

MEETING OF THE CITY COUNCIL  
CITY HALL, Fifth Floor  
6801 Delmar Blvd.  
University City, Missouri 63130  
**September 25, 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, September 25, 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 were Interim City Manager, Charles Adams and City Attorney John F. Mulligan, Jr.

**C. APPROVAL OF AGENDA**

Voice vote to approve the Agenda as presented carried unanimously.

**D. PROCLAMATIONS**

**E. APPROVAL OF MINUTES**

1. September 11, 2017, Regular Session minutes, were moved by Councilmember Jennings, seconded by Councilmember Carr and the motion carried unanimously.

**F. APPOINTMENTS TO BOARDS & COMMISSIONS**

1. John Samuel Tieman and Linda Sharpe Taylor are nominated to the Storm Water Task Force by Councilmember Glickert, seconded by Councilmember Carr and the motion carried unanimously.
2. Brian Burkett is nominated to the Board of Adjustment to replace Margaret Holly's expired term by Councilmember Crow, seconded by Councilmember McMahon and the motion carried unanimously.
3. Charles Marentette is nominated for reappointment to the Board of Adjustments by Councilmember Jennings, seconded by Councilmember Carr and the motion carried unanimously.

**G. SWEARING IN TO BOARDS & COMMISSIONS**

**H. CITIZEN PARTICIPATION (Total of 15 minutes allowed)**  
**Joan Bray, 7166 Pershing Avenue, University City, MO**

Ms. Bray stated she is working with a Consultant from ExteNet Systems and would like to provide Council with information detailing their plans to complete work in U. City, once revisions to the Telecommunications Facilities Ordinance are adopted.

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

Ms. McQueen requested that City Council issue an RFP to secure the services of an engineering consultant to:

- Review MSD's current recommendations;
- Review each proposed site and evaluate its impact on the community for the next 5, 10 and 15-year time span;
- Review MSD's cost estimates, and
- Provide alternative sites

*(Ms. McQueen asked that her written comments be made a part of the record.)*

**Kelsi Bryant, 7361 Trenton Avenue, University City, MO**

Ms. Bryant; Senior Class President and Cheer Captain at U City High School, requested that every student throughout this community be given an opportunity to serve as a City Council Student Representative. U City represents a democracy, therefore every student, especially African-American students, should be fairly represented and allowed to participate in matters that directly impact them and their communities.

**Suzanne Schoomer, 7 Princeton, University City, MO**

Ms. Schoomer stated both personally, and as a real estate agent, she has become aware of the fact that U City is gaining a reputation as one of the most difficult places to do business. She stated this was an issue many years ago that now seems to be deteriorating once again. Inspections take longer to schedule; permits are harder to obtain; communication between contractors and inspectors are anemic, and as contractors become more reluctant to submit bids, there will be fewer choices and higher prices. Ms. Schoomer stated while she is not opposed to the creation of an Architectural Commission, perhaps its formulation should be delayed until a new City Manager has been hired and given the opportunity to streamline the Planning and Zoning Office.

Mayor Welsch stated Bart Stewart had asked that his statement be read into the record since he was unable to be in attendance. She stated the letter is long, so her intent is to stop after 5 minutes and ask that the letter, in its entirety, be placed into the record.

Councilmember Carr informed Mayor Welsch that she has often extended additional time to residents, and therefore, would respectfully request that Mr. Stewart's letter be read in its entirety.

**Bart Stewart, 714 Harvard Avenue, University City, MO**

*"Dear Mayor Welsch and members of the U City, City Council my name is Bart Stewart and I reside at 714 Harvard Avenue.*

*As I cannot be at the Council meeting tonight I would appreciate my comments being read into the record by Mayor Welsch as my representative voice.*

*As a resident who lives very close to the Delmar Loop and was at the peaceful protest the night several of our businesses were destroyed, I feel I have to speak to what I see is a very concerning precedent that would be set in carrying out what is being proposed regarding this small relief business plan. I am very aware of how important our Loop*

*businesses are to our community. I live within a stone's throw of the western edge of this vibrant area and what I have said before is the core of why I, as well as many of my neighbors, have chosen to locate in this area. With that being said, I feel like the action that would be undertaken by approving this package would not be wise for several reasons.*

*First, the business district of the Loop has some of the highest rents in the area and definitely in U City. It's not as if these small businesses are hurting for money or are very small start-ups. Many of them are doing quite well and are pretty lucrative. If it is a small business then likely the landlord of the building is doing quite well, as the rents have been rising to the point where the truly small businesses of this area have been priced out of this market. We've even seen some larger businesses cite that the rents are high enough to keep them out of the area. Would it not be wise then to find a way to work with these landlords to see what kind of assistance they could provide in one-time rent abatement or some other creative way to help out their tenants?*

