

MEETING OF THE CITY COUNCIL  
CITY HALL, Fifth Floor  
6801 Delmar Blvd.  
University City, Missouri 63130  
**Monday, June 25, 2018**  
**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 25, 2018, Mayor Terry Crow 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 Stacy Clay  
Councilmember Paulette Carr  
Councilmember Steven McMahon  
Councilmember Jeffrey Hales  
Councilmember Tim Cusick  
Councilmember Bwayne Smotherson

Also in attendance were City Manager, Gregory Rose, City Attorney, John f. Mulligan, Jr., Charles Patterson of Allgeier Martin & Associates and Joe Adams, State Representative.

**C. APPROVAL OF AGENDA**

Councilmember Carr moved to approve the agenda as presented, it was seconded by Councilmember Cusick and the motion carried unanimously.

**D. PROCLAMATIONS**

**E. APPROVAL OF MINUTES**

1. June 11, 2018, Regular meeting minutes were moved by Councilmember Hales, it was seconded by Councilmember McMahon.

Councilmember Hales made the following amendments and apologized for his inability to submit them before the meeting:

1. Page E1-10, which reads, "*Councilmember Hales stated he appreciates the folks who stay around to hear Council's comments because oftentimes they can gain a better understanding of any lingering questions or concerns,*" should be amended to read, "*Councilmember Hales stated he appreciates the folks who stay around to hear Council's comments because oftentimes they will get a response from members of Council.*"
2. Page E1-10, which reads, "*He stated he would agree that the one thing Council has heard over and over again, is this notion that residential tax dollars are going to pay for this project, and that's just not how a TIF works,*" should be amended to read, "*He stated he would agree that the one thing Council has heard over and over again, is this notion that residential tax dollars are going to pay for this project, and that's just not how a TIF works, as if our property taxes make up for this.*"

3. Page E1-10, which reads, "*Monies that come in through property and sales taxes after the project is completed will be used to pay for the redevelopment,*" should be amended to read, "*Monies that, don't come in now that will come in through property and sales taxes.*"
4. Page E1-10, which reads, "*But even though he understands the fundamental differences; the concerns associated with gentrification and elderly residents on fixed incomes, after conducting a little research, he was absolutely stunned to see the disparities between the three wards,*" should be amended to read, "*But even though he understands the fundamental differences; the concerns associated with gentrification and elderly residents on fixed incomes, after conducting a little research, he was absolutely stunned to see the disparities between the 1st and 2nd Wards, and Ward 3.*"
5. Page E1-10, which reads, "*This is about recovery,*" should be amended to read, "*This is about recovery of the property values in the 3rd Ward.*"

Councilmember Carr moved to amend the minutes and the motion carried unanimously.

## **F. APPOINTMENTS TO BOARDS & COMMISSIONS**

1. Daniel Savory and James Stephenson are **reappointed** to the Civil Service Board for a second term by Councilmember Carr, seconded by Councilmember Hales and the motion carried unanimously.
2. Margaret Ullman is nominated to the Park Commission as a fill-in replacing Luther Baker's unexpired seat by Councilmember Clay, seconded by Councilmember McMahon and the motion carried unanimously.
3. John Tieman is nominated to the Arts and Letters Commission replacing Felicia Hickman's vacated seat by Councilmember Clay, seconded by Councilmember Carr and the motion carried unanimously.

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

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

#### **Jerrold Tiers, University City, MO**

Mr. Tiers stated at the last TIF Commission meeting a lot of people protested the project and described it as "*tearing apart the community; gentrifying the area, and driving out immigrant businesses*". However, because the actual project is small and the beneficiaries are large, it seems as though there is a real need for better PR. The City may also need to be more proactive. Offering relocation money is good, but it may take more immediate and deliberate efforts since there is already enough instability that businesses have left or are committed to leaving.

There is also the question of what should be done in RPA-2, and whether it will have the desired effect. Just pouring money into RPA-2 is not going to do the job, it has to be targeted and oriented towards what the City wants to get done. The problems this is aimed at are deteriorated housing stocks; banks that under evaluate or won't lend; a disproportionate amount of rental property; low property values, and deteriorating infrastructure.

- Fixing a house requires people to apply for grants, which many may refuse to do. But just one bad house can impact the entire block.
- If banks will not lend on a house in RPA-2, then the result is lower values, more rentals, and more community instability. So there is a need to attack the real reasons why banks fail to lend.

- Rental housing stems from the bank loan issue because if you can't get a loan to buy a house, then it almost always turns into a rental. And how do you convince landlords or tenants to keep up their rental property when they are not going to get the same grants that homeowners do? The conversion of rental property to owner-occupied may be the key to the bank loan issue.

Mr. Tiers stated in order for this project to succeed the City needs to work hard to generate the necessary buy-in. But at this point, that's something that has just not materialized. *(Mr. Tiers asked that his written comments be made a part of the record.)*

**Tom Sullivan, 751 Syracuse, University City, MO**

Mr. Sullivan read a quote from Councilmember Carr's website, "*Transparency and accountability are not merely wash words but the foundation of a participatory democracy*". Apparently, she does not believe that anymore because he is still waiting to receive Councilmember Carr's emails concerning the proposed NOVUS Development and Olive/170.

He stated for several months, Jonathan Brown, Mayor Crow, and others, have been saying eminent domain will not be used on owner-occupied homes for the proposed development. The original story; which has changed more than once, was that eminent domain would only be used for Public Storage. But if Council really expects everyone to believe their position on eminent domain why not pass an Ordinance that backs up what they're saying? Many issues involved in this project are a part of the national discussion on equality, privilege, and how immigrants are treated, which leads him to think that U City will be viewed as a bigoted city. Mr. Sullivan stated he continues to think that NOVUS Development is a terrible idea, and if put to a vote he is sure it would be defeated.

**Aren Ginsberg, 430 West Point Court, University City, MO**

Ms. Ginsberg stated more than 300 verified homeowners and renters participated in a poll on Nextdoor.com which revealed that 73% are strongly in favor or genuinely in support of this redevelopment effort. She stated after attending eleven hours of TIF Commission Public Hearings, she is hopeful that one day soon her opponents will be able to move past their fears of gentrification and the destruction of China Town, and focus on improving the welfare of everyone in U City; which is going to take more money than currently available. Ms. Ginsberg stated she believes U City can have it all; an economic engine that supports municipal services; funding so folks in the 3rd Ward can make and maintain improvements to their homes, and a thriving minority and international business community.

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

Ms. McQueen stated a recent tour of Olive Street to McKnight and 82nd Street to Hanley, revealed 43 immigrant businesses, 4 vacant properties owned by immigrants and 16 vacant storefronts. And after visiting these businesses; which included all of the internationally-owned businesses in RPA-1, she reached the conclusion that the folks who are conducting fear-mongering tactics about the City's intent to get rid of these businesses are misrepresenting this entire business structure. Folks like Mr. Sullivan; who she understands owns an advertising business, need to put their money where their mouth is and help these businesses with marketing strategies.

Ms. McQueen stated gentrification is complex. And since U City is totally different from the areas where most of the published statistics have been taken, there needs to be some way of defining and calculating what gentrification means to this community in a way that produces specific data rather than fear or alarm.

