and violators would be ticketed. He stated that the police would use common sense on enforcement on the height levels.

Mr. Hales stated that he thought the issue was really related to the height and not necessarily the length. He asked if the commission could consider a restriction of no van, truck or SUV parking.



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Mr. Mishkin asked if there had been any accidents. Mr. Sheetz stated there were none that he could recall but there have been a number of close calls. Mr. Mishkin asked if the commission could recommend church parking only in those spaces. Mr. Helderman indicated he thought limiting parking to the church would not be enforceable.

Sgt. Whitley stated that the 10 foot parking restriction would reduce the number of cars that could park between the driveway from 3 to 2.

Mr. Hales stated that he thought if a new restriction on van, truck and SUV parking were to be implemented, that it would be helpful if the public works and police department staff could provide a recommendation on the circumstances or instances where such a restriction should be implemented, such as only near commercial driveways. He suggested that the commission could proceed with restricting parking 10 feet to the east of the western driveway for now and continue discussing the new parking restrictions for high profile vehicles in the coming meetings.

Mr. Helderman asked if the current signage restricting parking during certain hours would remain. Mr. Sheetz stated that was not requested to change.

Mr. Mishkin made a motion to recommend restricting all parking for a distance of 10 feet to the eastern edge of the western driveway exit of Bethel Lutheran Church and was seconded by Mr. Tunstall. The motion carried unanimously.

**b. Permanently make Loop South a two way street from Kingsland Avenue to a point four hundred and twenty-four feet to the east.**

Mr. Tate presented the staff recommendation to make this portion of Loop South two-way.

Mr. Hales informed the commission that he also spoke with Jessica Bueler who is the Marketing Director for the Loop Special Business District and she conveyed that the businesses in the loop were strongly in favor of the two way traffic on Loop South. He also indicated that Mr. Edwards had come to the previous meeting at which there was no quorum and expressed his support for the proposal as well.

Boo McLaughlin, Executive Director of Craft Alliance (6640 Delmar) presented a letter signed by representatives of Commerce Bank, McArthurs Bakery and Pitaya in support of the recommended two-way traffic on Loop South. She stated that two-way traffic is more convenient to their customers and will be more convenient to delivery trucks with the opening of the Loop Trolley.

Mr. Tate informed the commission that a traffic engineer would be evaluating the street and that the parking would be moved from the southern side to the northern side of the street.



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Mr. Stewart asked if the commission was being asked to make a recommendation on the 2-way traffic only or if the commission was to make a recommendation on the parking as well.

Mr. Tate stated that the timing of the implementation of the two way street and new parking on the north side would take place at the same time.

Mr. Mishkin asked if the city would install parking meters. Mr. Tate stated the city would stripe the spaces.

Mr. Helderman asked if the businesses needed to sign a petition. Mr. Hales stated that there is no requirement in the code, bylaws or charter that the commission get a petition except in the case of residential parking permits. He stated that he believed it was completely within the purview of the commission to make a recommendation.

Mr. Hales asked Ms. McLaughlin if the change of allowing parking on only one side of Loop South was known to her and businesses. Ms. McLaughlin stated that she and the Loop Businesses were not aware of the change in parking to the north side, but did not believe it makes a difference.

Mr. Hales asked if staff was concerned about the potential of losing spaces by moving parking from the south to the north side. Mr. Alpaslan indicated that was a concern and he suggested that the parking engineer provide two options to see if it would be feasible to keep parking on the south side.

Mr. Mishkin asked where the majority of the customers park. Ms. McLaughlin indicated that most people park in the lots behind the buildings and on Loop South.

Mr. Helderman made a motion to recommend that Loop South become two-way traffic as recommended by staff and was seconded by Mr. Mishkin. The motion carried unanimously.

### **c. No Parking on west side of North and South Road between Gannon Ave. and Cornell Ave.**

Mr. Hales introduced the petition from Genevieve Kramer of 7732 Gannon Ave. He commented that there were a lot of people who showed up for this issue at the previous meeting at which there was not a quorum. The petitioner did not show up and was not in attendance on this night.

Mr. Tate presented the request from Ms. Kramer and initially requested that the traffic commission make a recommendation to take to St. Louis County



## Traffic Commission

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but stated that upon further review that staff believed the request should be denied because of the existing parking restriction.

Mr. Hales stated that the road is a county road and the city does not have jurisdiction.

Ms. Natasha Kwon of 622 North and South addressed the commission as a resident and an owner of businesses at North and South and Gannon. She was strongly against the proposed restriction and suggested a stop sign at North and South and Gannon because of the high number of pedestrians and her observations of speeding traffic.

Mr. Mishkin asked what the parking restriction would do to the nearby businesses. Ms. Kwon stated that it would be very negative for the local businesses. Mr. Mishkin asked what the purpose of the four-way stop. Ms. Kwon indicated it was about safety.

Mr. Hales stated that the commission has discussed this intersection and said when he first saw this proposal he was strongly opposed it. He noted that this intersection has very good sightlines from Gannon eastbound looking northbound on North and South because of the 35ft parking restriction for the bus stop. He stated that commission has talked about pedestrian safety at this intersection multiple times in the past and has suggested that city work with the county to install LED solar operated crossing signals at the crosswalk on North and South and Gannon as well as others on Delmar, but the county has not been very receptive to it. He stated that he believes what would really help is if the business community and neighbors contacted the county requesting a signalized crosswalk, it might make a difference.

Sgt. Whitley stated the St. Louis County examined it and decided against crossing signals.

Councilman Smotherson recommended to Ms. Kwon that she contact St. Louis County Councilwoman Hazel Erby with her concerns over the crosswalk safety.

Ms. Mary Adams (6985 Dartmouth) is the Executive Director of the University City Chamber of Commerce and came to speak on behalf of the local businesses. She expressed concern over the potential loss of parking spaces for the local businesses. She emphasized the access to parking being directly related to a business' ability to thrive.

Mr. Hales stated that the floor was open to anyone to make a motion in favor of the proposed restriction. No motions were made. No action was recommended.





## **Traffic Commission**

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### **d. Senn Bierwerks Site Plan Update for Information Only**

Mr. Alpaslan provided an informational update on the Senn Bierwerks site. He indicated that the traffic patterns on Olive and North and South are still awaiting review and proposals from MODOT and St. Louis County Traffic. He informed the commission that the city has requested the proposed implementation along Olive and North and South which will be brought to the traffic commission as soon as it is received. Mr. Smotherson stated his reason for bringing this to the commission was that the City Council has approved the site plan and he thought the commission should be aware of the proposed changes with the implications to traffic on North and South and Olive which are the jurisdiction of St. Louis County and MODOT respectively.

Mr. Mishkin expressed concern over potential traffic issues related to ingress and egress from the lots. Mr. Alpaslan stated that because Olive is a State road and North and South is a County road that they are responsible for reviewing and making changes to their roads. He indicated that it is possible that one or both agency could recommend changes at which point the commission would be updated.

### **e. Loop Trolley “Do Not Pass” Code Amendment**

Mr. Tate presented the staff recommendation to amend the traffic code to add a do not pass ordinance restricting the passing of the Loop Trolley.

Mr. Hales stated he looked back through the minutes in December of 2012 and Officer Margul indicated that the commission would have to look at whether it wanted to recommend allowing passing of the trolley and asked what considerations went into the recommendation from staff prohibiting passing of the trolley.

Mr. Alpaslan stated that passing of the trolley would violate the rules of the road and the pavement markings because the trolley travels in the traffic lane. He stated that the only area where traffic could pass the trolley would be at Leland where the trolley is in the turn lane.

Mr. Mishkin expressed concern about the trolley travelling in the left hand turn lane while travelling east with through traffic at Leland. Mr. Alpaslan stated that the trolley has its own traffic signal and the traffic has a pre-empt device which will allow the trolley to continue east through the intersection while through traffic heading east will have a red light. He stated that at the Leland intersection, the traffic signal will govern the traffic movement.

Mr. Mishkin expressed concern that the through traffic would proceed when it sees the trolley proceeding through the intersection. Mr. Hales stated he



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shared Mr. Mishkin's concerns and hoped that the traffic engineers had considered these issues.

Mr. Hales asked what the signage would be like in the loop. Mr. Alpaslan stated that the trolleys will have signs on the rear of the trolley stating "Do Not Pass".

Mr. Hales asked if the ordinance applied to bicycle traffic. Mr. Stewart stated that there is a new bike route, but his understanding was that bikes are not prohibited on Delmar. Mr. Alpaslan stated that there is no prohibition to bicycle traffic on Delmar; the signage discouraging bikes is not regulatory, but he indicated that staff would be looking at that. Mr. Alpaslan stated he understood the concerns of the commission about bicycles.

Mr. Helderman stated that while he shared many of the concerns expressed he made a motion to approve the ordinance as recommended. Ms. Creer seconded and the motion carried unanimously.

### **f. Loop Trolley "Obstruction Zone" Create Chapter to the Code**

#### **i. The Loop Trolley Track Layout Plans**

Mr. Tate stated that the purpose of this ordinance was to restrict vehicles from stopping on the trolley tracks.

Mr. Mishkin mad a motion to recommend the ordinance as recommended by staff and was seconded by Mr. Stewart. The motion passed unanimously.

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

None

### **7. Miscellaneous Business**

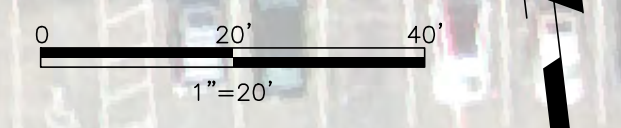
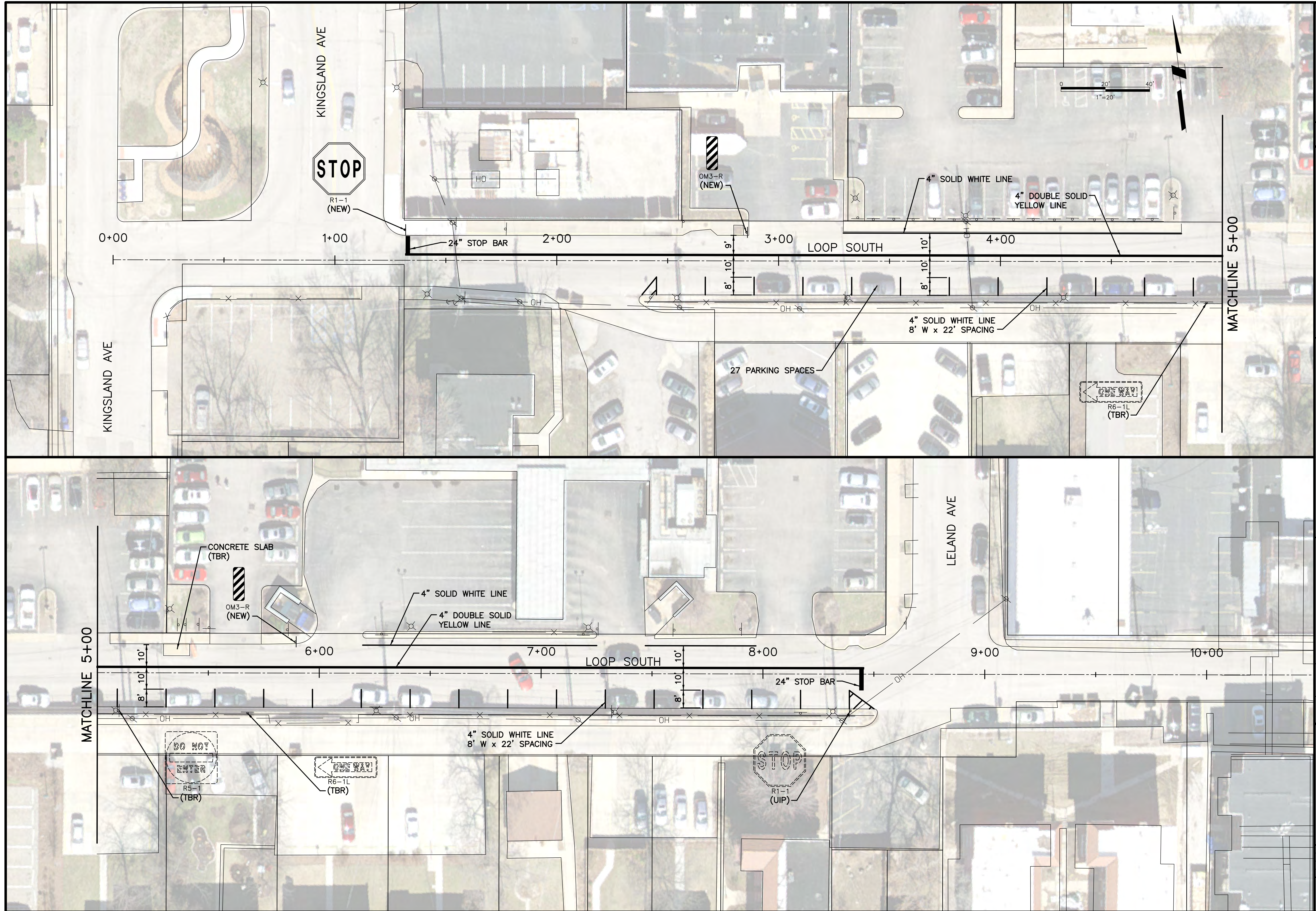
Mr. Tate stated he had one issue that will be coming to the commission at the April meeting related to the study on the school zone speed limit study.

