



MEETING OF THE CITY COUNCIL  
CITY HALL, Fifth Floor  
6801 Delmar Blvd.  
University City, Missouri 63130  
Monday, March 25, 2019  
6:30 p.m.

- A. MEETING CALLED TO ORDER
- B. ROLL CALL
- C. APPROVAL OF AGENDA
- D. PROCLAMATIONS
- E. APPROVAL OF MINUTES
  - 1. March 11, 2019 Regular Session minutes
  - 2. March 11, 2019 Joint Study Session minutes – Loop Special Business District
- F. APPOINTMENTS to BOARDS & COMMISSIONS
- G. SWEARING IN to BOARDS & COMMISSIONS
  - 1. Susan Schmalz was sworn in to the Park Commission on March 18th in the Clerk's office.
  - 2. Kathy Straatmann to be sworn in to the Senior Commission.
- H. CITIZEN PARTICIPATION (Total of 15 minutes allowed)
- I. PUBLIC HEARINGS
  - 1. Zoning Code Text Amendment to Article VII - Off-street Parking and Loading Requirements
- J. CONSENT AGENDA – Vote Required
  - 1. Capital Improvement Program Amendment – Forsyth Blvd. – ADA Improvements and Resurfacing Project.
  - 2. Capital Improvement Program - Morgan Wilshire Road and Drainage Improvements Contract Approval
  - 3. Parking Study
  - 4. U. S. Department of Justice, Edward Byrne Justice Assistance Grant Program FY 2018 Local Solicitation
- K. CITY MANAGER'S REPORT
  - 1. FY2018 Comprehensive Annual Financial Report – Hochschild, Bloom & Company LLP (DISCUSSION AND ACCEPTANCE)
- L. UNFINISHED BUSINESS
- M. NEW BUSINESS

*RESOLUTIONS*

**BILLS**

1. **BILL 9383** - AN ORDINANCE AMENDING CHAPTER 400 OF THE MUNICIPAL CODE OF THE CITY OF UNIVERSITY CITY, RELATING TO ZONING, BY AMENDING SECTIONS 400.2010, 400.2070, 400.2130 AND 400.2140 THEREOF, AND BY ADDING 400.2145 THEREIN, RELATING TO OFF-STREET PARKING AND LOADING REGULATIONS; CONTAINING A SAVINGS CLAUSE AND PROVIDING A PENALTY.
  
2. **Bill 9384** - AN ORDINANCE AMENDING SCHEDULE III OF THE TRAFFIC CODE, TO REVISE TRAFFIC REGULATION AS PROVIDED HEREIN. (Williams Avenue)

**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)**

**P. COUNCIL COMMENTS**

**Q. ADJOURNMENT**

MEETING OF THE CITY COUNCIL  
CITY HALL, Fifth Floor  
6801 Delmar Blvd.  
University City, Missouri 63130  
**Monday, March 11, 2019**  
**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, March 11, 2019, Mayor Terry Crow apologized for the delay and called the meeting to order at 6:38 p.m.

Mayor Crow announced that the Acting City Clerk, Deanna Burress will be sitting in for Ms. Reese, who is at a training session.

**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 stated the following changes were made to the Agenda during the Study Session:

1. That Item J(2); Capital Improvement Program, be moved from the Consent Agenda to the City Manager's Report, and
2. That the District Athletic Commission be added to the Agenda for discussion purposes only.

Mr. Smotherson moved to approve the agenda as amended, it was seconded by Ms. Carr and the motion carried unanimously.

**D. PROCLAMATIONS**

**E. APPROVAL OF MINUTES**

1. February 25, 2019, Regular Session minutes were moved by Mr. Cusick, it was seconded by Ms. Carr and the motion carried unanimously.
2. February 25, 2019, Joint Study Session minutes; Economic Development Retail Sales Tax Board, were moved by Ms. Carr, it was seconded by Mr. Hales and the motion carried unanimously.

**F. APPOINTMENTS TO BOARDS & COMMISSIONS**

1. Susan Schmalz is nominated to the Park Commission replacing Clarence Olsen's expired term by Mayor Terry Crow, it was seconded by Ms. Carr and the motion carried unanimously.

2. Kathy Straatmann is nominated to the Senior Commission replacing Dorothy Merritt's expired term by Councilmember Bwayne Smotherson, it was seconded by Ms. Carr and the motion carried unanimously.

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

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

**Mark Mannion, #8 Fox Run Lane, St. Louis, MO**

Mr. Mannion stated he is an investor in four properties located at 8664, 8676, 8678, and 8664 Olive, and about a year and a half ago, John Browne called him and expressed an interest in acquiring all of the property between Olive and Woodson. He explained that his father had grown up in U City; that he had a vision to make the City a better place to live and work; that he had already completed several developments in the community and believed he could do the same with the proposed redevelopment. Mr. Mannion stated they were able to reach a contract option price on the properties, and thereafter, he began to attend some of the public hearings where he discovered that the City and developer had reached an impasse.

He stated sometimes a hard decision is the right decision. U City has wanted to redevelop this area for quite some time and he believes the completion of this project will result in a positive outcome for the community as well as the region. So he is in favor of this development and thinks that if the wrong decision is made U City will continue to sit on this property for a long time before anything else ever comes about.

