

MEETING OF THE CITY COUNCIL
CITY HALL, Fifth Floor
6801 Delmar Blvd.
University City, Missouri 63130
Monday, November 26, 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, November 26, 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, and City Attorney, John F. Mulligan, Jr.

C. APPROVAL OF AGENDA

Mayor Crow announced that no changes had been made during the Study Session.

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

D. PROCLAMATIONS

E. APPROVAL OF MINUTES

1. November 12, 2018, Regular Session minutes were moved by Councilmember Carr, it was seconded by Councilmember McMahon and the motion carried unanimously.

F. APPOINTMENTS TO BOARDS & COMMISSIONS

G. SWEARING IN TO BOARDS & COMMISSIONS

1. Karla Teeters Brown was sworn into the Arts and Letters Commission at tonight's meeting.

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

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

Ms. Ginsberg stated yesterday during the rain and hail U City's Trap, Neuter, Vaccinate, and Return (TNR) advocates were busy humanly trapping cats to prepare them for neutering and vaccinations at no cost to the City.

She stated according to the Health Services Manager for the City of St. Louis, TNR has had an impact because the number of cats taken in by Animal Control has dropped from 1,400 in 2009 to 200 in 2017. She stated TNR advocates look forward to having positive discussions with staff from the City's Animal Control and would like to thank Council for their consideration of a TNR Ordinance for U City.

Ms. Ginsberg stated she would also like to thank Mike for streaming tonight's Council meeting and commend the *Post Dispatch* and *West End Word* for their fact-based coverage of municipal news. On the other hand, Ryne Danielson's deliberately deceptive posts in the *Patch* have inspired her to create a website to counteract his bias with balance, correct misinformation with facts, and amend his omissions with evidence.

And along that same vein, she would like the record to reflect that drafts of U City's Residential and Commercial Relocation Assistance Plans have been posted on U City's website since last spring, and copies were made available at TIF Commission hearings. All in total contradiction to Jan Adams' claim at the last meeting that, "*There is no plan for relocation assistance*".

Ms. Ginsberg concluded by thanking the City Manager, Mayor, and Council, for all of their hard work. Their dedication and persistence are making it possible for this community to finally stabilize Ward 3, upgrade infrastructure along the Olive International Business District, and address the disparities in U City's relationship with Wash U.

Donna McGhee, 7584 Melrose, University City, MO

Ms. McGhee stated there was a tree that fell two doors down from her house which was much greener than the one located in front of her home, even though the cross-sections were hollow; meaning that it had been rotten for quite some time. So, with the predictions of a harsh winter, she is still very concerned because the branches on the tree located in front of her home are very dry. Ms. McGhee stated she is grateful to the employees from the City's Forestry Department who have been attentive to this situation, however, it is now the end of November and the tree has not been pruned; branches are hanging over her roof, and the excessive amount of leaves falling from the tree are clogging up her gutters. Not to mention the possibilities of injury or even death to the children that play in and around this area.

Ms. McGhee stated she truly believes this is a legitimate concern and is more than willing to work with the Forestry Department to replace the old tree with a smaller one since. But until some type of mutual resolution is achieved, she is not going away.

Mark McNamara, 7554 Dajoby Lane, University City, MO

Mr. McNamara stated since the day he moved in, he has had a constant problem with piles of trash getting dumped at the end of his cul-de-sac. It's a continuous cycle; he calls; they eventually get removed, and it is replaced by more piles of trash. He stated that he has become such a nuisance that the City simply stopped responding. In fact, this afternoon a City truck came out, ran a chainsaw for two or three minutes and left without moving one pile. And to make matters worse, a limb was left hanging from what he believed to be a vine, however, when he attempted to remove it he discovered that it was hanging from an electrical wire. Mr. McNamara stated this is just one example of the things residents who live in the 3rd Ward have been forced to deal with; which can be verified by Councilmember Smotherson who responded to his complaints by coming out to view the problem.

Another example of the disparities felt in the 3rd Ward is what happens on New Year's Eve. He stated he has a 7-minute recording on his cell phone of the gunfire

that took place as bullets went whizzing past his house last year. And the response he received from the police was that they keep their resources where the people are; which means the 1st and 2nd Wards. So, this year he has made arrangements for his family to be somewhere else on New Year's Eve.