### **8. Adjournment.**

Mr. made a motion to adjourn the meeting and was seconded by Mr. Mishkin. The motion unanimously carried and the meeting was adjourned at 8:16pm.

Minutes prepared by Jeff Hales, Traffic Commission Chairman & Secretary

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4/25/2017 3:10:34 PM



EDSI  
ENGINEERING DESIGN SOURCE, INC.  
1111 S. STATE ST.  
CLIFTON, MO 63017

MO CORP. ENGINEERING LICENSE NO. E-1583-P  
MO CORP. SURVEYING LICENSE NO. 2002030547

CONCEPTUAL  
LOOP SOUTH

CITY: UNIVERSITY CITY | COUNTY: ST. LOUIS | STATE: MISSOURI

PREPARED FOR:  
CITY OF UNIVERSITY CITY

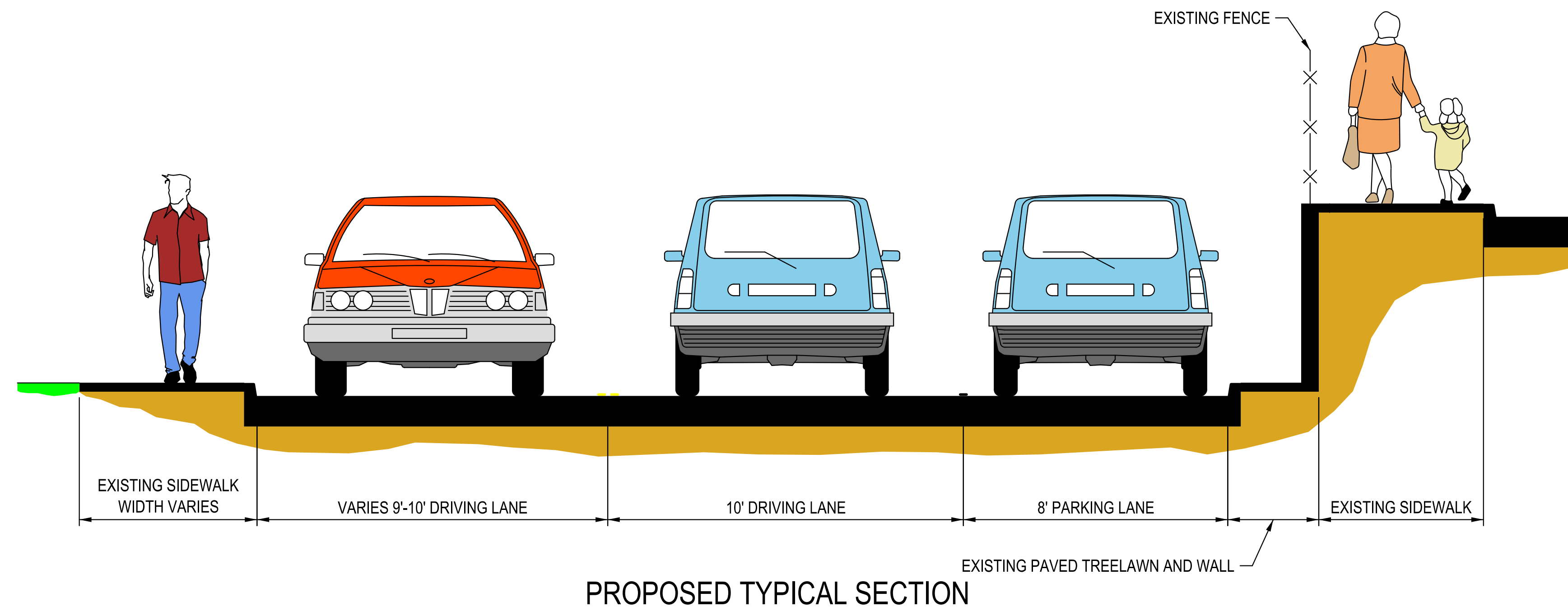
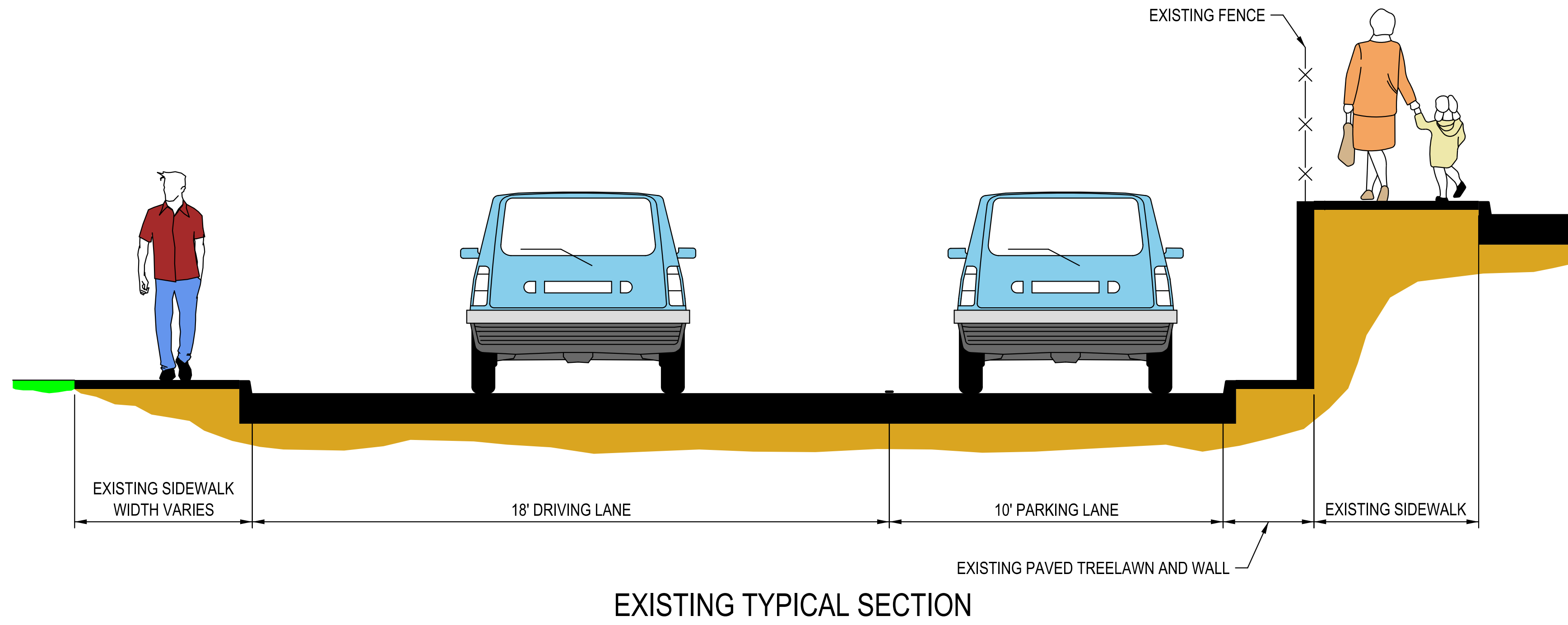
PLAN SHEET

REV	DATE	DESCRIPTION

JOHN A. HOCK  
MO CIVIL LICENSE NO. E-23292

DATE:	
PROJECT #	E17015
DATE	4/25/2017
DRAWN BY	GDO
CHECKED BY	JAH

SHEET NO  
1 OF 2



REV	DATE	DESCRIPTION

JOHN A. HOCK  
 MO CIVIL LICENSE NO. E-23292

DATE:	
PROJECT #	E17015
DATE	4/25/2017
DRAWN BY	GDO
CHECKED BY	JAH



## Council Agenda Item Cover

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**MEETING DATE:** June 26, 2017

**AGENDA ITEM TITLE:** (1) Convert one-way section of Loop South Ave. from Kingsland Ave to the east from one-way to two-way traffic and (2) prohibit parking on the North side of the street

**AGENDA SECTION:** Unfinished Business

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

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### **BACKGROUND REVIEW:**

The Traffic Commissioners received a traffic request to consider changing Loop South Ave. from Kingsland Boulevard to the east from one-way to two-way traffic. Per minimum street width requirements in the applicable area this action requires prohibiting parking on the North side of Loop South Ave. The Loop Business District was the requestor and business representatives from the Delmar Loop area of the request also supported the request during the Traffic Commission deliberations.

At the March 8, 2017 Traffic Commission meeting, the Commissioners recommended that the City Council approve the request and staff followed up by obtaining a pavement marking design for the street in its two-way configuration for the Commission's and City Council's information and Street Division's implementation, if approved by the City Council.

### **RECOMMENDATION:**

It is the recommendation of the Public Works and Parks Department that the attached ordinances be approved to amend the respective Municipal Code sections to:

1. Convert one-way section of Loop South Ave. from Kingsland Ave. to the east from one-way to two-way traffic and
2. Prohibit parking on the North side of the street.

### **ATTACHMENTS:**

1. Bill 9317 amending Section 330.010 – One-way Streets and Alleys – Schedule IV One-way streets designated
2. **Bill 9318 amending Section 355.100 – Parking in Prohibited or Restricted Zone**
3. Staff Report – refer to previous items attached to Bill 9317
4. Approved minutes from the Traffic Commission March 8, 2017 meeting - refer to previous items attached to Bill 9317
5. Pavement marking design – Loop South Ave. - refer to previous items attached to Bill 9317



INTRODUCED BY:

DATE:

BILL NO: 9318

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

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

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

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

**Section 2.** Schedule III of the University City Municipal Code is hereby amended to add Loop South Street: North side from Leland Avenue to Kingsland Boulevard where the City has designated as a “No Parking Zone”, to be edited to the Traffic Code as the “Schedule” – Schedule III, as follows:

**Traffic Schedules**

**Schedule III: Parking Restrictions**

**Table III-E Parking Prohibited On Certain Streets At All Times.**

**The following areas are “Reside Parking Prohibited on Certain Streets At All Times” and are regulated as set forth in section 355.100 of this Code:**

<b>Street</b>	<b>Block</b>	<b>Scope</b>
<b>Loop South Street</b>	<b>6600</b>	<b>North Side</b>

\* \* \*

**Section 3.** This ordinance shall not be construed so as to relieve any person, firm or corporation from any penalty heretofore incurred by the violation of the sections revised by this amendment nor bar the prosecution for any such violation.

**Section 4.** Any person, firm or corporation violating any of the provisions of this ordinance shall be punished in accordance with the provisions of the University City Municipal Code.

**Section 5.** This ordinance shall take effect and be in force from and after its passage as provided by law.

PASSED THIS \_\_\_\_\_ day of \_\_\_\_\_ 2017

\_\_\_\_\_  
MAYOR

ATTEST:

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

CERTIFIED TO BE CORRECT AS TO FORM:

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

DRAFT



## Council Agenda Item Cover

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**MEETING DATE:** June 26, 2017

**AGENDA ITEM TITLE:** St. Louis County Waste Reduction Grant Award

**AGENDA SECTION:** New Business

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

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### **BACKGROUND REVIEW:**

The City Of University City applied for and was awarded grant funds through the St. Louis County Department of Health to expand the City's commercial sanitation/recycling program.

As much as the City has proven its dedication to residential recycling, commercial recycling throughout the City needs improvement. Businesses (and other non-residential occupants) have the option of choosing City sanitation service or a private hauler. There are no current recycling requirements for these entities. There are approximately 770 businesses in University City. Approximately 130 of these businesses have City sanitation service which automatically includes recycling. The remaining 640 may or may not have recycling depending on what service they select from the private hauler and if they choose to pay extra for recycling service.

