

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 26th 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

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

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 1st 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 22nd 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 8th 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 20th 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 20th 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 31st 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 20th meeting and put the demand in writing:

1. Large, blow-up maps of the two sewer lines maps presented in their May 22nd 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 20th 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 22nd, June 5th and upcoming June 20th 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

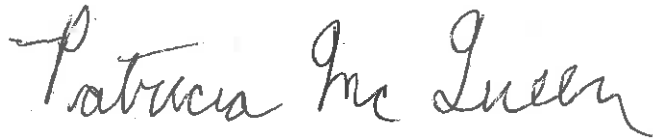
Crestwood. We uplift our multicultural diversity. Implicit bias is shown when decisions are made to disrupt or wipe out an established multicultural neighborhood that has a predominately Black and older population. The residents in the Northwest section of the Third Ward fought redlining, racial steering 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 ^{Law} 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" and a long, sweeping underline.

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

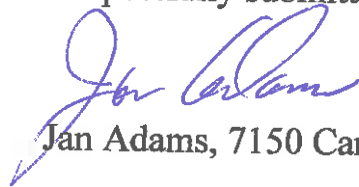
simply said this was not an emergency that warranted an injunction and that it involves money that we can recover AFTER it has been misappropriated.

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