*Depending on the contract language of the lease, some of the landlords may be responsible for the damage. I have spoken to a couple of the business owners who have said that while they are in fact, responsible as part of their lease agreement, the deductible they will incur is minuscule in comparison to the actual damage they incurred. Why then should this burden fall on taxpayers? If this had been in an unavoidable natural disaster then perhaps this would be a wise use of our money.*

*The nature of the destruction brings me to my second and more important point. As I just mentioned, the property destruction that was sustained was not natural and therefore was not an unavoidable event. Although we can parse words over what caused the destruction, the simple fact that it was not natural and was carried out by some of our fellow human beings means that the destruction could have been avoided. I was at the early events that precipitated these events. I have also seen video, pictures, and read firsthand accounts of what took place. Our Governor promised to use our State's resources to protect life and property. That did not take place. Perhaps, we should be asking him where that assistance was. In addition, there is ample evidence that heavy-handed police tactics that evening, and in evenings prior, could have been a precipitating factor in some of the unrest. While the actions of the few that carried out this destruction cannot be excused, perhaps, we can look at these events as an unfortunate reality of the very real systemic problems the St. Louis region faces.*

*U City is in many ways a microcosm of St. Louis as a whole. And the lack of truly integrated communities has led to rising tension, coupled with the very real gentrification that has taken place in the Loop over the past twenty years; it is surprising that things took this long to boil over. Should the residents of U City be tasked with bearing the brunt of this, considering the myriad of historic factors that led to the events that evening? In addition, what message does it send to the larger community that we will give to this cause, when in fact, some of our own policies may have been part of the underlying forces that led to the events? What message does it send that we are unwilling to address the larger economic forces at play that lead to this kind of crisis and then we simply put a band-aid over the real problems that we face to simply gloss over what took place?*

*Finally, since this is a decision to help businesses, what message are we sending the business leaders in our community when we tell them we will bail them out for what may be unwise business decisions on their part? When I spoke to one business owner who sustained significant damage in windows, as well as a small amount of damaged inventory, I was told that her deductible was less than \$200.00. While I feel empathetic that other business owners may have larger deductibles, or are uninsured for such kinds of losses, are we looking into the business decisions that may have led to them not having enough insurance or why they are paying such high deductibles? Was this a risk that the business was willing to gamble on by choosing a higher deductible to be offset by a lower premium?*

*If we jump in this time that these businesses sustained damage will we do this every time a vandal targets a business? If not, then why are we doing it this time? Isn't that part of business and insurance; deciding on the best way to mitigate the risks? If we are choosing to do this now, what is the standard for vandalism that requires us to intervene? How will we decide which incidents are morally just enough for us to step in?*

*As I stated, I am certainly sympathetic to the fact that these businesses which are such an integral part of our community suffered. However, since there are so many unanswered questions about what actually happened that evening, and there are so many underlying factors that our own policies and the way we do things in U City, as well as St. Louis as a whole, that very likely contributed to the unrest, then I feel like we must not pass this relief package as it is currently proposed. There is plenty of time to delay this vote in order to fully vet what took place and make sure our own quick reaction of wanting to do something for doing something's sake, does not have any unintended consequences and is the best use of our limited resources. I'd ask that you'd either vote no on this proposal, or at least vote on a motion to delay until more questions can be answered and more thought goes into making it right. Doing the opposite gives no real chance to openly discuss what we value as a community and speeds the process unnecessarily, making this look like a knee-jerk reaction, and feel-good gesture, rather than actually accomplishing the business retention which seems to be its unstated goal. Thank you for your time and consideration." (Mayor Welsch requested that the letter be made a part of the record.)*

## **I. PUBLIC HEARINGS**

### **1. Proposed Property Tax Rates.**

Mayor Welsch opened the public hearing at 6:46 p.m., and hearing no requests to speak the hearing was closed at 6:47 p.m.

## **J. CONSENT AGENDA**

## **K. CITY MANAGER'S REPORT**

### **1. Return Energy Efficiency Loan Back to the Missouri Department of Economic Development's Division of Energy.**

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

### **2. Passage of the Americans with Disabilities Act, Transition and Self-Evaluation Plan.**

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

### **3. Review and passage of the Loop Business Assistance.**

Councilmember Crow moved to approve, seconded by Councilmember Carr.