## **I. PUBLIC HEARINGS**

1. Liquor License – The Wacked Out Weiner – 6301 Delmar Blvd.

Mayor Crow opened the Public Hearing at 6:49 p.m., and hearing no requests to speak the hearing was closed at 6:49 p.m.

## **J. CONSENTAGENDA – Vote Required**

1. Replacement Police Vehicles

Councilmember Hales moved to approve, it was seconded by Councilmember McMahon and the motion carried unanimously.

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

### **1. Legislative Update (Representative Joe Adams)**

Mayor Crow stated Council is pleased to receive this legislative update from an old friend.

State Representative Joe Adams, stated this last session has been one of the most interesting sessions he has ever been through. So, if anybody has questions about the Governor or Former Governor, he can provide all kinds of stories about what was and is still going on. He then provided the following updates:

- Sales Tax Pool. The good news is that there was very little legislation that impacted this system, although eventually, he believes there will be successful legislation to either modify or eliminate it.
- H.B. 1991: Modification of the Uniformed Small Wireless Employment Act. The State Legislature, along with the MO Municipal League, County Municipal League, and the industry, worked out a deal whereby U City and other cities across the State will receive additional revenue from the installation of the new 5G unit on streetlights and utility poles that deliver faster speeds than existing cellular connections.
- Quill Decision. The Supreme Court's reversal of this decision gives states the broad authority to require online retailers to collect sales taxes and level the playing field. Now it's up to the people in Jeff City to pass legislation that enforces this ruling.
- The minimum age to get married was raised to sixteen, with the caveat exclusion that they cannot marry anyone over twenty-one without going through the court system. This Bill is designed to address concerns associated with human trafficking.
- H.B. 1460. If approved by voters in November, cities will receive a small amount of revenue from the gasoline sales tax to fix roads and bridges.
- Raise the Age Bill was passed, which increased the age for when a juvenile can be tried as an adult, from seventeen to eighteen.
- H.B. 2367. This Bill allows for communities to create safe consumption facilities where opioid users could use their drugs and receive
- H.B. 2562. A bill establishing Treatment Courts to help combat opioid addiction.
- If approved by the Coordinating Board for Higher Education, Community Colleges will now have the right to offer bachelor's degrees.
- H.B. 1635. A mandatory reporting requirement that nursing homes and other long-term care facilities report sexual assaults to law enforcement.
- Christopher Harris Day. This Bill introduced by State Representative Bruce Franks and passed unanimously, addresses the issue of youth violence. Christopher, Franks' brother, was used as a human shield during an act of violence.

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Cardinal Glennon Hospital has erected a bronze statue honoring Mr. Harris.

- Expansion of the A+ Program for K-12 education. Previously, students who were not in the program for three consecutive years were prohibited from participating. This program is designed to help students pay for college.
- Educational Tax Credits was expanded allowing parents to make contributions for their kids who plan to attend a private high school.
- H.B. 1558. Before the former Governor left office he signed 77 Bills in a day and a half. One of those Bills; which was rather shocking, was House Bill 1558, criminalizing Revenge Porn.

Representative Adams stated the new Governor's intent is to review all of the Bills signed by Mr. Greitens and if there are any problems they can be dealt with during the September Veto Session.

He stated some members of this Council have asked whether there is a legislative move to block TIF(s) and TDD(s). And the answer is yes, there was legislation by a Republican from Kansas City to make it almost impossible to get this type of financing, but it was not supported by the majority party.

Councilmember Cusick asked Representative Adams if the problems with his neighbor had been resolved? Representative Adams stated that it had. All of the tall weeds at the vacant house; which also happens to sit next to the former Mayor, have been cut down.

Councilmember Cusick asked Mr. Adams when he had been elected as Mayor? Mr. Adams stated he was selected in '95; elected in April of '96, and served until April of 2010.

Councilmember Cusick asked if a TIF had been utilized to promote redevelopment during his tenure as Mayor? Representative Adams stated the first TIF occurred during his term on City Council. That was for Westover Nursery on Olive, where the old Firestone Store used to be located. Revenue from the TIF was used to pay for the land and purchase other properties along Olive and the corner of North and South Road. The second TIF dealt with the old Mercy High School off of Pennsylvania and Olive, where Schnucks is now located.

He stated he is proud to represent U City and anticipates watching this newly revamped Council move forward with the Olive redevelopment; an area everyone has tried to figure out how to reinvigorate. Council made a tragic mistake in dealing with Olive in the 50's or 60's, and although that mistake was corrected, it was a day late and a dollar short. Thereafter, he and the Mayor of Olivette fought together to co-develop the bridge at 170 and Olive to ensure that the second-hand bridge proposed by East/West Gateway never came to fruition.

Representative Adams informed everyone that he had flyers highlighting all of the 2018 legislation for anyone interested.

Councilmember Smotherson asked Representative Adams if he had an opinion about the proposed TIF? Representative Adams stated while he would admit to not knowing all of the minute details, what he does know is that U City must do something in the long-run if they are going to survive as a vibrant community. So, in that respect, he is very supportive. In truth, there are a couple of cities Chesterfield, Fenton, and a few others, who are trying to get rid of the sales tax sharing that U City receives. He stated when he was Mayor he enjoyed seeing new developments going on because it demonstrated progress. And he even worked with the President of the School Board to address the serious problems associated with rental properties that were having an impact on the School District. Representative Adams stated when canvassing the 3rd Ward some residents asked if the TIF could be expanded to include their homes. And that seems to indicate there are people who really, really want this new development.

So, in spite of the tough decisions that might have to be made and the fact that everybody is not going to love you for them, he would like to see his hometown position itself to be a survivor.

## **2. MSD Project Report**

(Presentation – Discussion – Council Direction)

Mr. Rose stated Council authorized staff to contract with Allgeier Martin & Associates to examine the various options put forth by the Metropolitan Sewer District (MSD) regarding location of the storage tanks.

### **Presentation:**

Sinan Alpaslan, Director of Public Works, stated the results of the study conducted by Allgeier Martin have been included in Council's packet and the details of this study will be presented by Dr. Charles Patterson. Council has also been made aware of MSD's recent communication that staff received today. Mr. Alpaslan stated as it relates to responsible and reasonable management of costs, the City is almost at the end of its allotted expenditures for this current study. Therefore, any additional requests from the engineering consultant will have to come under a supplemental agreement.

Dr. Charles Patterson stated his firm was asked to look at three options; Area C - Option 6; Area C - Option 7, and Area D - Option 1, and generate an opinion that would point the City in the right direction. To assist in forming this opinion, MSD provided Allgeier with a plethora of information; a detailed listing of those reports have been included in the Study. Dr. Patterson stated it is Allgeier's opinion that:

- Area D - Option 1 and Area C - Option 7 are similar in that they both use a pump station that pulls and drains directly into the Skinker/McCausland Tunnel.
- Area C - Option 6 is slightly different, using a more conventional type of construction with diverter channels.
- The storage tanks will help MSD meet the requirements of the Consent Decree. *(The EPA and MSD agreed to certain rules and regulations regarding the type of tanks that should be implemented to eliminate the discharge of raw sewage into the environment.)*
- The storage tanks will help provide support to overflows in the system. *(Every time MSD removes or reduces an overflow it increases the sewage flow in the main pipe. And MSD's interpretation of the Consent Decree is that they cannot increase the sewage flows downstream.)*
- The storage tanks will still overflow up to four (4) times a year, however, that is a part of the design.
- The storage tanks will not reduce neighborhood basement backups. *(However, the surrounding and subsequent projects designed to reduce //I will improve these backups.)*
- The storage tanks will not cause any undue risk or harm to the citizens of U City.