The City began this initiative in 2015 with the University City Loop increasing the number of businesses with City sanitation service from 3 to 65. This has reduced excessive damage and congestion that was occurring in the alleys and street because of the number of different haulers collecting waste, reduced unnecessary fuel use (sanitation trucks typically get as little as 3 mpg), and increased recycling rates for these businesses.

This grant is to continue this commercial recycling endeavor to Olive businesses. There are approximately 340 businesses on Olive Boulevard, only 13 businesses have City's sanitation service. The majority of the businesses using private haulers do not have recycling service. Among the necessities for this project's success, like recycling dumpsters, the money awarded will pay for much needed recycling education.

St. Louis County Department of Health requires that the City sign a Resolution in support of the project, as well as a contract agreement.

### **RECOMMENDATION:**

It is recommended that the City Council approve the resolution and grant authority to City Manager to sign the grant agreement for \$36,000 with an \$11,137 in-kind City match of which 100% is designated as personnel costs.

**ATTACHMENTS:**

- 1) Draft Resolution
- 2) Contract between St. Louis County Department of Health and University City

**RESOLUTION 2017- 8**

**RESOLUTION FOR COMMERCIAL RECYCLING AND WASTE REDUCTION GRANT**

**WHEREAS**, the City of University City deems it necessary to increase commercial sanitation/recycling services to University City businesses and institutions, beginning in the University City Loop.

**NOW, THEREFORE, BE IT RESOLVED BY** the City Council of the City of University City, as follows:

1. An application for expanding commercial recycling was made to the St. Louis County Department of Health for a grant partially funding expansion of a commercial recycling program throughout University City, continuing with Olive Boulevard businesses. This includes funding for recycling dumpsters, recycling containers, education materials, postage, etc. An \$11,137 in-kind local match is necessary for implementation.
2. The governing body hereby authorizes the City Manager to sign and execute the necessary documents for forwarding the project, accepting awarded grant funds of \$36,000 and later to execute an agreement for a grant-in-aid from the St. Louis County Department of Health.
3. The City of University City will enter into an agreement or contract with the St. Louis County Department of Health regarding said grant.

PASSED AND RESOLVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.

\_\_\_\_\_  
Shelley Welsch, Mayor

Attest: \_\_\_\_\_  
LaRette Reese, Interim City Clerk

## CONTRACT

### Saint Louis County Department of Public Health and University City

General:

Saint Louis County, Missouri, on behalf of Saint Louis County Department of Public Health (hereinafter referred to as "County") and University City (hereinafter referred to as "Grantee") hereby mutually agree to the following:

1. The Grantee agrees to perform all tasks in accordance with the specifications described herein and the appendices: A--Work Plan and Timeline; B--Budget and Payment Terms; C—Invoice Form and Reimbursement Instructions; D1- D2--Reporting Requirements; E--General Terms and Conditions; F--Grant Application and attached hereto, as the contract for the project entitled "Mobile Recycling Bin Grant". Grantee agrees to abide by all applicable state, federal and local laws, rules, ordinances and regulations and to obtain required permits and licenses prior to implementation of the project. Requirements or provisions in Appendix A shall supersede corresponding requirements or provisions in the original grant application (provided in Appendix F).
2. The Grantee agrees to invoice the County an amount not to exceed **\$36,000.00** for reimbursement of expenditures incurred in accordance with the project budget described in Appendix B. 10% of the grant award amount or **\$3,600.00** will be withheld until the final report is received. Grantee is required to provide an In-Kind match of **\$3,600.00** (10%) to the grant project. Total grant project will be a minimum of **39,600.00**. Grantee shall comply with the payment procedures described in Appendix C and other applicable payment procedures established by the County. The County reserves the right to determine satisfactory compliance with the performance criteria and other applicable County policies and procedures.
3. Any changes in the work plan, project budget, payment schedule or other requirements of this contract must be approved in writing by the County in advance. Project shall occur in Saint Louis County.
4. This agreement is effective as of the date of the final signature and will remain in effect for a period of one year from the date of final signature. Contract extensions will be granted upon written mutual agreement between the County and the Grantee.
5. Reporting (Appendix D1&D2) will be due on a quarterly basis from the date of execution, and the final report will be due within 30 days after the expiration date of the grant.

**Grantee: University City**

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Authorized Official	Title	Signature	Date
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Attested By: \_\_\_\_\_

Title:

**Saint Louis County Department of Public Health:**

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Director, Dept. of Public Health	Signature	Date
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SAINT LOUIS COUNTY, MISSOURI

BY: \_\_\_\_\_  
County Executive

DATE: \_\_\_\_\_

Saint Louis County Ordinance #X

Attest:

\_\_\_\_\_  
Administrative Director

\_\_\_\_\_  
Date

\_\_\_\_\_  
County Counselor

\_\_\_\_\_  
Date

I hereby certify that balances sufficient to pay the contract sum remain in the appropriation accounts against which this obligation is to be charged.

\_\_\_\_\_  
Accounting Officer

\_\_\_\_\_  
Date

## **Appendix A - Work Plan and Timeline**

Grant funds will go promoting single stream recycling in the Olive Business District.

### **Work Plan**

1. Develop educational and outreach materials. All materials will be reviewed by the County, have the County logo, and where necessary the County funding statement as described in the Terms and Conditions found in Appendix E.
2. Send out a direct mailer to all owners and managers in the Olive Business District.
3. Conduct face to face visits with all 85 businesses. Attend business districts meetings.
4. Do an assessment on space for dumpsters and for internal bins.
5. Develop an education/training plan for each business that becomes part of the recycling program.
6. Purchase and paint new dumpsters – messaging on the dumpsters will be reviewed by the County and all dumpsters purchased with grant funds will have the County logo and funding statement.
7. Additional outreach – The City will utilize all forms of free communication at its disposal to get the word out about the grant. This will include, but not be limited to the City website and social media, City newsletter, email, festivals, etc.
8. Collect data on grant activities and report the data to the County. Information collected shall include but not be limited to number of businesses that utilized City services, Costs, amount of material collected, number of training sessions, number of festivals/advertisements that included the grant information, etc.

### **Timeline**

#### **First Quarter**

- 1) Hire a college student to assist with the needs analysis of Olive Boulevard businesses.
- 2) Design, mail, and distribute in person a promotional/educational letter for the building owners and business owners about the City's sanitation service options and recycling in general.
- 3) Develop informational materials for all levels of business personnel who will be responsible for recycling. This would include more detailed information about what can be recycled and the purpose of recycling.
- 4) Develop an educational plan for each business that incorporates the City's commercial trash/recycling service.
- 5) Develop specifications and solicit bids for additional dumpster containers.
- 6) Develop specifications and solicit bids for interior recycling containers for businesses (As an incentive for the businesses).
- 7) Discuss any issues concerning trash/recycling collection with sanitation division.

#### **Second Quarter**

- 1) Purchase and receive additional dumpster containers and interior recycling containers
- 2) Coordinate the strategy for collection of the trash and recycling dumpsters with the sanitation division (ongoing).
- 3) Begin distribution of educational and informational materials to all levels of business personnel by way of door-to-door distribution and conversation. These materials can initiate the personnel to encourage public space recycling as well as encourage the business recycling.
- 4) Post educational and informational materials on social media, post signage, hang flyers, etc.

#### **Third-Fourth Quarter (Ongoing)**

- 1) Meet with the person responsible for sanitation service of each business to determine the placement, container sizes, and number of collections needed.
- 2) Determine schedule and deliver new dumpster containers to business.
- 3) Collaborate with finance department regarding new customer accounts.

- 4) Begin and continue collection of commercial trash and recycling.
- 5) Distribute to and discuss additional educational materials with appropriate personnel.
- 6) Continue purchase of necessary dumpsters as necessary.
- 7) Continue waste diversion education

**Appendix B – Budget**

Category For each category, provide an itemized breakdown of costs, brief description, and justification	Grant Funds Requested (\$)	In-Kind Match (\$)	Total Category Cost (\$)
<b>A. Personnel/Administrative Costs (salary+benefits):</b> <b>a. John Houston, Solid Waste Crew Leader – Commercial Program development, structuring waste removal schedule (\$4,535)</b> <b>b. Jenny Wendt, Senior Project Manager – purchasing, public and business education, development and reporting, educational activities (\$6,602)</b> <b>c. TBD, Intern – data gathering, educational development and distribution of materials (\$6,750)</b> <div style="text-align: right;"><b>Total Personnel Costs (\$)</b></div>	\$6,750	\$11,137	\$17,887
<b>B. Subcontractor Costs:</b> <div style="text-align: right;"><b>Total Subcontractor Costs (\$)</b> =</div>	\$0	\$0	\$0
<b>C. Direct Costs:</b> <b>a. Educational Materials (\$1,250)</b> <b>b. Dumpsters: 2, 3 and 4 cubic yard (\$28,000)</b> <div style="text-align: right;"><b>Total Direct Costs (\$)</b> =</div>	\$29,250	\$0	\$29,250
<b>Total Project Costs</b>	\$36,000	\$11,137	\$47,137

**Grant Reimbursement Instructions**

- Grant funding is on a reimbursement basis to the grantee. Vendors will not be paid directly and there are no advanced payments.
- Grantee shall not submit invoices more frequently than once per month.
- Grantee shall submit documentation for all expenditures that align with the budget categories approved in the final grant contract.
- Your grant liaison will provide an invoice form in an Excel format (example on page 7). This form must accompany all reimbursement requests and be signed and dated by the grantee project manager.
- Invoice form may be submitted electronically, as long as it is signed.
- Supporting documentation can be scanned and submitted electronically.
- Hard copy submissions need to include the original supporting documentation.
- Grant funds are available up to the expiration date of the grant. Reimbursements will not be made after the grant expiration date.
- **\*10% is withheld from each invoice and will be reimbursed upon submittal of a satisfactory final report. (This only pertains to grants in the amount of \$5000 or greater)**

**Documentation**

Both match and reimbursement require documentation be submitted with the invoice form to verify the grant expense. Examples of required documentation include copies of receipts for purchases, invoices from subcontractors and for personnel costs the following information shall be submitted on letterhead:

- a) Name of staff person(s)
  - b) Title/position of staff person(s)
  - c) Hourly rate (this should include benefits) for each staff person(s)
  - d) Number of hours worked for each person. This should be itemized for hours worked on each task.
  - e) A description of the work that was done.
  - f) Date(s) work was completed.
  - g) Signature of the project manager
- ***Expenses incurred outside of the contract timeframe will not be reimbursed.***
  - ***Expenses that do not conform with the Terms and Conditions(Appendix E) will not be reimbursed (examples include but are not limited to failure to identify the County as the funding entity, failure to obtain prior approval of publications and printed materials, failure to include both DPH logos on equipment, etc.)***
  - ***Upon approval of the final report, the 10% withheld from previous invoices and, if applicable, requests for reimbursement that accompanied the final report will be processed.***

**Frequently Asked Questions:**

***Are changes to the approved budget allowed?***

Any changes to the grant budget require at a minimum DPH approval and possibly a grant amendment. Do not proceed with budget changes without consulting your grant project liaison.

***How do I show my in-kind match?***

In-kind match should be provided in Category E of the invoice form and should be tracked on each invoice you submit. Documentation for in-kind match is the same as reimbursable expenses and should accompany your invoice form. In-kind match must align with the approved contract budget (Appendix B) and be labeled as match.

***What happens if there is money left over at the end of the grant above and beyond the 10% withheld?***

Any unexpended money remains with Saint Louis County.



**SAMPLE INVOICE FORM**

To: Saint Louis County Department of Public Health Accounts Payable 6121 N. Hanley Rd. Berkeley, MO 63134	
<b>1. Grantee Name:</b>	<b>2. Grant PO#:</b>
<b>3. Address:</b>	<b>4. Period Covered</b>  From:  To:
	<b>5. Invoice #</b> <b>Date:</b>
	<b>6. Amount of Invoice</b>

A. Budget Category	Complete for each invoice				Complete for final payment only	
	B. Grant Fund Budget Amount	C. Total Funds Expended this Period	D. Total Funds Expended/ Committed (Year to Date)	E. In-Kind Match	F. Total In-Kind Match	G. Total Project Cost (D+F)
Personnel/Consultant				\$0.00	\$0.00	\$0.00
Subcontractor Costs				\$0.00	\$0.00	\$0.00
Direct Costs				\$0.00	\$0.00	\$0.00
Educ./Promotion Materials				\$0.00	\$0.00	\$0.00
Other				\$0.00	\$0.00	\$0.00
Total		\$0.00	\$0.00	\$0.00		\$0.00

**Total for this Invoice:**

I CERTIFY THAT THIS INVOICE HAS BEEN DRAWN IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE GRANT CONTRACT AND THAT THE AMOUNT IS PROPER FOR PAYMENT. I ALSO CERTIFY THAT THE DATA REPORTED ABOVE IS CORRECT AND THAT THE AMOUNT OF THE INVOICE IS NOT IN EXCESS OF CURRENT EXPENDITURES/COMMITMENTS.