Councilmember Jennings stated he has received several questions regarding why the City would spend taxpayer dollars to assist these businesses who have sustained damages unrelated to a natural disaster. So although he very much believes the vitality of the Loop is important he thinks these businesses should be supported by the private funds being raised and any other resources that might be available to them.

Councilmember Crow complimented staff on their promptness in tendering this proposal for Council's review and expressed his astonishment towards people's belief that businesses in the Loop are flourishing, especially after the Trolley construction. He stated he is proud of the protests that were held throughout the day; proud of U City's police officers, and even prouder of the citizens who assisted in getting the Loop back up and running by the next morning. In his mind, that is a sense of community, and that is exactly what this proposal is about. Council is being asked to set aside funds; a good portion of which comes from the very folks being helped, to demonstrate this City's support of its businesses. And frankly, the amount of this forgivable loan is so nominal that he would be hard-pressed to believe that any of these businesses will be relying on U City as their first or only stop for resources. Councilmember Crow stated this is not in any way an action against the protests that occurred and therefore, would question any suggestion to delay making a decision which simply says we appreciate what you've gone through and we want to help you if you need help.

Councilmember Glickert stated during the Study Session there was a consensus that first, Council would review a needs assessment compiled by staff, as well as any information about what other resources were available. To his knowledge, that has not been accomplished, and as a result, he does not feel ready to move forward with voting on this proposal.

Councilmember Carr stated a couple of weeks ago she commented that the Loop contributes 20 percent of the taxes generated for the EDRST. She later produced an email from the City's Finance Director corroborating her statement; that in 2012 - The City collected roughly \$500,000 in EDRST funds and of that, 62 businesses in the Loop contributed \$120,000. This fund has always looked at businesses in various areas of the City and makes awards; sometimes based on merit, sometimes based on need. So she is not making a political statement when she asserts her desire to help businesses who may be struggling get over that hump. This is about retention of businesses and letting those who have experienced this semi-catastrophe know that not only are the good citizens of U City coming to their aid, but this administration is also willing to help. Councilmember Carr stated in this case, the ask is not extraordinary, specifically when it is compared to the recommendations for Create Space and the consortium that reviewed the feasibility of fiber on Olive when it already existed.

Councilmember McMahon stated he believes this is about helping when you see someone who is hurting. That's what residents talk about; that's what they expect from Council, and that's what was exemplified by the City's actions when the tornado hit the folks by the golf course and the cemetery was desecrated. So the statement being made is not about writing a check, it's about helping others. And if the City has the ability to do that, then they should do it.

#### Citizen's Comments

##### **Paul Schoomer, #7 Princeton, University City, MO**

Mr. Schoomer stated he thinks any action on the part of Council to vote on this proposal tonight is a little premature without the input of the organizations that were affected, such as the SBD(s) and CID(s).

Therefore, he would suggest that the Mayor ask the appropriate agents for time to have this question discussed to determine their actual needs before moving forward and generously cutting checks.

### Council's Comments

Councilmember Crow asked the City Manager whether staff had had the opportunity to speak with some of the business owners and determine their needs? Andrea Riganti, Director of Community Development, informed Councilmember Crow that staff had been in contact with a member of the LSB, who informed them that during a meeting with the Chamber of Commerce both organizations had delegated a person to contact staff with the exact numbers. So although staff has been in contact, at this point in time, the numbers have not been made available. Councilmember Crow questioned whether the proposal presented tonight was relevant to any conversations conducted with the businesses impacted by these actions? Ms. Riganti stated although the proposal does not represent a collective voice, staff had been informed by the same member of the LSB that any assistance from the City would be appreciated. Councilmember Crow asked what information had been used by staff to formulate the proposal?

Mr. Adams stated that the proposal was designed as a working document which staff anticipated would need to be refined after tonight's discussions.

Councilmember Crow stated although he is in favor of taking this action, he wants to make sure it is done right. Consequently, he would have to agree with Councilmember Glickert's and Mr. Schooner's suggestion, that Council obtains additional information to determine how these funds should be expended. Because Council had also expressed a desire to make certain that the smallest businesses with the least amount of resources would be allocated funds to get them back up and running as soon as possible. So with that in mind, he would like to amend his motion to state that Council set aside an amount, up to \$50,000, to assist business owners based upon information collected by staff, and that no funds shall be expended until such time as staff has presented Council with pertinent information regarding the needs of business owners.