According to the information provided by MSD, this is an oversight project that has not reached the preliminary design stage.

Based on that information, Allgeier found the proposed locations to be:

- Similar in cost. (The values range from 94 million dollars to 114 million dollars. However, since these are merely rough estimates that do not include the acquisition of property, Allgeier found the cost between the three options to be insignificant. Choosing between these three options based on cost is irrelevant.)

### **Future Study:**

1. Allgeier inquired as to whether MSD had looked into transport and treat. MSD indicated they had not because it would be too expensive. Allgeier thinks it would be fairly easy for MSD to determine the cost to transport and treat, especially since it is only 9 or 10 miles to the Treatment Plant. In spite of the fact that it may not be feasible at 100 million dollars a tank, this issue was not addressed in MSD's paperwork.
2. Since Allgeier was not familiar with the economic indicators associated with the three proposed sites, it reached no conclusion with respect to the financial impact. However, once the selected tank reaches the preliminary design phase; i.e., a visible design, it would behoove the City to have someone look at the operation of the tank, its size, and its bypass option.
3. Many U-Citians were concerned about a possible malfunction. MSD has indicated there will be a bypass that allows it to flow into the Skinker/McCausland Tunnel. This, however, was a verbal communication and Allgeier found no documentation that supported their statement.
4. U-Citians are also concerned about the structural integrity of the tanks. This concern should be reviewed once MSD reaches the preliminary design phase that includes the necessary structural calculations.
5. Preliminary designs were provided for odor control and MSD states this design has worked at other locations. Allgeier does not believe the tanks referenced by MSD are located in close proximity to residential areas. Therefore, contingent on the selected location, the issue of odor control should be revisited.

In conclusion, Dr. Patterson stated based on the information provided by MSD, Allgeier found the difference between the three options to be indeterminate.

### **Discussion:**

Councilmember Cusick asked whether MSD had presented Allgeier with any overwhelming evidence that illustrates why they favored Area C- Option 6 over the other two areas? Dr. Patterson stated since the evidence presented by MSD had not been to his satisfaction, his conclusion had not been based on any overwhelming evidence.

The benefit he saw in utilizing Area C - Option 6 is that it uses more of a conventional type of construction and their cost estimates demonstrated that this option was cheaper. But even that's irrelevant when land costs have not been taken into consideration.

Councilmember Cusick stated on several occasions Allgeier's report mentions MSD's confirmation that there was no evidence to support that the installation of these storage tanks would reduce any kind of basement backup. Yet today, MSD's letter to Council actually highlights in bold, that these tanks will address basement backups in U City. Do you have any thoughts about that statement? Dr. Patterson stated he had lots of thoughts, but no conclusions. When you take a quick look at Area D - Option 1 and Area C - Option 7, both connect straight to the Skinker/McCausland Tunnel.

That tunnel is 90 foot deep and according to the flow records MSD provided the depth of water/sewage in that line is 70 foot deep. So if you're pulling from this tank and connecting to a line where the water level is 70 foot deep, how does that impact basement backups? The semantics is that MSD only refers to the project, but the project is not the storage tank. The project is the storage tank and all of the additional lines that will be constructed as a part of the Consent Decree. That's the best he can figure.

Councilmember Cusick asked if there was any evidence to support Allgeier's inclination to chose Area D - Option 1; located in Heman Park, over the other options?

Dr. Patterson stated from reviewing the records, Area D - Option 1 is about as far downstream you can go and still have the storage tank provide any benefits, due to another main sewer line coming in from the north. As far as their working experience with wastewater, it's best to keep it away from stuff. And that is the reason they selected this option, as well as the fact that once it is constructed it can also be used as a multi-use facility.

Councilmember Carr asked Dr. Patterson what kind of "stuff" was he talking about? Dr. Patterson stated Area C is commercial, so any construction would disrupt the type of activities that go on in that area. Councilmember Carr asked if there was any concern about easements or things of that nature? Dr. Patterson stated their review was based on the information provided by MSD, and since there was no information of any kind about easements, it would be difficult to answer that question. Councilmember Carr asked if Allgeier was suggesting that a multi-use facility could be constructed on top of the tanks if they were located in Heman Park? Dr. Patterson stated unless there is some issue with the location of rock, he does not see a reason why one could not be constructed. However, the only reason he likes Area D is if it could be reused as a park.

Councilmember Carr stated MSD's letter provided to Council today states, "*A combination of public and private I/I removal projects along with relief sewers. You are 60 upper River Des Peres, upper river 10 Mendell, and Walter, and 82nd Street to I-170 will address the basement backup in U City*". So does that mean they have eliminated the storage tanks? Dr. Patterson stated he cannot see the storage tank itself, reducing basement backups. (I/I) stands for inflow and infiltration, which references how the water can enter the sewer system. Reducing those reduces the amount of water that gets in the system, which is better since there won't be any overflows. But as far as the individual storage tanks he does not see the benefits, and it is inconclusive to no conclusion, as to how they would address basement backups. On the other hand, the additional projects will definitely address this issue. MSD tried to clarify some of that by saying that if they do these other projects then more sewage will make it down the system because the overflows will be gone. So places where it would discharge into the creek, they are going to seal those off. That would then increase the flow going downstream and thereby increase the chances for overflows.

Councilmember Carr asked if the correct summation of this study would be that although these storage tanks will help MSD meet their goals under the Consent Decree they will not specifically aid U City? Dr. Patterson stated MSD has to do something to control the flow that goes downstream and that's where the storage tanks will benefit them. But until they perform all the additional work described he does not see where the tanks alone will provide any benefit for basement backups. Councilmember Carr stated MSD already has a pumping system located up against a house and she was curious whether anything would preclude them from moving that system towards the front of the lot? Dr. Patterson stated he did not see anything that would preclude them from moving it forward. Councilmember Carr asked if what Council should be looking at is the difference between the two systems? Dr. Patterson stated that was correct. Councilmember Carr stated if the City elects to go with the deep pump system how difficult would it be to conduct oversight or maintenance?



Dr. Patterson stated Allgeier encountered difficulty trying to get MSD to provide them with information on the deep pump station. So he's not sure whether they did not understand the questions being asked or they didn't know how to answer them. What they did indicate is that they are going to draw from this mainline that is 70 feet below ground, so the pumps would need to be located 40 feet down at a minimum. And even though it's doable, that scenario would pose some maintenance issues. Councilmember Carr asked if it would be an open shaft or filled-in? Dr. Patterson stated his assumption is that they could use open shafts and if there were multiple pumps they could do a shaft for each one. But MSD has not reached that point yet.

Councilmember Carr asked if MSD had indicated whether they had ever performed deep pump construction or if this was something new? Dr. Patterson stated MSD did not indicate one way or the other. Councilmember Carr questioned whether it was possible for MSD to use the shallow system for Option 1? Dr. Patterson stated based on the information provided by MSD, his understanding is that they have to use the deep system.