\_\_\_\_\_  
**Name of Grantee Project Manager**

\_\_\_\_\_  
**Title of Grantee Project Manager**

**Invoice Form Instructions:**

**Items 1-3:** Grantee name, PO#, and address are provided.

**4. Period Covered** – Fill in the dates (start and finish) that this invoice covers.

**5. Invoice # and Date** – Invoices are numbered starting with 1. For date, fill in the date the invoice is submitted.

**A. Budget Category** – This information was taken from the budget page of your grant contract. Do not change or create new budget categories.

**B. Grant Fund Budget Amount** – This is the amount of money you have in each budget category. You cannot move money into other budget categories without a grant amendment.

**C. Total funds expended this period** – This is the amount of money you are requesting for reimbursement for this invoice period.

**D. Total funds expended/committed** – Subtract column B from column C to get this number. This will show how much money you have left in each budget category.

**E. In-kind Match (if applicable)** – You should track your in-kind match throughout the grant timeframe. Documentation must be provided to show your match.

**F. This totals the In-kind match**

**G. Total Project Cost-** grant amount + total in-kind match (D+ F).

Please submit your invoice and supporting documentation to Saint Louis County Department of Public Health Accounts Payable at [dphap@stlouisco.com](mailto:dphap@stlouisco.com)

If you need to submit a hard copy, print and sign their name and date the invoice form. Attach originals of supporting documentation and send the entire packet to (make sure that you keep a copy for your records):

**Saint Louis County Department of Public Health  
Accounts Payable  
6121 N. Hanley Rd., 2<sup>nd</sup> fl  
Berkeley, MO 63134**

**Please do not send the invoice to your grant liaison. Invoices must be routed through Accounts Payable. Invoices take approximately ten business days to process. This process will be delayed if any necessary documentation is missing or if there are questions about the documentation you submitted.**

## Appendix D1 – Quarterly Report

**Indicate Quarter this Report Documents (1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, and 4th):**  
**Attach additional sheets and information as necessary.**

Grantee:

Grant Title:

Date Submitted:

**Quarter Timeline Results:**

List what was to be accomplished this quarter and what actually was accomplished.

**Evaluation:**

Monthly tonnages, yardage, number of people reached, other evaluation information.

**Educational Outreach:**

Describe educational efforts and attach any publications if available.

**Issues:**

Describe any problems encountered/solutions pursued, program strengths/weaknesses.

---

Printed Name & Title of Grantee Project Manager

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Signature of Grantee Project Manager      Date

**Attach additional sheets and information as necessary.**

Grantee:

Grant title:

Grant manager and contact information:

Date submitted:

Grant timeframe:

(Date of contract execution until delivery of this report).

- a. Amount of grant funding:
- b. Amount of in-kind funding:
- c. Amount of grant funding spent (do not include in-kind):
- d. Total project cost: (b+c)

**Grant Synopsis:**

Describe the project:

**Timeline:**

What was to be accomplished and what actually was accomplished.

**Evaluation:**

Monthly tonnages, yardage, number of people reached, other evaluation information.

**Educational outreach:**

Describe educational efforts and attach **all materials** utilized.

**Issues:**

Describe any problems encountered/solutions pursued, program strengths/weaknesses, “lessons learned”.

**Sustainability of Project/Future:**

Will this project continue and/or what is the future for this program?

---

Printed Name & Title of Grantee Project Manager

---

Signature of Grantee Project Manager      Date

## Appendix E – Terms and Conditions

1. **Reporting Requirements.** Grantee will report project status for the work performed, upon request from the County, as part of the final grant contract agreement. As applicable, Grantee agrees to submit reliable information on the participation rate and quantities of materials recovered from the waste stream as well as status of completed tasks, outcomes, problems, etc. Grantee shall utilize quarterly and final report forms provided by the County (Appendix D). Reports shall be considered overdue thirty (30) days after the report due date. Failure to consistently submit required reports by the due date(s) may be considered a breach of contract.
2. **Retention of Records.** Financial records, supporting documents, and other pertinent agreement records shall be retained for a period of three (3) years starting from the date of submission of the final report. Authorized representatives of Saint Louis County shall have access to any pertinent books, documents, and records of Grantee to conduct audits or examinations. Accounting records must be supported by such source documentation as time sheets, canceled checks, paid bills, payrolls, contracts, etc.
3. **Term.** The term of this agreement shall be one (1) year from the date of execution of the grant agreement unless otherwise stipulated on the signature page; provided, however, that the term of this agreement may be extended by the mutual written consent of both parties.
4. **Termination for Cause.** The County may terminate this agreement in whole, or in part, at any time before the date of completion after giving written notice whenever it is determined to be in the sole judgment of the Director of the Department of Health that the Grantee has failed to comply with the terms and conditions of this agreement. In the event the Grantee shall breach any of its obligations to provide the services set forth in this agreement, the Grantee hereby agrees to repay and reimburse the County within thirty (30) days of the termination of this contract any funds received by it under this agreement. In the event of such termination, the County shall have the right to recover any and all grant funds paid to the Grantee or any equipment purchased with such funds. Termination for cause may result in Grantee being ineligible for grant funding for a period of up to three (3) years.
5. **Termination for Convenience.** Either the County or Grantee may terminate this agreement in whole, or in part, when both parties agree that the continuation of the project would not produce beneficial results commensurate with the further expenditure of funds.
6. **Equipment Management.** The following standards shall govern the utilization and disposition of equipment acquired with grant funds:
  - A. Procedures for managing equipment whether acquired in whole or in part with grant funds will, at a minimum, meet the following requirements:
    - (1) Property records must be maintained that include a description of the equipment, a serial number or other identification number, the acquisition date, and cost of the property, percentage of county participation in the cost of the property, the location, use and condition of the property;
    - (2) Grantee must take measures to ensure qualified staff/contractors are employed for construction and/or handling of any equipment;
    - (3) A control system must be developed by the Grantee to ensure adequate safeguards to prevent loss, damage, or theft of the property; and
    - (4) Grantee shall procure and maintain proper insurance.

(5) All equipment shall display the Saint Louis County Department of Public Health’s (DPH) logo and the Reduce, Reuse, Recycle...Go Green! theme logo during the grant project period and possibly longer if directed by the County. Logo usage and placement is subject to approval by the County.

7. **Copyrights.** Except as otherwise provided in the terms and conditions of this agreement, the author or the recipient is free to copyright any books, publications, or other copyrightable material developed in the course of this agreement. However, the County reserves the royalty-free non-exclusive and irrevocable right to reproduce, publish, or otherwise use, and to authorize others to use, any and all data and documents, reports, drawings, studies, analyses, specifications, estimates, maps, computations, brochures, programs, leaflets, surveys, videotapes, recordings, web pages, software and other work for County purposes.

8. **Acknowledgment of County Support.** Recipient agrees that all publications and other printed materials (excluding those provided through the County public education campaign), press releases, bid solicitations, signage, and other documents describing the project for which funds have been awarded, must include a statement of the County’s financial support and the Saint Louis County Department of Public Health’s (DPH) logo. Also, the “Reduce, Reuse, Recycle...Go Green!” theme logo must be included. Equipment and certain promotional materials do not lend themselves to including a financial support statement. In those situations, the DPH logo must be included in conjunction with the “Reduce, Reuse, Recycle...Go Green!” logo. The County will provide a suitable quantity of camera-ready logos. The following phrase must be used as the County financial support statement:

*“...funded by a grant from Saint Louis County Department of Public Health utilizing County landfill surcharge funds.”*

9. **Prior Approval for Publications.** Recipient shall submit to the County for review and prior written approval copies of all publications and other printed materials (excluding those provided through the County public education campaign), press releases, signage, and other documents describing the project for which funds have been awarded. Any materials that were not approved in advance by the County or were changed after County provided written approval shall not be eligible for reimbursement. Any graphical or visual aids in printed, electronic or audio/visual media must be diverse in gender and ethnic representation.

Any grant project recognition or promotion initiated by the Grantee during the grant project period must receive prior written approval by the County. Any application, article, report, presentation, etc. must be reviewed and approved in advance by the County. The County reserves the right to publicize the results of the grant project at any time.

10. **Procurement Standards.** The County shall approve the Grantee’s procurement policies and procedures and/or the Grantee shall use a competitive bidding process to determine the most responsive proposal for goods & services purchased with grant funds. If a grantee does not have a procurement policy that assures the lowest and best price for purchases and services, they shall follow the following County policies:

- a. Purchases up to \$1500.00 do not require competitive bids, but grantees should seek the lowest and best price for goods and services being purchased.
- b. Purchases and contractual services over \$1500.00 but less than \$25,000.00 shall be based on at least three (3) competitive bids and awarded to the lowest responsible bidder.
- c. Purchases and contractual services that exceed \$25,000.00 shall be based on at least three competitive bids and awarded to the lowest responsible bidder. The request for bid must be published in at least once in at least one official newspaper in the County with a circulation of at least five hundred (500) copies per issue at least five days before the day set for receipt of proposals. The Notice shall include a general description of articles to be bid, state where specifications may be obtained, and provide the time and place for opening bids.
- d. The County must review and approve the bidding process used including the process to secure existing vendors and bid solicitations prior to issuance.

- e. Grantee shall purchase products with recycled content or provide justification for why recycled content was not feasible.
11. **Conflict of Interest.** No party to this agreement, nor officer, agent or employee of either party to this agreement who exercises any functions or responsibilities in the review or approval of the performance of this agreement shall participate in any decision relating to this agreement which would affect their personal or pecuniary interest, directly or indirectly.
12. **Recycled Paper/Waste Reduction Requirements.** Grantee agrees to endeavor to use recycled paper and double-sided copies for all reports, publications, press releases and informational material that are prepared as a part of this grant award.
13. **Personnel and Employment Status.** Grantee, its employees, agents and assigns shall not be deemed to be employees of the County; nor shall Grantee be covered by Social Security, Unemployment Compensation or Workers' Compensation provided by the County.
14. **Non-Discrimination.** During the performance of this agreement Grantee agrees as follows:
- A. Grantee shall not discriminate against any employee or applicant for employment in the terms or conditions of employment, including but not limited to: recruitment, selection, training, upgrading, promotion, demotion, transfer, layoff, or termination due to said person's race, religion, creed, color, gender, sexual orientation, age, national origin, handicap, or disability.
- B. In the event of Grantee's non-compliance with the provisions of this section, this agreement may be canceled, terminated, or suspended in whole or in part and Grantee may be declared ineligible for future County contracts. The rights and remedies of the County as provided in this paragraph shall not be exclusive and are in addition to any other remedies provided in the Contract or as provided by law.
15. **Prohibited Business Practices/Non-Solicitation.** Grantee represents and warrants that no agreement or arrangement has been entered into or made with any person or agency to solicit or secure this agreement upon an agreement or understanding for a gratuity, commission, percentage, brokerage fee or contingent fee in any form, to any person excepting bona fide employees of Grantee, or bona fide established commercial sales agencies or consultant under contract with the grant applicant. For breach or violation of this representation and warranty, County may, by written notice to Grantee, terminate the right of Grantee to proceed under this agreement or be entitled to (1) pursue the same remedies against Grantee as it could pursue in the event of a breach of this agreement, and (2) as a penalty, in addition to any other damages to which it may be entitled by law, County may recover exemplary damages in an amount to be determined by the Saint Louis County Executive, which amount shall be not less than three (3) nor more than ten (10) times the amount Grantee paid or agreed to pay as such gratuity, commission, percentage, brokerage, or contingent fee. The rights and remedies of the County as provided in this paragraph shall not be exclusive and are in addition to any other rights and remedies as provided in this Contract or as provided by law.