Mayor Welsch stated she thought that Council's desire to set aside funds for smaller businesses first, had been made clear. And even though she would like to send a message of support, she understands the concerns expressed by Mr. Stewart and Councilmembers Glickert and Jennings. Therefore, she would support Councilmember Crow's amended motion because she does not think Council is ready to move forward until the information previously agreed upon has been received and examined.

Councilmember Smotherson suggested that rather than amending the motion, Council postpones taking any action until the next meeting to provide staff with an opportunity to make the necessary connections and determine the needs of each business.

Councilmember Jennings stated that although he concurs with Councilmember Smotherson's suggestion, protestors have scheduled 30 days of unrest, so his concern is how the City would handle this situation if it happened again.

Councilmember Crow stated he appreciated the comments made by his colleagues and would be more than happy to postpone making a decision. He then asked Mr. Adams if he believed this data could be assembled by the next meeting?

Mr. Adams informed Councilmember Crow that the data could be obtained. However, he would like to reassure Council that the objective of this proposal was to establish safeguards whereby an evaluation of each applicant's needs would be assessed prior to the issuance of any funds.

Councilmember Crow made a motion to postpone this recommendation until the next meeting, seconded by Councilmember Glickert.

Councilmember Glickert reiterated Council's request for staff to obtain official responses from various entities within the Loop.

Councilmember Carr cautioned staff not to look across the City's borders to the City of St. Louis or CID(s) since EDRST dollars are not cross-jurisdictional. She stated while she is comfortable with the existing safeguards in this proposal, Council's primary concern is limited to the LSB, individual businesses, and the ability to use these sales tax funds to maintain retention and growth.

Voice vote on the motion to postpone carried unanimously.

## **L. UNFINISHED BUSINESS**

### **BILLS**

- 1. BILL 9327** – AN ORDINANCE AMENDING SCHEDULE VII, TABLE VII-A – STOP INTERSECTIONS, OF CHAPTER 300 TRAFFIC CODE, OF THE UNIVERSITY CITY MUNICIPAL CODE, TO REVISE TRAFFIC REGULATION AS PROVIDED HEREIN. Bill Number 9327 was read for the second and third time.

Councilmember Carr moved to approve, seconded by Councilmember McMahon.

Roll Call Vote Was:

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

**Nays:** None.

- 2. BILL 9328** – AN ORDINANCE AMENDING CHAPTER 400 OF THE MUNICIPAL CODE OF THE CITY OF UNIVERSITY CITY, MISSOURI, RELATING TO ZONING DISTRICTS ESTABLISHED PURSUANT TO SECTION 400.070 THEREOF, AND ENACTING IN LIEU THEREOF A NEW OFFICIAL ZONING MAP, THEREBY AMENDING SAID MAP SO AS TO CHANGE THE CLASSIFICATION OF PROPERTY AT 6668 VERNON AVENUE FROM “PD-M” PLANNED DEVELOPMENT-MIXED USE DISTRICT TO “PDR” PLANNED DEVELOPMENT-RESIDENTIAL DISTRICT; AND ESTABLISHING PERMITTED LAND USES AND DEVELOPMENTS THEREIN; CONTAINING A SAVINGS CLAUSE AND PROVIDING A PENALTY. Bill Number 9328 was read for the second and third time.

Councilmember Glickert moved to approve, seconded by Councilmember Carr.

Roll Call Vote Was:

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

**Nays:** None.

3. **Bill 9329** – AN ORDINANCE AMENDING CHAPTER 400 OF THE MUNICIPAL CODE OF THE CITY OF UNIVERSITY CITY, MISSOURI, RELATING TO ZONING DISTRICTS ESTABLISHED PURSUANT TO SECTION 400.070 THEREOF, AND ENACTING IN LIEU THEREOF A NEW OFFICIAL ZONING MAP, THEREBY AMENDING SAID MAP SO AS TO CHANGE THE CLASSIFICATION OF FOUR PROPERTIES LOCATED WITHIN THE CITY LIMITS OF UNIVERSITY CITY AT 7128-7138 FORSYTH BOULEVARD FROM “MR” – MEDIUM DENSITY RESIDENTIAL DISTRICT TO “PA” PUBLIC ACTIVITY DISTRICT; AND ESTABLISHING PERMITTED LAND USES AND DEVELOPMENTS THEREIN; CONTAINING A SAVINGS CLAUSE AND PROVIDING A PENALTY. Bill Number 9329 was read for the second and third time.

Councilmember Crow moved to approve, seconded by Councilmember McMahon.

Citizen's Comments

**Mary Petersen Hall, 7127 Forsyth Blvd., University City, MO**

Ms. Petersen-Hall expressed concerns about the impact this development would have on the residents who live in this area due to the excessive amounts of traffic in a neighborhood that is already congested.