Councilmember Clay stated Allgeier's Study talks about the volume of documents received from MSD, and yet, even with that, the Study states that there was insufficient information provided to form an opinion on whether one option provided any greater benefit over the other from an operational standpoint, environmental impact or level of service to local residents. Given those caveats, what should Council take-away from Allgeier's recommendation of Area D - Option 1? Dr. Patterson stated the way he would interpret is, from an insider's perspective, whichever option this administration feels would be the most beneficial to the City that is the one he would select. From an outsider's perspective or Allgeier's experience, whatever location sits the furthest away from homes, makes sense. But, if the City decides that the area encompassing the parking lot is best, he would not oppose that decision. In other words, none of the options jump out and say you really need to do it here. Councilmember Clay asked if Allgeier's default was that in the absence of compelling information, keep it away from people? Dr. Patterson stated that would be an excellent summation.

Councilmember Smotherson asked if it was correct, that MSD has asked this administration to make a decision regarding the easement by July 11th? Mr. Rose stated the easements are a separate project. But July 11th relates to when staff will be placing MSD's request related to the easement on the agenda for Council's consideration. Councilmember Smotherson asked whether the easement was located in Area C - Option 6? Mr. Alpaslan stated the easements related to this request are for the line that leads to the junction of the sewers from I-170 up to 82nd Boulevard.

Mr. Rose stated staff has provided MSD with a copy of Allgeier's Report, so in his mind, the next step is to share the City's goal to minimize the economic impact by protecting homes as much as possible. With that said, he does not see a reason to deviate from the consultant's recommendation and would ask MSD to entertain the movement of the preferred option from Area C - Option 6 to Area D - Option 1. Mr. Rose stated he would also ask MSD to provide staff with an update of the project to better understanding where they are at this point.

Councilmember Carr questioned whether a consensus from Council was needed to adopt the consultant's recommendation? Mr. Rose stated nothing was needed at this point in time.

## L. UNFINISHED BUSINESS

### BILLS

1. **BILL 9359** - AN ORDINANCE FIXING THE COMPENSATION TO BE PAID TO CITY OFFICIALS AND EMPLOYEES AS ENUMERATED HEREIN FROM AND AFTER ITS PASSAGE, AND REPEALING ORDINANCE NO 7079. Bill No. 9359 was read for the second and third time.

Councilmember Carr moved to approve, it was seconded by Councilmember Clay.

Mayor Crow announced that there was a need to make several corrections to Bill 9359.

John Mulligan, City Attorney, stated the following corrections are a result of typographical errors:

- Section II which states "*From and after July 1, 2017,*" should be amended to read "*From and after July 1, 2018*".
- Section III which states, "*From and after July 1, 2017,*" should be amended to read "*From and after July 1, 2018*".

Councilmember Carr moved to amend the Ordinance to reflect the aforementioned corrections, it was seconded by Councilmember Hales and the motion carried unanimously.

Roll Call Vote on the motion to approve Bill No. 9359 Was:

**Ayes:** Councilmember Carr, Councilmember McMahon, Councilmember Hales, Councilmember Cusick, Councilmember Smotherson, Councilmember Clay and Mayor Crow.

**Nays:** None.

## M. NEW BUSINESS

### RESOLUTIONS

*Introduced by Councilmember Carr*

1. **Resolution 2018-9** - FY18Committed Fund Reserve. Councilmember Carr's motion was seconded by Councilmember McMahon.

Councilmember Smotherson made a motion to remove Amendment POL-1801 for further discussion and postponement. Mayor Crow asked Councilmember Smotherson if his motion was related to Resolution 2018-10 rather than 2018-9? Councilmember Smotherson stated his motion is related to the information contained on page M2-5. Mayor Crow informed his colleague that page M2-5 was Resolution 2018-10. Councilmember Smotherson apologized and withdrew his motion.

Roll Call Vote on Councilmember Carr's Motion to Approve Was:

**Ayes:** Councilmember Cusick, Councilmember Smotherson, Councilmember Clay, Councilmember Carr, Councilmember McMahon, Councilmember Hales and Mayor Crow.

**Nays:** None.

*Introduced by Councilmember Carr*

2. **Resolution 2018-10**- Adopt FY19 Annual Operating Budget and 5yr. Capital Improvement Program. Councilmember Carr's motion was seconded by Councilmember Clay.

Councilmember Smotherson made a motion to remove Amendment POL-1801 for further discussion and postponement; it was seconded by Councilmember Clay.

Councilmember Smotherson stated this motion is based on his belief that there is a need to clear the slate prior to moving forward. He stated his desire is for this Council to be the Council that defines the future of U City and not repeat the mistakes made in the past. And in order to accomplish that goal, Council must give consideration to the fact that a previous vote had been taken, and approval granted, for the construction of a new police station. In addition, two studies were performed that alluded to the fact that moving the police station to the Annex was not a good idea. And yet today, Council is being asked to adopt a Resolution containing an amendment which seeks to establish a substation, perform work on the Annex, and references the acquisition of land in the 3rd Ward; which equates to the removal of houses. All of which seems to be in total contradiction to the previous vote and studies performed by Council. So the question he posed to the City Manager is the same one he will pose now; what if residents of the 3rd Ward don't want a substation in their neighborhood? Councilmember Smotherson stated this Council has never addressed these issues, therefore in his mind; all of those actions are still on the table. He stated this is an important issue for every member of Council, and he would like to see everybody be on the same page with accurate and clear information that renders an honest and fair decision.

Councilmember Clay stated being new on the Council he does not have enough information to form an opinion as to the appropriate direction for a police station. So irrespective of whatever direction this discussion may go in, he would like to suggest that the City Manager initiate a Study Session to dig into the merits or demerits of the options that have been articulated in the past. Councilmember Clay stated he has a great deal of trust in the guidance provided by the City Manager and Chief of Police, but at this point, he would love to have a presentation or documentation he can point to and say this is the rationale.

Councilmember Carr provided the following historical background:

- Two studies were conducted, and as everyone in this room probably knows, she found great fault with the Chiodini Study. She requested that Council hire someone to vet the study and what Council received was a report that raised more questions than it answered. Nevertheless, that specific Council raced to obtain approval to build this brand new Taj Mahal.
- Subsequently, when Council began to look at the financing, citizens began to express their desire to protect and maintain the City's historic buildings; which included the Annex. They put together a petition drive that resulted in a proposition being placed on the ballot that won the citizens' approval. As a result, the City is no longer free to demolish, sell or lease the Annex without a vote of the people.
- Some members of Council wanted to utilize Certificates of Participation (CIP) to finance the station. CIP(s) require no vote of the people and the money is secured by an incoming revenue stream. That vote failed.
- Next, Council looked at running a bond issue. However, based on a Council Rule which states that once an issue is voted down it cannot be brought back again for one year, that idea was discarded. So, in spite of the fact that Council voted to approve the Resolution to build new, there have always been questions in her mind, about the data provided that led to that conclusion.

Councilmember Carr stated even though she can understand Councilmember Smotherson's concern about a new direction; that direction was anticipated when Council conducted a search for a new City Manager who they knew might have a different policing model, or even that there might not be enough money to do what had originally been planned. And after spending 3 million dollars to house the City's Police Department in a temporary facility, on land that is being leased, she thinks Mr. Rose has come up with a very clever way to move forward and address the City's need for a new facility.