## Council Agenda Item Cover

**MEETING DATE:** June 26, 2017

**AGENDA ITEM TITLE:** Fiscal Year 2017- 2018 Budget

**AGENDA SECTION:** New Business

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

**BACKGROUND REVIEW:** This resolution approves the Fiscal Year 2018 All Funds Budget.

The General Fund’s operating budget submitted by all departments, reviewed by the Interim City Manager, recommendations and assistance from the Mayor and Councilmembers through numbers of study sessions. As a result of the combined effort, the City is able to minimize the deficit of the General Fund from \$1.26 million\* to \$425,000.

<b>Total Revenues – General Fund</b>	<b>\$23,958,500**</b>
<b>Total Expenditures – General Fund</b>	<b><u>24,383,500</u></b>
<b>Budget deficit</b>	<b><u><u>\$425,000</u></u></b>

The \$1.26 million represents lease expenses for the temporary police station and the land. This amount is drawn from \$7.0 million committed fund balance in the previous year

\*\*Revenues included \$800,000 from Prop P – Sales Tax for Public Safety

### General Fund – Final Proposed Budget

	Projected FY 2017	Final Proposed FY 2018
Beginning Unassigned Fund Balance 7/1/2016	\$ 8,584,000	\$ 6,469,000
Projected Revenue	23,000,000	23,958,500
Projected Expenditures	(25,000,000)	(24,383,500)
Ending Fund Balance	6,584,000	6,044,000
Tr: Committed Fund Balance:		
Resolution 2016-13, Review Annex building project	(40,000)	-
Resolution 2016-17, Crack Seal & Pavement Preservation	(100,000)	-
Resolution 2016-18, Non-Uniformed Contribution	(114,800)	
Resolution 2016-19, Leases Temporary Police unit and land	(1,000,000)	
Resolution 2017-3, Budget Amendment	(716,000)	
Resolution 2017-9, Committed Fund Reserve	(115,000)	-
Unassigned Fund Balance	\$ 6,469,000	\$ 6,044,000
Fund Balance as a percentage of Annual Expenditures	<b>25.9%</b>	<b>24.8%</b>

At the end of FY 2017, General Fund's expenditures are projected to exceed total revenues by \$ 1.9 million. During FY 2017, City Council approved transfers from the General Fund's balance for various purposes as seen above.

Below are the details of the Capital Improvement Program. The total program cost of \$4,095,500 is funded by the Capital Improvement Sales Tax, Park & Storm Water Sales Tax, Grants, and Solid Waste Fund and Economic Development Retail Sales Tax in the amounts of \$1,604,000, \$485,000, \$1,634,000, \$200,000, \$172,500, respectively.

**Capital Improvement Program for FY 2018**

	<b>PROGRAM</b>	<b>CAPITAL IMPROVEMENT SALES TAX</b>	<b>PARK SALES TAX</b>	<b>GRANT FUND</b>	<b>SOLID WASTE FUND</b>	<b>ECONOMIC DEVELOPMENT SALES TAX</b>	<b>TOTAL</b>
	<b>Park Improvement</b>						
1	Centennial Commons Improvement	\$ -	\$ 150,000	\$ -	\$ -	\$ -	\$ 150,000
2	Fogerty Park Perimeter Trail and Loughlin Entrance	-	25,000	80,000	-	-	105,000
3	Heman Park Pool Renovation	-	60,000	-	-	-	60,000
4	Majerus Park Improvement Phase I	-	60,000	525,000	-	-	585,000
5	Mona Drive Stabilization	110,000	90,000	100,000	-	-	300,000
6	Tree Replacement/Emerald Ash Borer	-	100,000	-	-	-	100,000
	<b>Curbs, Sidewalk &amp; Alleys</b>						
7	Sidewalk and Curb Maintenance	300,000	-	-	-	-	300,000
8	Olive Blvd. Sidewalk Improvements	-	-	-	-	172,500	172,500
	<b>Street Construction</b>						
9	8100 Block of Teasdale Drainage	180,000	-	-	-	-	180,000
10	ADA Transition	100,000	-	-	-	-	100,000
11	Forsyth Improvement	184,000	-	736,000	-	-	920,000
12	Street Resurfacing	700,000	-	-	-	-	700,000
	<b>Miscellaneous Improvement</b>						
13	Home Improvement	-	-	75,000	-	-	75,000
14	Bicycle Facilities ( Phase III)	30,000	-	118,000	-	-	148,000
15	Transfer Station Scale	-	-	-	100,000	-	100,000
16	Transfer Station Pit Compactor	-	-	-	100,000	-	100,000
		<b>\$ 1,604,000</b>	<b>\$ 485,000</b>	<b>\$ 1,634,000</b>	<b>\$ 200,000</b>	<b>\$ 172,500</b>	<b>\$ 4,095,500</b>

Summaries of the revenues and expenditures for all funds are illustrated on the next page.

**RECOMMENDATION:** Approval

### All Funds Summary of Revenues and Expenditures

Revenues	FY 2018 Budget
General	\$ 23,958,500
Capital Improvement Sales Tax	2,402,000
Park and Stormwater	1,301,000
Grants	1,634,000
Library	1,763,800
Solid Waste	3,050,000
Public Parking Garage	161,200
Loop Business District	207,000
Parkview Gardens Special District	83,200
Economic Development Sales Tax	666,000
Sewer Lateral	570,500
<b>Total</b>	<b>\$ 35,797,200</b>

Expenditures	FY 2018 Budget
General	\$ 24,383,500
Capital Improvement Sales Tax	2,385,200
Park and Stormwater	1,044,300
Grants	1,634,000
Library	1,761,700
Solid Waste	3,042,100
Public Parking Garage	161,200
Loop Business District	207,000
Parkview Gardens Special District	83,200
Economic Development Sales Tax	615,000
Sewer Lateral	570,500
<b>Total</b>	<b>\$ 35,887,700</b>

- Library's budget is in here for information only. The Board of University City Library approved its own budget.

**Resolution 2018 - 9**

***A Resolution Approving the Fiscal Year 2017-2018 (FY 2018) Budget for the City of University City and Appropriating Said Amounts, for all funds.***

**NOW, THEREFORE BE IT RESOLVED** by the City Council of the City of University City, Missouri, that the Annual Budget for the fiscal year beginning July 1, 2017, as prepared by the Interim City Manager and presented to the City Council on June 26, 2017, after the required public hearing thereof, including any revisions as of this date, is hereby adopted.

**BE IT FURTHER RESOLVED**, that in accordance with the City Charter, the several amounts stated in the budget as presented, are herewith appropriated to the several objects and purposed named.

Adopted this 26th day of June, 2017

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Shelley Welsch, Mayor

Attest:

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LaRette Reese  
Interim City Clerk



## Council Agenda Item Cover

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**MEETING DATE:** June 26, 2017

**AGENDA ITEM TITLE:** RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A UNIVERSITY CITY STORM WATER TASK FORCE

**AGENDA SECTION:** New Business

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

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### **BACKGROUND REVIEW:**

Councilmembers Paulette Carr and Bwayne Smotherson seek to form the University City Storm Water Task Force, since much of the storm water problems fall within their respective wards

This Storm Water Task Force will consist of University City residents and property-owner experts in the field of engineering, storm water management, land-use, planning and zoning, community investment, and associated fields as well as other local residents and property owners as stakeholders, and will be representative of the community to the greatest extent possible; and

Each member of the council will appoint (up to) 2 representatives to the group; and

The Storm Water Task Force will develop its own procedures for accomplishing its work; and

The Storm Water Task Force will follow the open meetings and records laws of the State of Missouri; and

### **ATTACHMENTS:**

1. Resolution 2017-10



Resolution 2017-10

RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A  
UNIVERSITY CITY STORM WATER TASK FORCE

**WHEREAS**, the City of University City is a first-tier suburb facing the same challenges and stresses of similar inner-ring suburbs around the Country; and

**WHEREAS**, the City Council of the City of University City is committed to taking a proactive approach to dealing with these challenges and stresses; and

**WHEREAS**, the River des Peres and its tributaries can be found in University City;

**WHEREAS**, University City has long experienced flash flooding and storm water runoff problems associated with the River des Peres; and

**WHEREAS**, the City of University City contains both separate and combined sewer systems; and

**WHEREAS**, parts of University City have long experienced flooding and storm water problems associated with the overflows from both types of sewer systems; and

**WHEREAS**, the City of University City has a long tradition of turning to its residents and property owners for advice and guidance in areas of concern to it the city; and

**WHEREAS**, the City of University City has among its residents and business community experts in the field of engineering, storm water management, land use, planning, zoning and community investment; and

**WHEREAS**, many of these residents and property owners have expressed a willingness to volunteer their services, expertise and advice to a Storm Water Management Program in University City; and

**WHEREAS**, Rule 21 of the Rules of Order and Procedure of the Council of University City allows for two members of Council with the approval of the majority of Council to form a special committee: and

**WHEREAS, with the approval of the majority of Council**, Councilmembers Paulette Carr and Bwayne Smotherson seek to form the University City Storm Water Task Force, since much of the storm water problems fall within their respective wards;

**NOW, THEREFORE BE IT RESOLVED** that

The City Council of University City authorizes a voluntary Storm Water Task Force to work under the direction of the City Council to develop Storm Water Master Plan for implementation within the borders of the City; and

This Storm Water Task Force will consist of University City residents and property-owner experts in the field of engineering, storm water management, land-use, planning and zoning, community investment, and associated fields as well as other local residents and property owners as stakeholders, and will be representative of the community to the greatest extent possible; and

Each member of the council will appoint (up to) 2 representatives to the group; and

The Storm Water Task Force will develop its own procedures for accomplishing it work; and

The Storm Water Task Force will follow the open meetings and records laws of the State of Missouri; and

The Storm Water Task Force will be citizen led and directed, although the City Council will use its usual procedures to make appointments and will have two of its members (Carr and Smotherson) serve as liaisons to the Task Force, and all members of Council and the public will be welcome to attend and observe its meetings; and

The City Manager will provide staff resources to the Storm Water Task Force including the appointment of the Flood Plain Manager/Public Works Director and the Community Development Director as ex-officio members of the Task Force; and

The Storm Water Task Force will have its first meeting in September 2017; and

The Storm Water Task Force shall have the option of meeting at Heman Park Community Center, which will be made available for meetings at least once per month; and

The University City Storm Water Task Force will develop a Storm Water Management program in an effort to mitigate or alleviate various storm water concerns in the community:

- Phase I – Perform a needs Assessment
  - Identify potential storm water infrastructure problems located in the City;
  - Collect and assimilate the data necessary to confirm that the problems are real; and
  - Complete a prioritized list of the infrastructure problems identified.
- Phase II – Develop a Storm Water Master Plan
  - Develop conceptual solutions and cost estimates for a number (to be determined) of prioritized problems;
  - Update project evaluations of each problem and reprioritize based on conceptual designs and public input; and
  - Prepare a Storm Water Master Plan report to serve as a roadmap for the design and construction of improvements from the Storm Water Master Plan based on the prioritized list and as funding becomes available.

The Storm Water Task Force, upon completion of its work for each phase, will present a written and oral report to the City Council that includes its recommendations, data, and analysis to support its recommendations, realizing that its work is not established public policy, but is designed to present suggestions which the City and City Council may or may not choose to act upon.

This resolution shall be in full force and effect from and after its passage by the City Council.

Adopted this 26<sup>th</sup> day of June 2017.

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Shelley Welsch, Mayor

ATTEST:

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LaRette Reese  
Interim City Clerk  
City Of University City





## Council Agenda Item Cover

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**MEETING DATE:** June 26, 2017

**AGENDA ITEM TITLE:** Committed Fund Reserves for Various Funds

**AGENDA SECTION:** New Business

**CAN THIS ITEM BE RESCHEDULED? :** No

**BACKGROUND REVIEW:** This resolution approves the committed fund reserves:

### **General Fund**

- Unfinished maintenance projects including alley trimming and drainage revision in total of \$35,000
- In May 2017, City Council approved a total of \$30,000 from Grant Writer that was budgeted in the City Manager's budget to be paid for services provided by GovHR USA – a firm awarded by City Council for City Manager search. The search started in May 2017, and anticipated to be completed in FY 2018.
- IT Division had budget in the amount of \$50,000 to be used for Network Infrastructure upgrade. The project is delayed due to the more urgent tasks involved the temporary police facility took priority during FY 2017. Staff planned to complete this project by the middle of FY 2018.