**Christine Dougherty Powers, 7135 Forsyth Blvd., University City, MO**

Ms. Dougherty Powers expressed concerns about the fact that this project has not been adequately communicated to the residents in this area. The eight homes directly across the street received their first certified letter from U City's Department of Community Development on September 5th, which contained the wrong meeting date of August 14th. The second certified letter was received on September 12th, the day after the September 11th meeting. As a result, these residents are unaware of when demolition will commence; that the parking lot will be constructed to double as a playground, and what type of landscaping buffer will be used to protect the safety of the children. She stated it was also interesting to note that after spending over 8 million dollars this development will only achieve eleven additional parking spaces.

**Thomas Jennings, 7055 Forsyth Blvd., University City, MO**

Councilmember Jennings stated as a resident of this area for many years, he believes that both the Lourdes Rectory and Lutheran School have been the backbone of this vicinity. Both institutions have established a very good approach to citizenship and care for their community, and he would be pleased to see the passage of this Bill, which will allow Lourdes to expand and complete their planned redevelopment.

Council's Comments

Mayor Welsch asked Ms. Riganti if this was the first step in the development process? Ms. Riganti stated this phase only entails rezoning of the parcels. The next phase is site planning for the expansion, wherein issues such as landscaping and traffic will be vetted out at the staff level before reaching the approval phase. Mayor Welsch stated she would also like to receive more information on what happened regarding the certified letters to residents.

Roll Call Vote Was:

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

**Nays:** None.



4. **Bill 9330** – AN ORDINANCE AMENDING CHAPTER 400 OF THE MUNICIPAL CODE OF THE CITY OF UNIVERSITY CITY, MISSOURI, RELATING TO ZONING DISTRICTS ESTABLISHED PURSUANT TO SECTION 400.070 THEREOF, AND ENACTING IN LIEU THEREOF A NEW OFFICIAL ZONING MAP, THEREBY AMENDING SAID MAP SO AS TO CHANGE THE CLASSIFICATION OF TWO PROPERTIES LOCATED WITHIN THE CITY LIMITS OF UNIVERSITY CITY AT 7135-7139 NORTHMOOR DRIVE FROM “SR” – SINGLE-FAMILY RESIDENTIAL DISTRICT TO “PA” PUBLIC ACTIVITY DISTRICT; AND ESTABLISHING PERMITTED LAND USES AND DEVELOPMENTS THEREIN; CONTAINING A SAVINGS CLAUSE AND PROVIDING A PENALTY. Bill Number 9330 was read for the second and third time.

Councilmember Crow moved to approve, seconded by Councilmember Glickert.

Roll Call Vote Was:

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

**Nays:** None.

**M. NEW BUSINESS**  
**RESOLUTIONS**

*Introduced by Councilmember Smotherson*

1. **Resolution 2017 – 18:** Preliminary Development Plan – 6668 Vernon. The motion was seconded by Councilmember Glickert and carried unanimously.

*Introduced by Councilmember Glickert*

2. **Resolution 2017 – 21:** Resolution Approving Annual Property Tax Rates. The motion was seconded by Councilmember Carr and carried unanimously.

**BILLS**

*Introduced by Councilmember Jennings*

3. **Bill 9331** – AN ORDINANCE APPROVING AN AMENDED FINAL DEVELOPMENT PLAN FOR PROPOSED REDEVELOPMENT TO CROWN CENTER FOR SENIOR LIVING LOCATED AT 8348-8350 DELCREST DRIVE IN THE PD-M PLANNED DEVELOPMENT MIXED-USE ZONING DISTRICT. Bill Number 9331 was read for the first time.

Citizen's Comments

**David Lang, 7733 Forsyth Blvd., St. Louis, MO**

Mr. Lang, Counsel for Crown Center for Senior Living and its related entities, stated he would like to address a number of concerns raised at the August Council meeting. He stated that he and his client had met with Mr. Wald, the owner of Del Crest Plaza, located to the north of his client's proposed development, on August 24th. Also in attendance at that meeting was Preston Amos of AKG Development; the potential purchaser of Mr. Wald's property, Matt Bukhshtaber and Carlos Farfan of CB Richard Ellis; the listing agents for Mr. Wald's property. Concerns regarding the setback for the proposed building were addressed, and as a result, the building has been redesigned to sit 30 feet off of the client's property. This, he believes, conforms to the City's setback requirements and exceeds the existing setback maintained by Del Crest Plaza.