Jerrold Tiers, 7345 Chamberlain, University City, MO

Mr. Tiers stated he attended the Study Session held a couple of weeks ago pertaining to Wash U, and while he does agree that there are some issues with this relationship, he would also agree with a comment made by the Mayor that time was not of the essence when attempting to address the issues associated with Wash U. He stated his understanding is that the City's priority is the Olive/I-170 project, and rightly so because if that does not get done right then it's not going to matter what else the City doesn't get right. So his hope is that the City will not redirect any of the resources needed to move this redevelopment project forward.

Mr. Tiers stated as it relates to the 1-170 Project he still thinks more PR is needed. And while he realizes there are things on the City's website, he still runs into people who think the TIF is way too rich because they lack a clear understanding of the 10 million dollars and when it will become available. So perhaps, it would be useful for the website to include a section with frequently asked questions so that people can read some of the concerns and the responses to those concerns. Mr. Tiers stated the word "*contentious*," has even been used in a few news reports, which is troubling, because, in his opinion, there has been no contention; unless you count the three or four people who address this Council on a regular basis.

I. PUBLIC HEARINGS

1. Liquor License – Perfect Taste, 6310 Delmar Blvd.

Mayor Crow opened the Public Hearing at 6:48 p.m., and hearing no requests to speak the hearing was closed at 6:48 p.m.

J. CONSENT AGENDA

1. Approval of Liquor License - Perfect Taste Restaurant, 6310 Delmar Blvd.
2. Approval of the Annual Solid Waste Cart Purchase
3. Approval of the Annual Tree Trimming Contract with Gamma Tree Experts
4. Approval of the St. Louis County Municipal Park Grant Commission Agreement Fogerty Park Phase 2 Improvements

Councilmember Hales moved to approve all four items on the Consent Agenda, it was seconded by Councilmember Carr and the motion carried unanimously.

K. CITY MANAGER'S REPORT

1. Approval of the Solid Waste Rate Study (MSW Consultants)

Mr. Rose stated staff is recommending that Council approve the MSW Consultants' proposal of \$34,989, to conduct the Solid Waste Rate Study.

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

2. Approval of City Hall Annex Assessment – Consultant Contract (Trivers)

Mr. Rose stated staff is recommending Council's approval of a contract with Trivers Associates for evaluation of the City Hall Annex and design work associated with the Police Station. Funding for this work was approved as a part of the Capital Improvement Program Number POL-1801. He stated he would also note that while the signature line reflects approval by the Public Works Department, it should be amended to reflect his signature.

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

Councilmember Smotherson stated he is somewhat stunned by certain language in the proposal that is inconsistent with what Council had been told previously. He stated his understanding from the very beginning, was that the substation would be where the Police Department would be housed and the Annex would be utilized to house support services. However, it appears as though that conception has changed, so he would like to gain a better understanding of exactly what this analysis entails.

Councilmember Smotherson stated he would also like clarification on the following statements made by Mr. Alpasian, pursuant to the questions he submitted prior to this meeting: (Three), *"Future use of space as police station facility,"* and (Two), *"The new Police Department facility"*.

Mr. Rose stated he would like to respond by broadly highlighting the intent of this analysis. As a part of the Annual Operating Budget, the Mayor and Council approved an amendment to the Capital Improvement Program to which this item was funded. That amendment for Project Number POL-1801 reads as follows: *"Land acquisition, design, and construction of a Police Substation, and design of a Police Annex. This project will consist of purchasing property on which the Police Station will reside and the design and construction of a Police Substation for the purpose of housing police operations. Additionally, the project will include the design of the Police Annex for the purpose of housing police operations."* He stated in his opinion, the aforementioned language is consistent with exactly what was approved, which takes into consideration the addition of a new police station and an examination of the Annex to determine its feasibility for police operations.

Mr. Rose stated the intent was never to move Headquarters from the Annex; if at all possible, that's why the initial focus was going to be on determining the feasibility of using the Annex. As you know, there was an earlier study conducted of the Annex which raised concerns regarding the credibility of some of the information contained in that study. So his intention was to start over by contracting with a different firm to make certain that the preliminary information provided to the City was accurate. That's the backdrop for this agenda item and the reason this contract is being brought before Council.