### **Other Funds**

Various programs and projects were in progress at the end of FY 2017. They were budgeted as Capital Outlay and Capital Improvement Program in FY 2017, in the General Fund, Solid Waste Economic Development Sales Tax and Capital Improvement Sales Tax. Therefore, these funds needed to be committed to cover all expenditures incur in FY 2018.

**RECOMMENDATION:** Approval

**Resolution 2017 - 11**

**A Resolution Approving the Committed Fund Reserves**

**NOW, THEREFORE BE IT RESOLVED** by the City Council of the City of University City, Missouri, that the City Council directs the fund reserves to be committed to and applied to items previously budgeted in FY 2017 and previous years, but were not spent, and additional items recommended by City Council.

**BE IT FURTHER RESOLVED**, that the City Council directs the fund reserves to be committed to and applied to the following items:

**General Fund:**

Alley Trimming and Drainage Revision	\$	35,000
Network Infrastructure Upgrade		50,000
Professional Services - City Manager Search		30,000
	\$	<u>115,000</u>

**Solid Waste Fund:**

Cardboard Compactor Upgrade	\$	20,000
Heman Park Enclosure		20,000
Transfer Station Repair		90,000
	\$	<u>130,000</u>

**Economic Development Sales Tax Fund:**

Olive Beautification	\$	50,000
Bus Shelters		20,000
	\$	<u>70,000</u>

**Capital Improvement Sales Tax Fund:**

Kingsland Bridge	\$	430,400
1500 Block of Mendell		32,000
	\$	<u>462,400</u>

Adopted this 26th day of June, 2017

\_\_\_\_\_  
Shelley Welsch, Mayor

Attest:

\_\_\_\_\_  
LaRette Reese, Interim City Clerk



## Council Agenda Item Cover

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**MEETING DATE:** June 26, 2017

**AGENDA ITEM TITLE:** An Ordinance Fixing the Compensation to be Paid to City Officials and Employees as enumerated herein from and after July 1, 2017 and Repealing Ordinance No. 7012

**AGENDA SECTION:** New Business

**CAN THIS ITEM BE RESCHEDULED? :** No

**BACKGROUND REVIEW:** This ordinance provides for a 2.0% cost of living adjustment (COLA) for all job classifications as recommended by City Council. Below are the positions added to the Schedule D.

**Unclassified Service**

Interim City Manager

Position adopted by the Resolution 2017-7 on March 1, 2017.

Interim City Clerk/Secretary to City Manager

New position adopted by the Ordinance 7035 on March 27, 2017

**RECOMMENDATION:** Approval.



INTRODUCED BY:

DATE: June 26, 2017

BILL NO.

ORDINANCE NO:

**AN ORDINANCE FIXING THE COMPENSATION TO BE PAID TO CITY OFFICIALS AND EMPLOYEES AS ENUMERATED HEREIN FROM AND AFTER ITS PASSAGE, AND REPEALING ORDINANCE NO 7012.**

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

Section 1. From and after its passage, initially payable July 1, 2017, City employees within the classified service of the City, hereinafter designated, shall receive as compensation for their services such amounts as may be fixed by the City Manager in accordance with Schedule A (Pay Grade), included herein, with a salary not less than the lowest amount and not greater than the highest amount set forth in Schedule B (Classification and Grade), and shall additionally receive as compensation for their services such benefits generally provided in the Administrative Regulations, and Civil Service Rules now in effect, all of which are hereby adopted, approved, and incorporated herein by this reference, and the City Manager is further authorized and directed to effect the inclusion of these benefits in the City's Administrative Regulations in the manner provided by law.

**SCHEDULE A - HOURLY BASE PAY STEPS**

<b>Pay Grade</b>	<b>Step A</b>	<b>Step B</b>	<b>Step C</b>	<b>Step D</b>	<b>Step E</b>	<b>Step F</b>
3	13.8541	14.5229	15.2108	15.9561	16.6759	17.4912
4	14.3254	14.9879	15.7268	16.4402	17.2364	18.0708
5	15.2108	15.9561	16.6759	17.4912	18.3256	19.2492
6	15.7268	16.4402	17.2364	18.0708	18.9817	19.9053
6A	15.9561	16.6759	17.4912	18.3256	19.2492	20.1856
7	16.9498	17.9180	18.7842	19.6951	20.6824	21.6506
7B	17.1154	18.0963	18.9690	19.8926	20.8862	21.8608
7C	17.4084	18.2492	19.1664	20.0964	21.0327	22.0455
8	17.8670	18.8862	19.7970	20.7525	21.7971	22.8163
8A	17.6568	18.5167	19.4212	20.3894	21.3449	22.3449
9	18.0708	18.9817	19.9053	20.8289	21.8290	22.8608
9B	18.3256	19.2492	20.1856	21.1347	22.1411	23.2048
9A	18.4721	19.3702	20.3321	21.3130	22.2939	23.3640
9C	18.5040	19.4403	20.3894	21.3385	22.3576	23.4341
9D	19.0263	20.1155	21.0837	22.1028	23.2112	24.3004
10	19.1346	20.0454	21.0518	22.0392	23.1029	24.1794
10A	20.1601	21.1283	22.1920	23.2239	24.3450	25.4788
11	19.7588	20.7525	21.7207	22.7653	23.8290	25.0202
11B	20.2684	21.3003	22.2685	23.3577	24.4405	25.8482
12	20.7525	21.7207	22.7653	23.8290	25.0202	26.2177
12D	20.9690	21.9755	23.0774	24.1539	25.3195	26.4979
12A	21.2238	22.2430	23.3004	24.4150	25.5998	27.0903
12B	21.5359	22.5678	23.6379	24.7718	25.9693	27.4852
12C	21.7461	22.7844	23.8673	25.0138	26.2240	27.7528
13	21.7207	22.7653	23.8290	25.0202	26.2177	27.4407
13A	22.2494	23.3258	24.4150	25.6317	26.8610	28.1095
13P	22.8991	24.0010	25.1221	26.3833	27.6445	28.9375
14	22.7653	23.8290	25.0202	26.2177	27.4407	28.7847
14A	23.4341	24.5297	25.7591	26.9884	28.2496	29.6318
14P	24.3959	25.5361	27.0648	28.3579	29.6764	31.1669
15	23.6889	24.8546	26.0266	27.2305	28.5362	30.4726
16	24.6061	25.7654	26.9502	28.2496	29.5936	32.0141
16P	0.0000	0.0000	0.0000	32.0268	33.3708	35.1289
17	26.5871	27.7910	29.0968	30.4535	31.8294	33.2753
17A	26.3960	27.7146	29.1095	30.5618	32.0842	33.6893

<b>SCHEDULE A (CONTINUED)</b>						
<b>Grade</b>	<b>Step A</b>	<b>Step B</b>	<b>Step C</b>	<b>Step D</b>	<b>Step E</b>	<b>Step F</b>
18	27.7591	29.0840	30.5300	31.8676	33.3326	34.8677
18A	27.8292	29.3006	30.8357	32.4663	34.1734	35.9633
18B	28.4025	29.7656	31.1733	32.6065	34.1097	35.6767
18P	0.0000	0.0000	0.0000	36.7149	38.2946	40.2437
19	28.5362	29.8930	31.2688	32.7084	34.2116	35.8168
20	30.5350	31.9924	33.5829	35.0545	36.6659	38.3546
20F	0.0000	0.0000	0.0000	27.7310	29.0458	30.4608
20P	0.0000	0.0000	0.0000	41.4094	43.0719	45.3331
21	32.3772	34.1798	35.7467	37.7914	39.5877	41.0718
22	33.6638	35.3454	37.1162	38.9698	40.9189	42.9636
22A	34.7403	36.3073	37.9825	39.7915	41.6323	43.6706
22B	34.3900	36.2754	37.9124	40.0527	41.9253	43.4796
23	36.1162	37.7850	39.5813	41.4094	43.4413	44.5624
24	36.3328	37.5557	39.3074	41.2565	42.3394	45.4669
24F	0.0000	0.0000	0.0000	43.5496	45.6389	48.2568
24P	0.0000	0.0000	0.0000	46.3905	48.4925	50.6837
25	37.5430	39.3074	41.2565	42.3394	45.4669	47.6644
25A	40.1928	42.1738	44.2567	46.4415	48.7409	51.1487
25F	0.0000	0.0000	48.5116	50.8875	53.3335	56.4037
26	39.3074	41.2565	42.3394	45.4669	47.6644	50.0212
27	45.8363	47.0211	50.4480	52.8621	55.4482	58.7159
27P	47.3969	49.6964	52.1105	54.6393	57.2954	60.0917
28	47.0020	49.3206	51.7602	55.9387	58.4420	60.0917
	<b>Step B</b>	<b>Step C</b>	<b>Step D</b>	<b>Step E</b>	<b>Step F</b>	<b>Step G</b>
11A	17.7592	18.7431	19.4385	19.9501	20.5099	20.9909
11M	19.9982	21.0696	21.8043	22.3247	22.9063	23.4180
16M	24.3538	25.7051	26.6104	27.2882	28.0316	28.5127

<b>SCHEDULE B - ANNUAL BASE PAY</b>			
<b>Title</b>	<b>Pay Grade</b>	<b>Minimum</b>	<b>Maximum</b>
Parking Attendant			
Police/Fire Cadet	3	28,817	36,382
Custodian	4		
Laborer		29,797	37,587
Laborer/Light Equipment Operator	6	32,712	41,403
Advanced Clerk Typist	6A		
Court Clerk II		33,189	41,986
Administrative Secretary	7	35,256	45,033
Account Clerk II	7C	36,209	45,855
Victim Service Advocate	8	37,163	47,458
Equipment Operator	8A	36,726	46,477
Recreation Coordinator			
Print Shop Operator	9B	38,117	48,266
General Maintenance Worker			
Heavy Equipment Operator	9A	38,422	48,597
Tree Trimmer			
Senior Account Clerk	9C	38,488	48,743
Dispatcher	9D	39,575	50,545
Accounts Payable Specialist			
Administrative Assistant			
Exec. Secretary to Chief	10	39,800	50,293
Exec. Secretary to Department Director			
Recreation Supervisor I			
Accountant			
Community Service Specialist	11	41,098	52,042
Engineering Service Specialist			
Inspector I			
Firefighter	11A	51,715	54,580
Crew Leader	11B	42,158	53,764
Paramedic Firefighter	11M	58,235	61,355
Court Administrator			
Inspector II			
Senior Accountant	12	43,165	54,533
Senior Administrative Asst.			
Solid Waste Program Manager			
Lead Dispatcher	12D	43,616	55,116



<b>SCHEDULE B - (CONTINUED)</b>			
<b>Title</b>	<b>Pay Grade</b>	<b>Minimum</b>	<b>Maximum</b>
Project Manager I Recreation Supervisor II	12B	44,795	57,169
Multi-Discipline Inspector	12C	45,232	57,726
Mechanic	13	45,179	57,077
Police Officer Trainee	13P	47,630	60,190
Forestry Supervisor Golf Maintenance Superintendent Golf Manager Lead Mechanic Administrative Analyst Senior Plan Reviewer / Building Inspector	14	47,352	59,872
Project Manager II Manager of Economic Development	14A	48,743	61,634
Police Officer	14P	50,744	64,827
Assistant Recreation Superintendent Human Resources Manager	15	49,273	63,383
Paramedic Fire Captain	16M	70,918	74,853
Police Sergeant	16P	66,616	73,068
Facilities Manager Financial Analyst	17	55,301	69,213
Fleet and Sanitation Superintendent Street Superintendent	18	57,739	72,525
Information Technology Coordinator Senior Public Works Manager	18B	59,077	74,207
Police Lieutenant	18P	76,367	83,707
Deputy Dir. of Recreation	20	63,513	79,777
Building Commissioner	20	63,513	79,777
Battalion Chief	20F	80,753	88,702
Police Captain	20P	86,132	94,293
Assistant Fire Chief	24F	90,583	100,374

Section 2. From and after July 1, 2017, seasonal and part-time employees of the City may be employed at an hourly rate in accordance with the following Schedule C (hourly pay rates for seasonal and part-time employees).