Furthermore, on May 14th, this Council voted to lend the money from the General Fund; (6 million dollars), to the Prop P Fund to ensure that this expense would be covered, so she is a little surprised that this issue was not raised earlier. And while she certainly understands past behaviors and mistakes, i.e., there being no lights on the driving range in spite of the fact that the City has an Ordinance which dictates when the lights should be turned on and off, this amendment is not a midnight surprise. Councilmember Carr stated she is more than willing to engage in a Study Session or talk about why a two-station model or money, but she is unwilling to remove this amendment from the Resolution.

Councilmember Hales stated he shares Councilmember Carr's concern with respect to the timing of this motion. Because even though he is the newest member, he clearly remembers listening to the presentation made to Council on May 14th as a citizen participant and understanding exactly what was being proposed. So, he doesn't see a problem with the purpose of the amendment or the allocation to commit a portion of the funds that his colleagues approved on May 14th. And at some point, all of the issues concerning land acquisitions, design, and contracts will come back to Council for consideration, so he has no concerns with this remaining in the budget.

Councilmember Smotherson stated while he was a part of the vote taken on May 14th, the language contained in this amendment was not a part of that discussion and vote. And as a Councilperson from the 3rd Ward, he does not feel comfortable moving forward knowing the potential problems this amendment could create for his Ward. He stated and while he definitely understands Councilmember Carr's position with respect to the imperfections she found in the studies, those imperfections did not lead to a determination by Council that the studies were null and void. Councilmember Smotherson suggested that Council give consideration to conducting another study to validate the proposed actions contained within the amendment.

Councilmember McMahon stated his question is what, if any, disruption would be created by removing the amendment and then bringing it back for a vote? Mr. Rose stated this amendment is really the first step representing the City's commitment to budget for this facility in the event Council decides to move forward in that direction. And as a part of the Work Plan staff's intent is to outline a presentation on the City's policing strategy which will take some time to prepare. So it's not just a situation where you will be discussing a building, it includes automation, technology, volunteerism, and the issuance of an RFQ before the design phase can even commence. Mr. Rose stated he does think the City has some challenges as it relates to the current facility, which was always intended to be temporary. However, rendering full disclosure, the police station could probably remain in its current location for another five to eight years. But anything could happen to alter that timeframe and then where would you go? So the longer Council delays on this end, the more of a rush it will create later on.

Councilmember Carr stated the last study cost over \$250,000, and the examination of that study was \$30,000. So even though there are probably some things that can be gleaned from the study, being relatively short of money she is unwilling to do another study like that, which simply provided Council with the optics for making one decision over another.

Councilmember Carr asked Councilmember Smotherson if he could provide her with the exact portions of the amendment he was objecting to?

Councilmember Smotherson stated since there is no commercial lot available in the 3rd Ward he is troubled by the section that speaks to a land acquisition. Councilmember Carr stated based on her understanding, the reason for the amendment is to include language that allows staff to look at the design of the Annex at the same time they look at the design of the new station. Mr. Rose concurred and added that the amendment simply includes the Annex as a part of the design, not the construction or remodel.

Councilmember Carr asked Mr. Rose if there was any intent to remove homes in the 3rd Ward to construct a facility? Mr. Rose stated there is no intent to use eminent domain, simply a willing buyer and seller approach. But even if Council decided to move forward with the construction of a large police headquarters the acquisition of property would still be necessary.

Mr. Rose stated while he still does not believe the City is in a financial position to afford a large headquarters, should Council find there is a need for a station in the downtown area then it seems to make sense to design both facilities simultaneously so that decisions can be made regarding what activities should be located at the new facility and which ones should remain at the existing facility.

Councilmember Carr asked whether staff had identified a suitable area for the new facility? Mr. Rose stated at this point, the area staff has explored is the northeast section of the City because although the frequency of crimes is higher in the Loop area, the most severe crimes occur in the northeast section. However, even though staff has explored this area, by no means have they nailed down exactly where it is going to be.

Councilmember Clay stated in an ideal scenario; especially for something of this magnitude, there is a cycle that involves the presentation of data, a policing strategy, and the resources to support the implementation of that strategy. However, at this point, Council is kind of in the resources piece without having a strategy; which he understands is forthcoming and he looks forward to given the professionalism of the City Manager and the Chief of Police. But as that relates to moving forward, not having those pieces presents a challenge for him.

Councilmember Smotherson stated he is not against the Resolution nor is he necessarily against the amendment. His thoughts were that this amendment could be added back into the budget, so the purpose of his motion was to generate discussion; specifically with respect to land acquisition and the impact, it could have on homeowners. Councilmember Smotherson stated there are things he cannot say because of the City's position that he believes are relevant and need to be discussed by this entire Council. In other words, taking action now, rather than scurrying to take action in the future.

Mayor Crow thanked members of the audience for their patience and hoped they recognized the level of the debate on an issue he thinks is of importance to the entire community. Being on the opposite end of the new member spectrum, it is abundantly clear that this is a new body, with a new direction.

He stated that he could not agree more with Councilmember Carr's comments regarding the Chiodini Report and the manner in which it was handled.

He is also appreciative of the fact that Council did vote on this amendment and has already had this conversation. Mayor Crow stated he does not find it to be a credible argument nor does he understand the distinction being made between the two facilities with respect to the acquisition of land. But when you play on emotions like that, it is unfair to your colleagues and the citizens of this community. The conversation is, this is a City that likely will not be able to pay for an 18 million dollar police station, and thus there is a need to look for alternatives. But no one sitting on this dais has any interest in taking someone's home, whether it is for a substation or police headquarters. And the fact that members of this community keep coming back to this issue is wearing him out.

Mayor Crow stated this Council wants to do what is best for its community. Therefore, he is happy to have as many Study Sessions on this issue as his colleagues deem necessary and happy to host or be a participant in any neighborhood discussions; in any part of this City, but he cannot support removing this amendment from the budget. Because the truth is, the very first time Council met with Mr. Rose he said, I will always answer your questions; you may not like the answers, and then proceeded into a conversation about the police station and what might not be the right path going forward. Now, while that does not mean Council will be voting to build a new substation, it does mean that the professional opinion of the City Manager has been consistent and that's the opinion he will be supporting.

Roll Call on Councilmember Smotherson's Motion Was:

**Ayes:** Councilmember Smotherson and Councilmember Clay.

**Nays:** Councilmember Carr, Councilmember McMahon, Councilmember Hales, Councilmember Cusick, and Mayor Crow.

The motion to remove the amendment failed.

Citizen's Comments:

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

Ms. McQueen stated she has been involved in discussions about the police facility for several years and found notes depicting some of the chain of events associated with this project.

- On March 14, 2016, the Council majority voted to build a new police facility; two members voted in opposition.
- In July of 2015, six or seven million dollars was taken out of the General Fund reserve for renovation/construction of the station.
- The Study conducted by Ross & Baruzzini estimated that it would cost \$26,484,849 to renovate the City Hall Annex; that a new facility would cost \$17,345,020, and that both of these estimates were expected to increase each year.
- Chiodini's Study estimated that it would cost \$19,952,116 to renovate the City Hall Annex and \$12,463,380 to build a new facility.

Ms. McQueen stated what she does not know is when the City went from deciding to build a new facility to renovating the Annex; something she has always been against since she found it to be an unsuitable environment to work in. So she is looking forward to attending the Study Session on the police station in hopes of learning about how these decisions are being made.