A memo outlining the results of this conversation was sent to City staff; letters via return receipt requested, were sent to neighbors utilizing the County Assessor's tax records, and any ownership entities/registered agents identified by the MO Secretary of State's office. Copies of Mr. Wald's email acknowledging his satisfaction with the revision, along with the aforementioned documents, have been provided to Council.

Mr. Lang stated on September 1st, he received an emailed response and confirmation from Preston Amos, Principal for Ferris Capital Group, which owns the Little Sunshine Daycare Center directly to the east of Crown Center. In addition, a returned notice has been received from the registered agent for University Terrace Associates; the ownership entity for Del Crest. To date, no response has been received from Carolyn Amos, the registered agent for the Ferris Capital Group, whose notification was sent to an address in Ladue. He stated that under MO Statutes when a limited partnership fails to comply or maintain a valid address for its registered agent notice must be sent to the Secretary of State's office. Should the notification to the registered agent for Ferris be returned as undeliverable, said notice will be sent to the Secretary's office. Copies of all returned certified receipts are available for Council's review.

Mr. Lang stated the President for Crown Center for Senior Living, Keith Cohen, and the architect, Gerard Cooper, were also present to answer any additional questions.

Mayor Welsch asked Mr. Lang if he would provide copies of the certified receipts to the City Clerk.

#### **N. COUNCIL REPORTS/BUSINESS**

**1. Boards and Commission Appointments needed**

Mayor Welsch announced that she had not received an updated list of appointments for tonight's meeting.

**2. Council Liaison Reports on Boards and Commissions**

Councilmember Carr stated some time ago she read a Resolution put forth by the Park Commission into the record regarding their interest in setting up an Enterprise Fund for the Golf Course. Over the last five years, the Golf Course has earned in excess of \$700,000, which goes into the general fund. Their Resolution seeks to establish this fund, whereby 50 percent would go back to the Golf Course for improvements and the other 50 percent would go towards the park. The Commission's concern is based on the fact that without this special fund the City will have to expend a significant amount of money to repair many of the facilities currently exhibiting signs of deterioration. She stated without input from a new City Manager she does not believe Council is in the position to consider this Resolution, but would like to make sure that it remains in the forefront of everyone's mind.

**3. Boards, Commissions and Task Force Minutes**

**4. Other Discussions/Business**

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

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

Mr. Cusick stated he was interested in getting an update from Council on where they were in the process of hiring a new City Manager? And whether any consideration had been given to bringing in an outside engineering firm in to look at MSD's proposal, since it had not been addressed at the last Study Session.

**P. COUNCIL COMMENTS**

Councilmember Carr thanked Ms. Bryant for her comments and informed her that members of Council are elected and therefore must follow the City's Charter. And even though the Charter makes no provisions for Council to create a new position, she does believe there is a need for students to be heard and fairly represented, and so her hope is that the Youth Commission will be reinstated. In the meantime, she would like to work with Ms. Bryant as a mentor, to advise her on the City's governance and some of the issues that come before this Council.

Councilmember Crow stated he is pleased with the outcome of the recent MSD Study Session and believes that the comments made tonight regarding the possibility of bringing in an outside engineering firm make sense. Most of the issues revolve around MSD's costs and the City's ability to make a determination as to whether their numbers are justifiable. And that seems to dictate the need for professional guidance because no matter how you slice it, the magnitude of this project is going to impact the City in a number of ways.

Councilmember Crow suggested that the next time his colleagues, or even residents, are driving down Pershing, that they take a look at the traffic flow going west from Forest Park Parkway into Clayton. On the U City side there are four lanes of traffic, but once you enter into Clayton there are only two lanes. He stated that based on his observations, the traffic in this area does not dictate the need for four lanes. So he was curious whether there was any desire to make better use of this space by eliminating two lanes and making the area more biker or walker-friendly? Councilmember Crow stated he thinks it would behoove Council to start having these kinds of conversations to ensure that the City's neighborhoods continue to thrive and remain accessible to residents.

Councilmember Crow stated he would like to congratulate Jerry Greiman, who has just been named President of the Jewish Federation and thank his colleagues, once again, for their participation in tonight's robust discussions.

Councilmember Smotherson stated in his opinion, the whole MSD project is one-sided with their team providing and presenting all of the information. So there is a need for the City to be proactive and therefore, would concur with Councilmember Crow's comments regarding the necessity to obtain professional guidance.

Councilmember Smotherson thanked Councilmember Carr for her detailed newsletter regarding the status of MSD's project and encouraged citizens to continue communicating with their project managers and team members.