Schedule C

Hourly Rates for Seasonal and Part-Time Employees

<b>Title of Class</b>	<b>Grade Code</b>	<b>Step A</b>	<b>Step B</b>	<b>Step C</b>	<b>Step D</b>	<b>Step E</b>	<b>Step F</b>	<b>Step G</b>	<b>Step H</b>
Rec. Spec. I Youth Job Corps Worker Cashier Park Attendant	P02 P04 P06					7.35	7.51	7.76	8.02
Lifeguard	P05					7.76	8.02	8.27	8.53
Rec. Spec. II Assistant Pool Manager	P07 P11					8.07	8.33	8.58	8.84
Pool Technician	P09					7.35	7.56	7.81	8.07
Rec. Spec. III	P10					8.84	9.09	9.35	9.61
Pool Mgr./Camp Mgr.	P12					9.55	10.07	10.58	11.09
Rec Program Leader	P14		7.51	7.76	8.02				
Rec Program Supervisor	P17		9.55	10.07	10.58				
Golf Shop Supervisor Parking Controller*	P13								
Clerical Aide Labor Aide	P15		7.56						
Traffic Escort	P16		8.15						
PT Clerk Typist	P18		8.15						
PT Adv. Clerk Typist*	P19			12.75					
PT Court Clerk*	P20		14.10						
PT Police Cadet* Fire Cadet*	P22		9.92						
Admin Secretary	P24	11.97	12.54	13.15					
Intern	P25	7.84	8.92	9.99	11.07	13.50			
PT Custodian, Laborer	P26	9.47	9.98	10.50	11.00	11.52			
PT Dispatcher*	P27	16.62	17.55	18.40	19.31	20.27			
PT Paramedic/Firefighter*	P28	19.99							
PT Public Works/Parks Inspector*	P29	20.81							

\*These positions are permanent Part-time, the rates include 2% cost of living adjustment.

Section 3. From and after May 23, 2011, initially payable May 27, 2011, City employees in the unclassified service of the City, except as otherwise noted, shall receive as full compensation for their services the amounts hereinafter set forth, or where a grade in salary is specified, such amounts as may be fixed by the City Manager within the specified grade. Non-executive and executive personnel in a grade shall be paid in accordance with Schedule A (Pay Step Schedule).

Schedule D  
Pay Rates for the Unclassified Service, Part-Time,  
Temporary or Special Grant Funded Positions

<u>Grade Code</u>	<u>Title of Position</u>	<u>Monthly Salary</u> (except as noted)
S04 A	Judge of City Court (Substitute)	\$150 per session
S05 A	Judge of City Court	\$500 per session
S06 A	Prosecuting Attorney (Substitute)	\$150 per session
S07 A	Prosecuting Attorney	\$2,500 per month

<b>SCHEDULE D</b>	<b>ANNUAL BASE PAY</b>			
	<b>Title</b>	<b>Pay Grade</b>	<b>Minimum</b>	<b>Maximum</b>
	City Manager	S03	143,530	143,530
	Interim City Manager	S03	143,530	143,530
	Secretary to City Manager	10	39,800	50,293
	City Clerk	18B	59,077	74,207
	Interim City Clerk/Secretary to City Manager	18B	59,077	74,207
	Director of Community Development	25A	83,601	106,389
	Fire Chief	25F	100,905	117,319
	Director of Finance	27	95,339	122,129
	Director of Public Works and Parks			
	Police Chief	27P	98,586	124,991

Section 4. From and after June 29, 1994, all full-time non-executive, non-administrative or non-professional employees shall be subject to the work week or work cycle and regulations relating to overtime work, except as noted. A listing of executive, administrative, and professionally designated employees or positions shall be issued by the City Manager.

1. Department directors shall not be paid overtime nor receive compensatory time for hours worked in excess of 40 per week.
2. Department directors may grant compensatory time on a straight time basis to their designated executive, administrative, or professional employees for hours worked in excess of 40 hours per week. Such employees are exempt from FLSA provisions.

3. The normal work week for full-time office, field, maintenance, and police personnel, and for police and fire executive and administrative employees, is set at 40 hours per week.
4. Hours worked in excess of 40 hours per week, when authorized in advance by department directors, may be paid at the rate of time and one-half or in lieu thereof, department directors in their discretion may grant compensatory time off also at the rate of time and one-half up to an accumulation allowable under FLSA provisions.
5. The average work week of Battalion Chiefs shall be 56 hours. They shall not be compensated for any hours in excess of 56 hours.

Section 5.

- A. From and after June 28, 2006, initially payable July 14, 2006, the commissioned Police personnel, in the pay grades shown, shall receive compensation for five years consecutive City service, with the exception of military leave of absence, in their present classification in the following amounts, from the sixth (6<sup>th</sup>) year through the seventh (7<sup>th</sup>) year:

<u>In Pay Grade</u>		<u>Monthly Amount</u>
16P	Police Sergeant	\$63
18P	Police Lieutenant	67
20P	Police Captain	71

- B. From and after June 28, 2006, initially payable July 14, 2006, the commissioned Police personnel, in the pay grades shown, shall receive compensation for seven years consecutive City service, with the exception of military leave of absence, in their present classification in the following amounts, from and after the eighth (8<sup>th</sup>) year through the tenth (10<sup>th</sup>) year:

<u>In Pay Grade</u>		<u>Monthly Amount</u>
14P	Police Officer	\$49
16P	Police Sergeant	123
18P	Police Lieutenant	132
20P	Police Captain	142

- C. From and after June 28, 2006, initially payable July 14, 2006, the commissioned Police personnel, in the pay grades shown, shall receive compensation for ten years consecutive City service, with the exception of military leave of absence, in their present classification in the following amounts, from and after the eleventh (11<sup>th</sup>) year through the fourteenth (14<sup>th</sup>) year:

<u>In Pay Grade</u>		<u>Monthly Amount</u>
14P	Police Officer	\$80

- D. From and after June 28, 2006, initially payable July 14, 2006, the commissioned Police personnel, in the pay grades shown, shall receive compensation for fourteen years consecutive City service, with the exception of military leave of absence, in their present classification in the following amounts, from and after the fifteenth (15<sup>th</sup>) year:

<u>In Pay Grade</u>		<u>Monthly Amount</u>
14P	Police Officer	\$92

- E. From and after June 28, 2006, initially payable July 14, 2006, Paramedic Fire Captains, Firefighters, and Paramedic Firefighters shall receive compensation for seven (7) years consecutive City service, excepting military leave of absence, in their present classification in the following amounts, from the eighth (8<sup>th</sup>) year through the tenth (10<sup>th</sup>) year:

<u>In Pay Grade</u>		<u>Monthly Amount</u>
11A	Firefighters	\$77
11M	Paramedic Firefighters	\$77
16M	Paramedic Fire Captains	\$86

- F. From and after June 28, 2006, initially payable July 14, 2006, Firefighters and Paramedic Firefighters shall receive compensation for ten (10) years consecutive City service, excepting military leave of absence, in their present classification in the following amounts, from the eleventh (11<sup>th</sup>) year through the twentieth (20<sup>th</sup>) year:

<u>In Pay Grade</u>		<u>Monthly Amount</u>
11A	Firefighters	\$133
11M	Paramedic Firefighters	\$133
16M	Paramedic Fire Captains	\$133

- G. The following is only for Firefighters, Paramedic Firefighters, and Paramedic Fire Captains who will be receiving 20 years longevity pay on August 1, 2013, initially payable August 1, 2013, Firefighters, Paramedic Firefighters, and Paramedic Fire Captains shall receive compensation for twenty (20) years consecutive City service, excepting military leave of absence, in their present classification in the following amount, from the twenty-first (21<sup>st</sup>) year:

<u>In Pay Grade</u>		<u>Monthly Amount</u>
11A	Firefighters	\$168
11M	Paramedic Firefighters	\$168
16M	Paramedic Fire Captain	\$168

For the purpose of calculating consecutive service in this section, time served in the

classifications of Firefighter and Paramedic Firefighter is combined for the same person.

Section 6. From and after June 25, 2008, all full-time employees shall have their hourly rate computed as follows:

1. The hourly rate for all full-time employees, who, according to Section 4, have a set or average work week of 40 hours, shall have their hourly rate computed by multiplying the monthly rate by 12, dividing that product by 2,080.
2. The hourly rate for full-time uniformed Battalion Chiefs of the Fire Department, who, according to Section 4, have an average work week of 56 hours, shall have their hourly rate computed by multiplying the monthly rate by 12, dividing that product by 2,912.

Section 7. Ordinance No. 7012 and all ordinances in conflict herewith are hereby repealed.

Section 8. This ordinance shall take effect and be in force from its passage as provided by law.

PASSED this 26th day of June, 2017.

\_\_\_\_\_  
MAYOR

ATTEST:

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

CERTIFIED TO BE CORRECT AS TO FORM:

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



## Council Agenda Item Cover

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**MEETING DATE:** June 26, 2017

**AGENDA ITEM TITLE:** Council Manager Form of Government

**AGENDA SECTION:** Council Reports/Business

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

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### **BACKGROUND REVIEW:**

Requested by Councilmembers McMahon and Carr

Council Manager Form of Government: Roles, Duties, Powers pursuant to  
Charter Art I Sec. 2, Art. II Sec. 8, Art. III Sec. 19  
Council Rule 31  
Council Rule 32  
Ordinance Sec. 410.260

**RECOMMENDATION:** Review and Discussion and possible vote

### **ATTACHMENTS:**

Charter Art I Sec. 2, Art. II Sec. 8, Art. III Sec. 19  
Council Rule 31  
Council Rule 32  
Ordinance Sec. 410.260





**Section 2. Form of government. [R.O. 2011 Charter Art. I § 2]**

The municipal government provided by this Chapter shall be known as a "Council manager government". Pursuant to the provisions of this Charter and subject only to the limitations imposed hereby and by the constitution of Missouri, all powers of the city shall be vested in an elective council, hereinafter referred to as "the council," which shall enact local legislation, adopt budgets, determine policies and appoint the city manager, who shall execute the laws and administer the government of the city.

**Section 8. Mayor as presiding officer; mayor generally. [R.O. 2011 Charter Art. II § 8; Ord. No. 3649, § 1; Ord. No. 5211, § 3]**

The councilmember elected at large shall preside at all meetings of the council, and shall have the title of mayor. He shall be recognized as the head of the city government for all ceremonial purposes, and by the governor for purposes of military law, but shall have no administrative duties. During the absence of the mayor or his inability to act for any reason, the council shall choose one of its members as chairman pro tempore, who shall perform the duties of the mayor.

**Section 19. Powers and duties. [R.O. 2011 Charter Art. III § 19; Ord. No. 4962, § 5]**

The city manager shall be the chief administrative officer of the city and shall be responsible to the council for the proper administration of all the city's affairs. To that end he shall have power and shall be required to:

- (1) *City officers and employees.* Appoint and, when necessary for the good of the service, remove all officers and employees of the city except as otherwise provided by this Charter;
- (2) *Annual budget.* Prepare the budget annually and submit it to the council and be responsible for its administration after adoption;
- (3) *Annual report.* Prepare and submit to the council, as of the end of the fiscal year, a complete report on the finances and administrative activities of the city for the preceding year;
- (4) *Advice, etc., to council.* Keep the council advised of the financial condition and future needs of the city and make such recommendations as may seem to him desirable;
- (5) *Enforcement of laws, etc.* Enforce all laws and ordinances and see that all contracts and franchises are faithfully performed;
- (6) *Additional duties.* Perform such other duties as may be prescribed by this Charter or required of him by the council, not inconsistent with this Charter.

## **Section IX**

### **COUNCIL POSITIONS ON ISSUES**

#### **Rule 31**

No member may represent the Council or the City in taking a position on a political issue unless the position has been previously agreed to by a majority of the Council. However, votes taken at meetings of the St. Louis County Municipal League, the Missouri Municipal League, the National League of Cities, Metro Mayors, National Conference of Black Mayors, and United States Conference of Mayors organizations will be decided by a majority of those members of the Council who are members and present at such meetings; unless a position has previously been decided on an issue by the Council as a whole, in which case the latter shall prevail.

#### **Rule 32**

- A. When presenting personal positions or views, Councilmembers should make it clear that these are not the positions of the City or Council
- B. Nothing in these rules is meant to limit the First Amendment Speech rights of any individual member of Council

**Section 410.260. Definitions. [R.O. 2011 §15.16.270; Ord. No. 6495 §1(part), 2004]**

Unless specifically defined below, words or phrases used in this Chapter shall be interpreted so as to give them the same meaning they have in common usage and to give this Chapter its most reasonable application.

100-YEAR FLOOD — See "*BASE FLOOD*".

ACCESSORY STRUCTURE — The same as "*APPURTENANT STRUCTURE*".