Mayor Crow apologized to Ms. McQueen for his failure to recognize that her comments were associated with the amendment and should have been heard prior to the conclusion of that debate.

### Council's Comments:

Councilmember Clay stated he would like to make the following motion regarding the request from the Senior Commission: To amend the budget by adding \$5,500 which shall be allocated to ITN Gateway for scholarships to support its transportation program. Since this is a new program he would like to institute some parameters and request that the total allocation of \$5,500 be disbursed in the following manner: That the first disbursement of \$2,700 will be provided after the establishment of metrics for success, and the second disbursement of \$2,700 be provided after completion of a six month evaluation of the program.

Mayor Crow asked Mr. Rose if he was comfortable with the parameters established within Councilmember Clay's motion? Mr. Rose stated staff would certainly work with Council to determine what the measurement system should entail and move forward with the disbursement of funds after July 1.

Councilmember Hales seconded the motion and stated although he is okay with the concept, he does have questions about how this program will be implemented. He stated in the information provided to Council, Ms. Diekemper's document says they are seeking to have a member(s) of the Senior Commission administer the allocation of funds.

Councilmember Clay stated with the Mayor's permission, he can address that question. As liaison to the Senior Commission he has had several conversations about this request, and both he and Ms. Diekemper believe that it is not appropriate for the Senior Commission to make any allocations or decisions associated with funding. And that perhaps, this should be a function of the Senior Coordinator or a member of staff.

Councilmember Hales stated he would feel much more comfortable with the staff's administration of this program.

Councilmember Carr distributed a copy of the cost-comparison analysis between ITN and Uberx to Council. She stated since the fiscal note justification says that the introductory annual membership to be paid is \$55.00 per individual, and ITN's information says that membership is \$50.00, she is curious to know which one is correct?

Ms. Diekemper stated during her presentation before Council on June 11th, she acknowledged that the \$55.00 was a typo and the correct amount should have been \$50.00.

Councilmember Carr stated while this decision should not be based solely on cost, she did feel there was a need to determine the exact cost of the program, and this is what her analysis revealed:

### ITN Gateway Associated Ride Costs:

- \$50.00 Annual Membership Fee
- \$2.50 Pickup Fee per ride
- \$1.50 per mile charge
- No Tips

### Uberx Associated Ride Costs:

- No membership fee
- \$1.50 base fee at .20 cents a minute
- \$1.26 per mile charge

- \$3.00 service fee
- Tips are optional

Utilizing a 4-mile ride from Heman Park to St. Louis Galleria; which takes approximately twelve minutes, ITN's ride costs \$8.50 and the Uberx ride would cost \$13.50. But, when you factor in the cost of ITN's membership fee required to take advantage of their pricing structure, that same ride would cost \$58.50. So, the real question then becomes where is the breakeven point? The answer turned out to be ten rides. At that point you have spent \$135.00 no matter what service you use, and only after that point does ITN become the cheapest form of transportation.

Councilmember Carr stated the next thing she looked at was the grant and what it provides. It says that the City will pay the membership fee and put \$100.00 of ride credits into each account. So does the \$100.00 ride credit increase to \$200.00 for a couple or must they split the \$100.00 credit?

Essentially, each recipient of this grant would get a total of \$150.00. That's \$15.00 less than the breakeven point, which comes down to five roundtrips at 4 miles per trip. So, what are we really giving people?

- You can only access Uber via an App; which she does, and since she's almost seventy, that clearly fits into the senior category. But others may not have smartphones or use Apps.
- ITN Gateway can be accessed by phone.
- Both provide service 24/7.
- ITN Gateway offers arm-to-arm and package assistance.

The point is, there are other advantages and that's why she would be willing to consider this request if, in fact, staff establishes criteria for the selection of these scholarships and maintains data needed to measure the program's effectiveness. Councilmember Carr stated her greatest concern has always been that this program would not help the people who need it the most. So perhaps, the Senior Commission could provide Council and staff with a needs analysis and that information, along with Council's expectations, can be examined further in a Study Session. Final question: What happens to the scholarship if a recipient moves outside of U City?

Councilmember Cusick posed the following questions:

1. Is the \$50.00 membership fee paid through the grant?
2. If the \$50.00 membership fee is paid out-of-pocket will ITN get the funds or will they go into an account that replenishes or offsets the grants?
3. Based on Councilmember Carr's analysis this grant will help 36 people at a cost of \$1,800. Could that money be used more efficiently if you bypassed the membership fee and simply paid for the cost of each ride?

Councilmember McMahon stated the math in the request does not seem to make sense. The total budget request is for \$5,500, and it states that their intent is to pay these funds out to 33 individual memberships estimated in five couples.

1. Do the five couples have to ride as a couple?
2. Does this mean 10 people?

If they must ride as couples that gives you 38 participants. And if it means 10 people, that gives you 43 participants. But if each scholarship is \$100.00, somebody is going to be left out.



Councilmember McMahon stated he understands that the idea of this program is to provide affordable rides for people who need them. But in reality, it sounds more like a needs-based program as opposed to a participant-based; first-come, first-serve program. So prior to establishing the metrics, there is a need to determine the intended audience. Is it for all residents sixty and above, as well as those who are visually impaired or is it for residents who fall in these categories that cannot afford ITN?

**Margie Diekemper, 8039 Gannon, University City, MO**

Ms. Diekemper stated she is speechless because the Senior Commission has provided an incredible amount of information and even invited each member of Council to initiate dialogue with them about the content of that information. But no dialogues were ever initiated nor were any questions asked, until tonight, at the eleventh hour. She stated while she appreciates all the work that has been done, this is not just about cost. Ms. Diekemper stated she has been a Public Health Nurse for many years, and years ago, when speaking on the topic of public health programs, Dr. C. Arden Miller, said something that stuck with her. He said sometimes we do things because they are the right things to do. And this program is the right thing for U City to engage in on behalf of its seniors who have no other transportation options. This is not only a public health program; it's about safety, and quality of life issues. And after studying other options and partnering with the St. Louis County Age-Friendly Community ITN has been presented as the best option available.

One of the questions posed by Councilmember Clay was is this a pilot? And although it is not a pilot in St. Louis County, if U City wants to consider it as a pilot, that's fine. But she just can't believe we are here almost making a joke about such a serious recommendation. Ms. Diekemper stated she could answer all of the questions raised, but was unsure whether Council wanted them answered in detail tonight?

Mayor Crow stated Council respects the work that has been performed by this Commission and no member has in any way acted as if this were a joke. He stated he believes the questions are fair and before taking a vote they would certainly like to hear the answers.

Ms. Diekemper stated although she would agree that the questions were fair, she perceives tonight's process as difficult to seriously accept when the invitation to have these discussions has been extended on numerous occasions. Moreover, she thinks it is not respectful of her, to let it boil down at the eleventh hour and be placed in the position of trying to provide detailed answers. That being said, if the questions could be asked again, she would try to answer them all.

Mayor Crow stated he believes the time being spent on this request demonstrates the priority Council has placed on this program. And he also believes his colleagues would be more than willing to restate their questions.