He stated he would like to remind everybody that the rationale behind these protests is not only associated with the Stockley verdict, but the numerous unprecedented verdicts that have occurred across the United States in recent months. And quite frankly, this is something that scares him to death personally, and when thinking about the safety of his three sons.

Mayor Welsch asked Mr. Adams if he would provide Council with information on whether any of the new engineers could perform the type of professional evaluation that has been suggested tonight.

Mayor Welsch stated last year she notified Council about the request made by Superintendent, Sharonica Hardin-Barley, for this City's support in the school's athletic program and reinstatement of the City Council's position, Student Representative. Councilmembers Jennings and Glickert both volunteered to work with the Superintendent, and have been doing so since last summer.

She stated although she understands some of the concerns raised with respect to Councilmember Jennings' Resolution in support of this position, her hope is that it will be brought back. Because based on her research, this position started back in the days of Julie Feier. So it is not new; does not entail being a part of Council, and the impetus behind its creation is compelling.

Mayor Welsch stated in light of the efforts being made by Better Together and the State Legislature to conduct a state-wide vote on how the St. Louis region should be organized, she has been working with metro mayors whose cities consist of 10,000 residents or more, to try and figure out how to get the community conversation going on municipal governance. The Mayor provided Council with copies of a note from Pat Kelly of the Missouri Municipal League and asked that they review and consider her suggestion, along with the proposed Resolution contained in their packets, before the end of October. She stated that the passage of this Resolution does not imply whether a city approves or disapproves of the proposed changes, simply that any decision should come from the two entities, St. Louis County and City, rather than being imposed on the region by voters. Jefferson City has increasingly made attempts to diminish the authority held by municipalities and if this state-wide vote is successful, the State Legislature would be in charge of this City's future.

**Q. ADJOURNMENT**

Mayor Welsch thanked everyone for their attendance and closed the City Council meeting at 7:46 p.m.

LaRette Reese  
Interim City Clerk

**From:** Bart Stewart []  
**Sent:** Monday, September 25, 2017 4:24 PM  
**To:** LaRette Reese  
**Cc:** Charles Adams; Shelley Welsch Ext; Shelley Welsch  
**Subject:** Fwd: Small Business Relief Plan

Ms. Reese,

Could you please print a copy of this email I have forwarded for each member of council including the mayor and hand it out at tonight's meeting that I am unable to attend? I am hoping that Mayor Welsch can read my statement into the record and also have it attached to the minutes of the meeting.

Thank you,  
Bart Stewart

**From:** Bart Stewart <>  
**Date:** September 25, 2017 at 3:19:01 PM CDT  
**To:** Shelley Welsch <mayor@ucitymo.org>, shelley welsch <billandshelley@ucitymo.com>  
**Cc:** Paulette Carr <paulette\_carr@sbcglobal.net>, Mike Glickert <imglickert@yahoo.com>, Steve McMahon <steve\_mcmahon@att.net>, Terry Crow <terry@ctlaw.net>, Bwayne Smotherson <bsmotherson@gmail.com>, Rod Jennings <rimiracle007@gmail.com>  
**Subject:** Small Business Relief Plan

Dear Mayor Welsch and members of the University City City Council,

My name is Bart Stewart and I reside at 714 Harvard Avenue. As I can not be at the council meeting tonight, I would appreciate my comments being read into the record by Mayor Welsch as my representative voice.

As a resident who lives very close to the Delmar Loop and was at the peaceful protest the night several of our businesses were destroyed, I feel I have to speak to what I see as a very concerning precedent that would be set in carrying out what is being proposed regarding the Small Relief Business Plan. I am very aware of how important our Loop businesses are to our community. I live within a stone's throw of the western edge of this vibrant area and what I have said before is the core of why I as well as many of my neighbors have chosen to locate in this area. With that being said, I feel like the action that would be undertaken by approving this package would not be wise for several reasons.

First, the business district of the Loop has some of the highest rents in the area and definitely in UCity. It's not as if these small businesses are hurting for money or are very small startups. Many of them are doing quite well and are pretty lucrative. If it is a small business, then likely the landlord of the building is doing quite well as the rents have been rising to the point where the truly small businesses of this area have been priced out of this market. We've even seen some larger businesses cite that the rents are high enough to keep them out of the area. Would it not be wise then to find a way to work with these landlords to see what kind of assistance they could provide in one time rent abatement or some other creative way to help out their tenants? Depending on the contract language of the lease, some of the landlords may be responsible for damage. I have spoken to a couple of the business owners who have said that while they are in fact responsible as part of their lease agreement, the deductible that they will incur is minuscule in comparison to the actual damage they incurred. Why, then should this burden fall on taxpayers? If this had been an unavoidable natural disaster, then perhaps, this would be a wise use of our money.