ACTUARIAL RATES — See "*RISK PREMIUM RATES*".

ADMINISTRATOR — The Federal Insurance Administrator.

AGENCY — The Federal Emergency Management Agency (FEMA).

AGRICULTURAL COMMODITIES — Agricultural products and livestock. **[Ord. No. 6977 §§1 — 2, 1-26-2015]**

AGRICULTURAL STRUCTURE — Any structure used exclusively in connection with the production, harvesting, storage, drying, or raising of agricultural commodities. **[Ord. No. 6977 §§1 — 2, 1-26-2015]**

APPEAL — A request for review of the Floodplain Administrator's interpretation of any provision of this Chapter or a request for a variance.

APPURTENANT STRUCTURE — A structure that is on the same parcel of property as the principal structure to be insured and the use of which is incidental to the use of the principal structure.

AREA OF SPECIAL FLOOD HAZARD — The land in the floodplain within a community subject to a one percent (1%) or greater chance of flooding in any given year.

BASE FLOOD — The flood having a one percent (1%) chance of being equaled or exceeded in any given year.

BASEMENT — Any area of the structure having its floor subgrade (below ground level) on all sides.

BUILDING — See "*STRUCTURE*".

CHIEF EXECUTIVE OFFICER OR CHIEF ELECTED OFFICIAL — The official of the community who is charged with the authority to implement and administer laws, ordinances and regulations for that community.

COMMUNITY — Any State or area or political subdivision thereof which has authority to adopt and enforce floodplain management regulations for the areas within its jurisdiction.

DEVELOPMENT — Any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, levees, levee systems, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials.

**ELEVATED BUILDING** — For insurance purposes, a non-basement building which has its lowest elevated floor raised above ground level by foundation walls, shear walls, posts, piers, pilings or columns.

**ELIGIBLE COMMUNITY OR PARTICIPATING COMMUNITY** — A community for which the Administrator has authorized the sale of flood insurance under the National Flood Insurance Program (NFIP).

**EXISTING CONSTRUCTION** — For the purposes of determining rates, structures for which the "start of construction" commenced before the effective date of the Flood Insurance Rate Map (FIRM) or before January 1, 1975, for FIRMs effective before that date. "*Existing construction*" may also be referred to as "*existing structures*".

**EXISTING MANUFACTURED HOME PARK OR SUBDIVISION** — A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

**EXPANSION TO AN EXISTING MANUFACTURED HOME PARK OR SUBDIVISION** — The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

**FLOOD OR FLOODING** — A general and temporary condition of partial or complete inundation of normally dry land areas from (1) the overflow of inland, and/or (2) the unusual and rapid accumulation or runoff of surface waters from any source.

**FLOOD BOUNDARY AND FLOODWAY MAP (FBFM)** — An Official Map of a community on which the Administrator has delineated both special flood hazard areas and the designated regulatory floodway.

**FLOOD ELEVATION DETERMINATION** — A determination by the Federal Insurance Administrator of the water surface elevations of the base flood, that is, the flood level that has a one percent (1%) or greater chance of occurrence in any given year.

**FLOOD ELEVATION STUDY** — An examination, evaluation and determination of flood hazards.

**FLOOD FRINGE** — The area outside the floodway encroachment lines, but still subject to inundation by the regulatory flood.

**FLOOD HAZARD BOUNDARY MAP (FHBM)** — An Official Map of a community, issued by the Administrator, where the boundaries of the flood areas having special flood hazards have been designated as (unnumbered or numbered) A Zones.

**FLOOD INSURANCE RATE MAP (FIRM)** — An Official Map of a community on which the Federal Insurance Administrator has delineated both the special flood hazard areas and the risk premium zones applicable to the community.

**FLOOD INSURANCE STUDY (FIS)** — An examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations.

**FLOODPLAIN OR FLOOD-PRONE AREA** — Any land area susceptible to being inundated by water from any source (see "*FLOODING*").

**FLOODPLAIN MANAGEMENT** — The operation of an overall program of corrective and preventive measures for reducing flood damage, including, but not limited to, emergency preparedness plans, flood control works and floodplain management regulations.

**FLOODPLAIN MANAGEMENT REGULATIONS** — Zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as floodplain and grading ordinances) and other applications of police power. The term describes such State or local regulations, in any combination thereof, that provide standards for the purpose of flood damage prevention and reduction.

**FLOODPROOFING** — Any combination of structural and non-structural additions, changes or adjustments to structures that reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities or structures and their contents.

**FLOODWAY OR REGULATORY FLOODWAY** — The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot.

**FLOODWAY ENCROACHMENT LINES** — The lines marking the limits of floodways on Federal, State and local floodplain maps.

**FREEBOARD** — A factor of safety usually expressed in feet above a flood level for purposes of floodplain management. "*Freeboard*" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as bridge openings and the hydrological effect of urbanization of the watershed.

**FUNCTIONALLY DEPENDENT USE** — A use that cannot perform its intended purpose unless it is located or carried out in close proximity to water. This term includes only docking facilities and facilities that are necessary for the loading and unloading of cargo or passengers, but does not include long-term storage or related manufacturing facilities.

**HIGHEST ADJACENT GRADE** — The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

**HISTORIC STRUCTURE** — Any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the national register;

2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
3. Individually listed on a State Inventory of Historic Places in States with historic preservation programs which have been approved by the Secretary of the Interior; or
4. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
  - a. By an approved State program as determined by the Secretary of the Interior, or
  - b. Directly by the Secretary of the Interior in States without approved programs.

**LOWEST FLOOR** — The lowest floor of the lowest enclosed area, including basement. An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access, or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable floodproofing design requirements of this Chapter.

**MANUFACTURED HOME** — A structure, transportable in one (1) or more sections, that is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "*manufactured home*" does not include a "*recreational vehicle*".

**MANUFACTURED HOME PARK OR SUBDIVISION** — A parcel (or contiguous parcels) of land divided into two (2) or more manufactured home lots for rent or sale.

**MAP** — The Flood Hazard Boundary Map (FHBM), Flood Insurance Rate Map (FIRM), or the Flood Boundary and Floodway Map (FBFM) for a community issued by the Federal Emergency Management Agency (FEMA).

**MARKET VALUE OR FAIR MARKET VALUE** — An estimate of what is fair, economic, just and equitable value under normal local market conditions.

**MEAN SEA LEVEL** — For purposes of the National Flood Insurance Program (NFIP), the National Geodetic Vertical Datum (NGVD) of 1929 or other datum to which base flood elevations shown on a community's Flood Insurance Rate Map (FIRM) are referenced.

**NEW CONSTRUCTION** — For the purposes of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial Flood Insurance Rate Map or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "*new construction*" means structures for which the "start of construction" commenced on or after the effective date of the floodplain management regulations adopted by a community and includes any subsequent improvements to such structures.



**NEW MANUFACTURED HOME PARK OR SUBDIVISION** — A manufactured home park or subdivision for which the construction of facilities for servicing the lot on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by the community.

**NFIP** — The National Flood Insurance Program (NFIP).

**PARTICIPATING COMMUNITY ALSO KNOWN AS AN ELIGIBLE COMMUNITY** — A community in which the Administrator has authorized the sale of flood insurance.

**PERSON** — Includes any individual or group of individuals, corporation, partnership, association, or any other entity, including Federal, State and local governments and agencies.

**PRINCIPALLY ABOVE GROUND** — At least fifty-one percent (51%) of the actual cash value of the structure, less land value, is above ground.

**RECREATIONAL VEHICLE** — A vehicle which is:

1. Built on a single chassis;
2. Four hundred (400) square feet or less when measured at the largest horizontal projections;
3. Designed to be self-propelled or permanently towable by a light-duty truck; and
4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use.

**REMEDY A VIOLATION** — To bring the structure or other development into compliance with Federal, State or local floodplain management regulations or, if this is not possible, to reduce the impacts of its non-compliance.

**REPETITIVE LOSS** — Flood-related damages sustained by a structure on two (2) separate occasions during a ten-year period for which the cost of repairs at the time of each such flood event, equals or exceeds twenty-five percent (25%) of the market value of the structure before the damage occurred. **[Ord. No. 6977 §§1 — 2, 1-26-2015]**

**RISK PREMIUM RATES** — Those rates established by the Federal Insurance Administrator pursuant to individual community studies and investigations which are undertaken to provide flood insurance in accordance with Section 1307 of the National Flood Disaster Protection Act of 1973 and the accepted actuarial principles. "*Risk premium rates*" include provisions for operating costs and allowances.

**SPECIAL FLOOD HAZARD AREA** — See "*AREA OF SPECIAL FLOOD HAZARD*".

**SPECIAL HAZARD AREA** — An area having special flood hazards and shown on a Flood Hazard Boundary Map, Flood Insurance Rate Map or Flood Boundary and Floodway Map as Zones (unnumbered or numbered) A and AE.

**START OF CONSTRUCTION** — Includes substantial improvements, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvements was within one hundred eighty (180) days of the permit date. The "*actual start*" means either the first (1st) placement of permanent construction of a structure on a site, such as the pouring of slabs or footings, the installation of piles, the construction of columns, any work beyond the stage of excavation, or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling, the installation of streets and/or walkways, excavation for a basement, footings, piers, foundations, the erection of temporary forms, nor installation on the property of accessory structures, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the "*actual start of construction*" means the first (1st) alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

**STATE COORDINATING AGENCY** — That agency of the State Government or other office designated by the Governor of the State or by State Statute at the request of the Federal Insurance Administrator to assist in the implementation of the National Flood Insurance Program (NFIP) in that State.

**STRUCTURE** — For floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home. "*Structure*", for insurance purposes, means a walled and roofed building, other than a gas or liquid storage tank, that is principally above ground and affixed to a permanent site, as well as a manufactured home on a permanent foundation. For the latter purpose, the term includes a building while in the course of construction, alteration or repair, but does not include building materials or supplies intended for use in such construction, alteration or repair, unless such materials or supplies are within an enclosed building on the premises.

**SUBSTANTIAL DAMAGE** — Damage of any origin sustained by a structure whereby the cost of restoring the structure to predamaged condition would equal or exceed fifty percent (50%) of the market value of the structure before the damage occurred. The term includes Repetitive Loss buildings (see definition). **[Ord. No. 6977 §§1 — 2, 1-26-2015]**

For the purpose of this definition, "repair" is considered to occur when the first repair or reconstruction of any wall, ceiling, floor, or other structural part of the building commences.

The term does not, however, include:

- (1) Any project for improvement of a building required to comply with existing health, sanitary, or safety code specifications which have been identified by the Building Commissioner and which are solely necessary to assure safe living conditions, or
- (2) Any alteration of a "historic structure" provided that the alteration will not preclude the structure's continued designation as a "historic structure", or
- (3) Any improvements to a building.

**SUBSTANTIAL IMPROVEMENT** — Any combination of reconstruction, alteration, or improvement to a structure, taking place during a ten-year period, in which the cumulative percentage of improvements equals or exceeds fifty percent (50%) of the current market value of the structure. For purposes of this definition, an improvement occurs when the first alteration of any wall, ceiling, floor, or other structural part of the structure commences, whether or not that alteration affects the external dimensions of the building. This term includes structures which have incurred "repetitive loss" or "substantial damage", regardless of the actual repair work performed. The term does not, however, include: **[Ord. No. 6977 §§1 — 2, 1-26-2015]**

1. Any project for improvement of a structure to correct existing violations of State or local health, sanitary or safety code specifications that have been identified by the Building Commissioner and which are the minimum necessary to assure safe living conditions, or
2. Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure", or
3. Any structure that has been damaged from any source or is categorized as repetitive loss.

**SUBSTANTIALLY IMPROVED EXISTING MANUFACTURED HOME PARKS OR SUBDIVISIONS** — Where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds fifty percent (50%) of the value of the streets, utilities and pads before the repair, reconstruction or improvement commenced. **[Ord. No. 6977 §§1 — 2, 1-26-2015]**

**VARIANCE** — A grant of relief by the community from the terms of a floodplain management regulation. Flood insurance requirements remain in place for any varied use or structure and cannot be varied by the community.

**VIOLATION** — The failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required by this Chapter is presumed to be in violation until such time as that documentation is provided.

**WATER SURFACE ELEVATION** — The height in relation to the National Geodetic Vertical Datum (NGVD) of 1929 (or other datum where specified) of floods of various magnitudes and frequencies in the floodplain.