Councilmember Smotherson stated while he clearly understands the language in the amendment, his confusion comes from this statement in Trivers' proposal that seems to be inconsistent with the amendment; *"The ultimate goal for the Department of Public Works is to house as much of the police program as possible, within the Annex itself, and to identify programs that would have to be housed elsewhere, if applicable"*. And in his mind, this statement seems to regard the substation as a possibility rather than a certainty.

In addition, there appears to be another inconsistent statement in the paragraph towards the end of the page on K2-5, *"The ultimate plan will be to remove the modular facilities and explore the potential for utilizing the Annex for police programs. This could*

possibly require some programs to be housed offsite". And he simply does not recall ever hearing that the City was focused on keeping the Headquarters in close proximity.

Mr. Rose informed Councilmember Smotherson that although he can identify with his interpretation, his belief is that the contract is broadly drafted to allow room for the flexibility to exercise various options. If the assumption is that the Annex is not safe, and it is determined that it cannot be made safe, then no operations could be housed in the Annex and staff would have to go back to the drawing board. Although he does not believe that is going to be the case. And if his belief holds true; and it is determined to be logistically and financially feasible, he would not recommend that the current operations, such as the shooting range and jail be moved from that location. He stated that the final determination regarding the location of other operations will be based on his discussions with the Chief of Police.

Councilmember Smotherson stated another statement he found interesting is Paragraph 4 on Page K2-5; *"U City has identified the Clayton Police Department facility and practices as a good example of the desired outcome".* And based on that statement his question is; who is *"U City"*?

Mr. Rose stated what the Mayor and Council directed staff to do was evaluate the Annex and determine what operations would be feasible. As a part of that determination; especially as it relates to a new, state-of-the-art facility, Mr. Alpasian, Chief Hampton, and himself, visited the Clayton facility. The purpose was to determine what their outcome had been as it relates to the quality of construction and the type of police operations housed in their facility. And although Clayton's police operations are consolidated, which is not consistent with his recommendation, he does believe there were some lessons learned from the tour. He stated that he would also like to point out that the language included in the agreement simply identifies Clayton as an example, even though there are others that can be used.

Councilmember Clay stated as it relates to the police station, he has no opinion one way or another, about what the operations or the facility should look like. Consequently, he would perhaps, like to offer this way of thinking about it. The City does have the Annex and it is certainly incumbent upon Council and this administration to do something with it. The goal is to make it habitable; lest it just sits and decays, and the police need somewhere to go. So these are the two things that need to happen, either independently or concurrently. But he would caution everyone to think more broadly and remain open to the possibilities in order to make the best decision possible; be it the Annex; two stations or one. Because as he's previously stated, this is a going to be a generational decision impacting the next 30, 40, or 50 years, so there is an absolute need to be deliberate.

With that in mind, Councilmember Clay stated he would also like to offer this. Thinking comprehensively, U City has the Municipal Center, the Annex, and City Hall, coupled with the need to find a facility for its police. And so, might there be a world in which consideration could be given to all of these things? City Hall, while a beautiful building, is probably not as functional as it needs to be for an office space in 2018 or Council space for that matter.

What are Council and staff thinking about in terms of all of these buildings because, at some point, all of them will necessitate the need to make the same type of generational decision now being contemplated for the police station? Councilmember Clay stated he would hate to see a circumstance in which this City makes a decision in one area without thinking comprehensively, and unwittingly impact what it is trying to do in another area. So his hope is that his comments offer some degree of contemplation about the need to develop a comprehensive approach; with the understanding that the City may never have the finances to do everything at one time, but that should not stop us from at least articulating a holistic plan to ensure that any moves we make now won't be injurious to future moves.

Councilmember Hales stated with all due respect, he simply does not share Councilmember Smotherson's perspective regarding this proposal. And in reading through the packet, this agreement seems to be very consistent with his recollection of conversations with the City Manager, as well as the various meetings and proposals presented on this matter. So, in his mind, the substation will not be the primary location, and he thinks the City Manager has made it very clear that a part of the process is to identify what can be housed in each facility and then make a determination on what will be the most efficient path to take.

Councilmember Smotherson stated in reading this proposal, it almost feels like we are treating our Police Department like it's a second-rate division rather than the regionally-recognized police force that it is. Members of U City's Police Department are actually recruited by other municipalities simply because of its high standards and experience gained here. And yet, here we go, in what he believes is the wrong direction.