Councilmember Hales read the following excerpt from Ms. Diekemper's April 2nd email into the record and stated his question was about the Commission's oversight of the monies granted. *"It is no longer an expectation that one or more members of the Senior Commission will participate in the active oversight of monies granted through this process, including gathering information on the workability of the scholarship process, the amount of the allocations, and the evaluation of the service itself,"*

Ms. Diekemper stated when the Commission first approached Mr. Rose their hope was that the Senior Coordinator would have some input and that if these monies were awarded, they would go into the Senior Coordinator's budget and she could manage them; since all payment transactions are handled through ITN's central office. So you are absolutely right, Councilmember Hales, members of the Commission cannot administer money, nor does she think it is appropriate for the Senior Commission to participate in who the scholarships will be awarded to, or even who is applying. But as the originator of this proposal, the Commission should have input into the criteria used to award scholarships.

Ms. Diekemper stated ITN-St. Charles, which is now ITN Gateway and its St. Louis County affiliate, has received a substantial amount of funding from a local charitable foundation to help individuals who are not financially able to pay the membership fee with scholarships. Volunteer drivers can also donate the credits they earn to people who need the assistance to pay for the ride.

Councilmember Cusick stated the one thing he has learned in the few short months he's been on Council, is the breadth and depth of expertise held by the people who serve on the City's Commissions and Boards. This Council values the work they do, so please don't think your recommendation is being viewed as a joke. With respect to your eleventh-hour perspective, this is the process. This is how Council learns about the recommendations before them by asking questions in an open forum where it can be debated. He stated he is quickly reaching the age of becoming a part of the senior community and is very concerned that seniors are receiving the help they need. So please accept his apology if this seems to have been a hostile environment because it certainly was not intended to be. Councilmember Cusick stated here is one of his previous questions: Could the money used to pay for the membership fees for 36 people be used more efficiently if you bypassed the membership fee and simply paid for the cost of each ride?

Ms. Diekemper stated ITN Gateway is a single purpose organization, so providing a ride where individuals simply pay a fee does not account for what it takes to run this not-for-profit. The \$50.00 membership fee augments the running of this organization and goes back in to help pay for services across the board. She stated this is a national model that has proven to be cost-effective, and as a result of their tight-ship approach, they do very little marketing.

ITN has a proprietary software system that keeps track of every ride; the total miles; the time each trip takes, and the number of rides taken by individuals who have purchased a membership. Each month members get an accounting for the number of rides they've used and their remaining balance. So, should Council see fit to grant this request she should be able to get the metrics that have been asked for and keep track of those statistics. Ms. Diekemper stated what they already know is that 75% of rides provided so far have been for U-Citians, and 70% of all registered riders are from U City. That's a pretty good indication that U City has the need and she believes that need will grow. Therefore, she hopes the Senior Commission and Coordinator will be provided an opportunity to sit down with Council and figure out how every Ward can take advantage of U City's ride scholarships or have access to the charitable foundation funds.

Councilmember Cusick asked Ms. Diekemper if the Commission already had the metrics to illustrate the type of service riders have used in the past? Ms. Diekemper stated they had only started gathering statistics previously one month ago, and the percentages she stated are from May 9th to June 9th. Councilmember Cusick asked if she had the number of how many people have registered? Ms. Diekemper stated she did not have that number, but could say there have been over 70 rides provided since May 9th. Although obviously, a portion of that total is generated by riders who use the system on a regular basis.

Councilmember Cusick stated since 75% of the people that have already signed up are from U City, would any funds ever go to people outside of U City? Ms. Diekemper stated the requested funds are only for residents of U City.

Councilmember McMahon stated when he did the math on the numbers they did not make sense. But, his assumption is that you can simply take the \$5,500 and figure out how many actual scholarships it will provide? Ms. Diekemper stated there would be more than 33 individuals at \$50.00 per scholarship. So, if \$100.00 goes into the account for 33 individuals and each couple receives \$100.00; not \$200.00, that adds up to \$3,500. Councilmember McMahon stated 33 individuals, plus five couples each receiving \$100.00 that would be \$3,800. Ms. Diekemper stated although her math was incorrect, there would be 33 individuals and five couples.

Councilmember McMahon asked whether the Senior Commission had already determined the eligibility criteria for the award of ride scholarships? Ms. Diekemper stated they had established an outline but was waiting until after they had received approval to complete the final draft. She stated the Commission has always conceived these ride scholarships as being available to people who were ride-needy; meaning people who by virtue of either their finances or lack of mobility options, need help with transportation. So, they are going to be looking at need, but not just in terms of finances.

Councilmember McMahon stated it's apparent that U City is going to be drawing a large chunk of the proceeds since it has reached 75% in such a short period of time. And since ITN already has a charitable scholarship fund set up, should the City just partner with ITN directly and help some of its neighboring communities at the same time? Ms. Diekemper stated last year the Commission did ask that a lump sum check go directly to ITN, but that was denied. So this year they thought it might be more palatable to establish ride scholarships that provided a direct benefit to U-Citians and not its' neighboring communities.

Mayor Crow informed Ms. Diekemper that that was the conclusion of Council's questions, however, they would welcome any additional remarks she would like to make. Ms. Diekemper stated first, she would like to apologize for her remark about this being a joke. It wasn't that she thought anyone was a joke, but it was rather challenging to accept some of the dialogue. Ms. Diekemper stated she is very passionate about this drive service and thinks it is one of the best things she has heard about in a long time. She provided Council with several examples of passengers who are engaged, active and want to remain independent. They are all perfect examples of the fact that just because someone can't drive means they want to stop living the life they've lived. That's why she is adamant about her belief that this is not just a public health issue, it's also a safety and quality of life issue. She stated she has not seen any other ride service as reliable, trusted, and who treats their passengers with dignity. Therefore, her hope is that Council will find this to be a good program to put their vote behind. Because she thinks it is an affirmative vote for U City seniors and will be some of the best PR the City can have in the community of geriatric senior service providers.

Councilmember Carr stated she wanted to make certain that the passage of this amendment is predicated on the request to have a Study Session to discuss Council's expectations and establish metrics? Councilmember Clay agreed that it would be.

Councilmember Hales stated he still had a concern and did not want to entertain amending the motion. Because what he heard was that the scholarships would be based on needs that extend beyond finances.

But he would feel more comfortable knowing that it truly was a financial need because he would hate for this to move forward and know that someone who had the financial means obtained a scholarship over someone who may not have the same means.

Councilmember Cusick stated he would be willing to support this amendment with the caveat that Council is provided with an evaluation report prior to the second distribution of funds.

Councilmember Clay informed Councilmember Cusick that his caveat had already been included in the motion. He stated he is certainly passionate about evaluation programming and metrics, but Council needs to remind themselves of the scale being discussed. While he takes the stewardship of taxpayer funds very seriously, if this program is unsuccessful after six months, at most; the City will have been injured to the tune of \$2,700. So while he supports a Study Session, at the end of the day, it's \$5,500.

Roll Call Vote on Councilmember Clay's Amendment Was:

**Ayes:** Councilmember McMahon, Councilmember Hales, Councilmember Cusick, Councilmember Clay, Councilmember Carr and Mayor Crow.