The nature of the destruction brings me to my second and more important point. As I just mentioned, the property destruction that was sustained was NOT natural and therefore was NOT an unavoidable event. Although we can parse words over what it is that caused the destruction, the simple fact that it was not natural and was carried out by some of our fellow human beings means that the destruction could have been avoided. I was at the early events that precipitated these events. I have also seen video, pictures and read first hand accounts of what took place. Our governor promised to use our state's resources to protect life and

property. That did NOT take place. Perhaps we should be asking him where that assistance was. In addition, there is ample evidence that heavy handed police tactics that evening and in evenings prior could have been a precipitating factor in some of the unrest. While the actions of the few that carried out this destruction can not be excused, perhaps we can look at these events as an unfortunate reality of the very real systemic problems the St. Louis region faces. University City is in many ways a microcosm of St. Louis as a whole and the lack of truly integrated community has led to rising tension, coupled with the very real gentrification that has taken place in the Loop the past 20 years, it is surprising that things took this long to boil over. Should the residents of University City be tasked with bearing the brunt of this considering the myriad of historic factors that led to the events that evening? In addition, what message does it send to the larger community that we will give to this cause, when in fact some of our own policies may have been part of the underlying forces that led to these events? What message does it send that we are unwilling to address the larger economic forces at play that lead to this kind of crisis, and then we simply put a band-aid over the real problems that we face to simply gloss over what took place?

Finally, since this is a business decision since it is a decision to help businesses, what message are we sending the business leaders in our community when we tell them we will bail them out for what may be unwise business decisions on their part? When I spoke to one business owner who sustained significant damage in windows as well as a small amount of damaged inventory, I was told that her deductible was less than \$200. While I feel empathetic that other business owners may have larger deductibles or are uninsured for such kinds of losses, are we looking into the businesses decisions that may have led to them not having enough insurance or why they are paying such higher deductibles? Was this a risk that the business was willing to gamble on by choosing a higher deductible to be offset by a lower premium? If we jump in this time that these businesses sustained damage, will we do that EVERY time a vandal targets a business? If not, then why are we doing it this time? Isn't that part of business and insurance? Deciding on the best way to mitigate the risks. If we are choosing to do this now, what is the standard for vandalism that requires us to intervene? How will we decide which incidents are morally "just" enough for us to step in?

As I stated, I am certainly sympathetic to the fact that these businesses which are such an integral part of our community suffered. However, since there are so many unanswered questions about what actually happened that evening and there are so many underlying factors that our own policies and the way we do things in UCity as well as St. Louis as a whole that very likely contributed to the unrest, then I feel like we must not pass this relief package as it is currently proposed. There is plenty of time to delay this vote in order to fully vet what took place and make sure our own quick reaction to wanting to do something for doing somethings sake does not have any unintended consequences and is the best use of our limited resources. I'd ask that you either vote NO on this proposal or at least vote on a motion to delay until more questions can be answered and more thought goes in to making it right. Doing the opposite gives no real chance to openly discuss what we value as a community and speeds the process unnecessarily making this look like a knee-jerk reaction and feel good gesture rather than actually accomplishing the business retention which seems to be its unstated goal.

Thank you for your time and consideration.

Bart Stewart  
714 Harvard Avenue

TO: University City Council

FROM: Patricia McQueen, resident, 1132 George Street, U.City, MO 63130

SUBJECT: Request to hire an Engineering consultant to review MSD sites

DATE: September 25, 2017

Good evening, Mayor Welsch, City Council Officials, and fellow residents in this Council Chamber.

I, Patricia McQueen, resident of 1132 George Street in the Third Ward of University City, Missouri, would like to request that the City Council secure the services of an engineering consultant(s) to review the recommendations from the Metropolitan Sewer District (MSD). The consultant(s) should look at each site that MSD brought before us at last week's study session and be able to evaluate the impact on the University City community both in the intermediate 5 year, 10 year, and 15 years out as well as review the cost estimate presented by MSD.

It would also be wonderful if the consultant(s) hired could also provide alternatives (sites) based on their level of knowledge and understanding of what MSD is trying to accomplish. The consultant's presentation process should be simple and show a request for a modest amount of funding.

Thank you.

Respectfully submitted,

*Patricia McQueen*  
Patricia McQueen