Councilmember Smotherson stated while he appreciates the fact that the proposal does state that Trivers will notify the City if the Annex is found to be unfeasible, he is very curious to see what direction that is actually going to go in. Because he still thinks the best process and outcome, is to build a new police station and just leave it at that. And the lingering question is his mind, is what makes U City so much different than the other municipalities who have built new stations from the ground up?

Councilmember Clay asked Mr. Rose if a part of this process would include the receipt of several options to assist Council in making the ultimate decision? Mr. Rose stated the intent of this assessment is to first, focus on the Annex to determine whether it will be feasible to house any operations there. If it is, then staff will identify exactly what the options are for housing each specific operation. If it is found not to be feasible, then staff will need to make recommendations regarding the best options for advancing the placement of the Police Department. So in either case, this assessment is just a starting point, wherein staff will come back to Council with a set of recommendations based upon the options available from a facilities and financial perspective.

Mr. Rose acknowledged that one of the questions received from Councilmember Smotherson was, "*What makes us different?*" And the answer to that question is, its bordering cities. Quite frankly, Clayton does not have the same problems as U City because U City's borders consist of cities that have; in some respects, some of the highest crime rates in the country. Therefore, U City has to be different and cannot take the same approach as other jurisdictions when there is a need to suppress or mitigate crime. And the reason he proposed a second station is that at the end of the day, U City's focus should not be just on the type of police station it has or what it can provide.

In his mind, it should be on reducing the crime rate throughout the entire City; specifically, in the northeast quadrant of the City which has the highest level of severe crimes in this jurisdiction.

Mayor Crow stated he can readily admit that the process of determining the right path for the Police Headquarters has not been this City's finest hour. As you may recall, discussions held on this topic in previous years yielded some interesting proposals, and what he views, as some rather embarrassing situations. So this Council and administration are doing its best to move through these muddied waters. And to that extent, he is in total agreement with his colleague, Councilmember Clay, in that everyone needs to do what is best as it relates to efficiency and economics; something this City has not really had the benefit of doing in previous years.

Mayor Crow stated while he doesn't necessarily speak for everyone on this dais, his firm belief is that if the cost-determinate to remain in the Annex is beyond what is anticipated, then more than likely the police will not be housed there. However, what he can say is that he honestly believes every member of this Body holds this police force at the highest level of esteem, and regrets that the actions associated with their relocation have been far more zigzagged than they ever should have been. Mayor Crow stated he also recognizes that having to work out of a temporary facility probably weighs heavily on the folks who keep this City safe every day. But the bright side is that everyone is working diligently to come up with the right solution for these officers, as well as the residents of this community.

Voice vote on Councilmember Carr's motion to approve, carried unanimously.

L. UNFINISHED BUSINESS

BILLS

1. **BILL 9369** – AN ORDINANCE AMENDING SCHEDULE III OF THE TRAFFIC CODE, TO REVISE TRAFFIC REGULATION AS PROVIDED HEREIN (*Restricted Parking Jackson Ave.*) Bill Number 9369 was read for the first and second time.

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

Roll Call Vote Was:

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

Nays: None.

Mayor Crow recused himself from Bill Number 9369 and abstained from participating in the vote.

M. NEW BUSINESS

RESOLUTIONS

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

Mayor Crow stated he would like to take this opportunity to inform every one of the General Municipal Election on April 2, 2019, for the purpose of electing a

Councilmember for Ward 1 to fill an unexpired term running until April of 2020. Any person desiring to seek the office of City Council may do so by filing his/her candidacy with the City Clerk of the City of University City, Missouri, at City Hall during regular office hours from 8:00 a.m. to 5:00 p.m. Candidate petitions and filing documents can be obtained from December 11, 2018, through January 15, 2019. The filing fee is \$50.00 and all questions should be addressed to Ms. LaRette Reese, City Clerk.

O. CITIZEN PARTICIPATION - (continued if needed)

P. COUNCIL COMMENTS

Hearing nothing further, Mayor Crow stated he would entertain a motion to adjourn.

Councilmember Carr moved to adjourn the meeting, it was seconded by Councilmember McMahon and the motion carried unanimously.

Q. ADJOURNMENT

Mayor Crow adjourned the City Council Regular Session at 7:14 p.m.

Please
include
this site
in the
meeting
minutes

THANK
YOU



Ryne Danielson Home Patch Misreporting

Patch

Misreporting

<https://sites.google.com/view/ryne-danielson>