**Nays:** Councilmember Smotherson.

Citizen's Comments:

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

Mr. Pace stated there is a line item regarding a \$133,000 transfer from the EDRST Fund to the General Fund to support the new position of Director of Economic Development. And his concern is about the process since he had been unable to find any documentation indicating that the Board had voted to approve this transfer. He said if you read 67.1305, it states that the EDRST Board controls the budget for their funds. They set the budget and then it goes to Council who has final and total control. So if that \$133,000 was put in the budget by staff, it should not have been because they have no control whatsoever, over the EDRST budget. Mr. Pace stated he had tried to do the research, but if the Board voted and this was an oversight on his part, then he would apologize.

Roll Call Vote on Resolution 2018-10, as Amended Was:

**Ayes:** Councilmember Hales, Councilmember Cusick, Councilmember Clay, Councilmember Carr, Councilmember McMahon, and Mayor Crow.

**Nays:** Councilmember Smotherson.

## *BILLS*

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

1. Boards and Commission appointments needed
2. Council liaison reports on Boards and Commissions
3. Boards, Commissions, and Task Force minutes
4. Other Discussions/Business

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

**Tim Parson, 1161 Ursula, University City, MO**

Mr. Parson expressed the following concerns:

- The need to reduce the budget by hiring security officers;

- Exploring the concept of building a career academy to provide people with better opportunities versus a warehouse like Costco who pays slightly above minimum wage, and
- The need to hold police officers accountable for frivolous actions through the enforcement of City Ordinances.

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

Ms. Pointer stated she would like the City to stop the TIF Project because she thinks the whole process has been backward. The first step should have included some rigorous community engagement to determine what residents want for their community, and the next step should have been to seek funding based on those needs.

She also does not think the City has addressed her concerns with respect to gentrification. So perhaps, the Commission could set aside some time to educate some of her neighbors about what gentrification actually is; especially those who continue to mock this concept because they are disconnected and privileged.

Ms. Pointer stated she was really surprised by the City Manager's comment at the last TIF Commission meeting; that people throw race around because it's an explosive topic. We are reminded on a daily basis that race is an issue in this country. But his comment was markedly surprising because the same argument has been used in discussions regarding MSD's proposed project; race and low-income. So she thinks the argument is valid as it relates to this development; especially since so many people of color and low-income have expressed concerns. Those concerns need to be taken into consideration because there is some merit to what they are saying. She stated she also noticed that some of the shocking and disappointing comments made by Council had been excluded from the minutes. So she would request that the minutes be amended to reflect exactly what happened.

Ms. Pointer stated while it's unfortunate, she has now lost trust in her City Council. The fact that NOVUS has already purchased Jeffrey Plaza and has homes under contract, prior to this project getting underway, illustrates their lack of transparency. She also feels bad for the people in RPA-1, who are hanging on by a thread trying to figure out what is going to happen. She stated although the City's attempt to meet with residents prior to the August 23rd TIF Commission meeting is good, she does not think it's enough time to devise a plan prior to the anticipated timeframe for making a recommendation on the TIF funding.

**P. COUNCIL COMMENTS**

**Q. ADJOURNMENT**

Councilmember Carr moved to adjourn the meeting, it seconded by Councilmember McMahon and the motion carried unanimously. The City Council meeting was adjourned at 9:32 p.m.

Respectfully submitted,

LaRette Reese  
City Clerk

Jerrold Tiers  
7345 Chamberlain

At the last TIF Commission meeting, a large number of people got up and protested the project, describing it as tearing apart the community, gentrifying the area, and driving out immigrant businesses.

There needs to be much better Public Relations on this project. The actual project area is small, but many still seem to see the entire Ward 3 as the "target". Others seem to fear that the goal is to turn all of Olive into a generic strip mall of "chain stores".

I have discussed it with some council members, and have been assured that we want to keep the affected businesses on Olive. I hope that represents the majority on the council.

The City may need to be more pro-active, however. Providing some relocation money is good, but it may take more effort, and it may need to start sooner because there is enough instability right now to drive out businesses before any TIF decision is made.

Most of the small businesses should be able to move east to existing empty locations. There are many empty storefront strips and buildings, some of which have had restaurants in them. It may take some work on the part of the city to help get the process jump-started, such as identifying suitable potential locations. The city cannot remain passive, it needs to actively reach out.

There is also a question of what exactly will be done in RPA2, and whether that will actually have the desired effect.

Just pouring money into RPA2 will not necessarily fix the problems in a way that gives residents of RPA2 a real benefit that will last. If this is worth doing, and I think it obviously is, it has to be done in a way that the result of the community and housing work is a permanent boost. This is a project for the long term.

The problems I see it being aimed at in RPA2 are:

- 1) Deteriorated housing
- 2) Problems with banks undervaluing and not lending
- 3) A disproportionate amount of rental housing
- 4) Low basic property values
- 5) Deteriorated infrastructure

Fixing deteriorated housing will require people to apply for loans or grants and repair their homes. Many may refuse because they are afraid that their taxes will go up and be unaffordable if they do too much work and make their houses "look too nice". And, just one bad house on a block can drag down the whole block. To work, this needs a full buy-in from both residents and rental owners, and that means a strong outreach effort by U-City is needed.

Bank valuation is an issue that U-City has little control over. It might need a different approach. Red-lining is not allowed, but there seems to be what might be called "pink-lining" of the area north of Olive (see comments by Councilmember Clay at TIF hearing #2). If banks will not lend on pretty much any house in RPA2, then we will get even lower values, more rentals, and more community instability. We need to attack the real reasons why banks fail to lend, which means identifying them and fixing them.

- Do we know what the banks and appraisers really rely on?
- Can we actually affect those factors? How?
- Do we have a means to get banks to change their evaluation of RPA2?

Rental housing comes from the bank loan issue because the only customers left when banks will not lend are cash-paying investors looking for rental property. Convincing rental companies to upgrade their properties to match the ones upgraded through loans or grants may be hard. Is there a way (perhaps code enforcement?) to affect the amount of existing rental property, or at least affect the rental housing quality through this project? That may be key to the bank loan issue.

Property values theoretically will get fixed if enough people apply for loans etc and do the repairs. Presumably, if homes are repaired, their assessed value goes up. But I am not sure the County really will notice improvements, nor do I know if the County ever reduced values as much as banks seem to have done.

- How can this improving be done without having taxes go up significantly, just as residents fear that they will? After all, part of this is actually about improving the tax base.
- Can we avoid having "de-facto gentrification" through taxes? There are tax credits available for seniors to offset property taxes, for instance, but few know about them. Do we have any outreach planned to help with this? We should.

These are all things that have to be considered. I assume they are in fact being considered.

It would be beneficial for the City to be much more pro-actively open about what is proposed, where it will be done, and how it will be done. I fully realize that the information is technically available, but more than simply posting documents may be needed if you want to get good buy-in on this project.

The comments at the various TIF meetings clearly show that a lot of people have what appears to be an entirely wrong understanding of what is intended. You need to work hard on that to make this project succeed and work as intended.

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Generally supportive of the development. U City needs economic growth/revenue. CBA details would be better worked out by elected officials. 37%

Strongly in favor of the development as it stands (especially if it's a Costco) 36%

Generally opposed to the development. It must include CBAs worked out by community organizations with benefits for U City especially the 3rd Ward. 10%

Strongly opposed to the development. This feels like gentrification that will only benefit the developer and hurt U City. 8%

Ambivalent 4%

Other. Please indicate in comments below 2%

oted

314 votes