**Leif Johnson, 836 Barkley Square, University City, MO**

Mr. Johnson stated the St. Louis City Treasurer recently tweeted that the City of St. Louis is only one recession away from bankruptcy. Rex Sinquefield has funded the Better Together plan in order to broaden the tax base and create a financial control Board that will bail the City of St. Louis out of its \$1 billion dollar bond indebtedness. So the real reason for abolishing municipalities and turning all major governmental powers over to a handful of appointed individuals is to prevent any resistance and allow Sinquefield to have dictatorial power to cover this debt.

Sinquefield has lined up all of the local movers and shakers. Better Together is headed by Susan Sitherwood, the CEO of Spire and four others, which includes the Chancellor of Washington University. Ms. Sitherwood is also Chairperson of the newly formed St. Louis Regional Economic Development Alliance; a merger of Civic Progress, the St. Louis Regional Chamber, and the Regional Business Council. But the good thing about Sinquefield's plan is Rex himself. He funded anti-minimum wage efforts; gave \$11 million dollars to get rid of income taxes in St. Louis and Kansas City; tried to smash Unions with the Right to Work, and wants to eliminate public education. His most infamous quote; *"The KKK invented public education to harm the development of minority children"*. What a perfect target. Mr. Fat Cat himself trying to convince Missouri voters to approve a financial control Board to fleece City and County citizens. The last time the City/County merger was on the ballot was in 1962 where it was defeated by nearly 75 percent. And since this legislation is being sponsored by such an odious person, this time we can surely beat him, unless we make one serious mistake by diverting our efforts away from defeating Rex and focus on supporting the Freeholder's plan. According to the State Constitution the only power that Freeholders have is to create; in some form, a City/County merger. What's worse is that Freeholders are appointed by the Mayor and County Executive, both of whom support Sinquefield's Better Together plan.

Mr. Johnson stated there is no reason to merge the City and County. There is no reason to abolish local municipalities which supply the vast majority of a resident's basic needs. In his opinion, the right to cast a vote in your own municipality is probably the most important vote you can make. Let's save our right to vote. Stop the financial control Board's rip-off and defeat Sinquefield.

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

Ms. Adams stated City planners and the developer presented a cost-benefit analysis for the Olive/1-70 Redevelopment Project, which contained; according to Mayor Crow, an egregious error. However, what they failed to present was a risk-benefit analysis. So her comments are meant to reflect the details omitted from her recent letter to the editor of the *St. Louis Post Dispatch*, regarding her proposed risk-benefit analysis. These risks represent what she foresees occurring if the Development Agreement is approved. Ms. Adams stated while she is not attempting to quantify or qualify each risk, she would urge both parties to factor these risks into what hopefully, will be presented to citizens as the official risk-benefit analysis.

1. A delay in the process due to a court injunction. After the \$27 million dollar error, Mayor Crow informed the media that the City does not intend to submit amended calculations regarding financial feasibility to another TIF Commission.
2. Delays and complications resulting in Costco's decision to back out of the deal. We have no way of knowing what negotiations are taking place between NOVUS and Costco, nor whether NOVUS will continue to bulldoze the footprint in spite of their knowledge that Costco has changed its mind.
3. Long-term delays as a result lawsuits and injunctions filed by various businesses and residents subject to eminent domain.
4. A retraction of the contract based on the reduced revenue projections or the developer's inability to obtain the necessary bonds.
5. Newly exposed financial deficits could result in the developer's decision to back out of the deal after the entire footprint has been bulldozed.
6. Based on the trend toward online purchases Costco could decide to build a warehouse rather than a retail store resulting in a drastic reduction of the City's projected sales tax revenues.
7. Passage of the Better Together legislation could result in the City losing control of this development.

Before proceeding any further with this development, Ms. Adams requested that the City provide residents with a detailed risk-benefit analysis, along with any and all supporting documentation. *(Ms. Adams asked that her comments be made a part of the record.)*

**Jonathan Browne, President of NOVUS Development Company**

Mr. Browne stated as a commercial property owner in the 8600 blocks of Olive, a residential property owner on Mayflower Court, Richard Court, and President of NOVUS Development Company, he believes this project has run its full gestation period and should now be allowed to proceed. The TIF Commission has submitted their recommendation for approval; the majority of property owners have granted their approval; one of the best anchor tenants has elected to build on this site, and the only thing missing is municipal approval.

He stated while it is unfortunate that the consultants wrongly believed that the presence of a TIF would allow the City to directly capture elevated levels of municipal tax, this clarification regarding the City's anticipated revenue flow does not impact the TIF revenue necessary to make this a viable project. And even though it will affect those revenues that flow to the City apart from TIF revenues or bottom half revenue, U City will still be able to capture all of the incremental economic growth from this project to which a pool city is entitled.

No current revenue will be diverted from the project, which means that U City will be able to realize all of the anticipated benefits from this redevelopment:

- Increased revenue
- New services
- An innovative look for the intersection
- Road improvements to Olive Boulevard
- Upgraded standards for stormwater and water quality for the entire 50-acre site
- An anchor tenant known for being the highest wage and benefit employer in its category

These are the kinds of amenities that every municipality seeks. However, contract deadlines and tenant interests are finite and will not survive endless extensions. It is time for the City to show leadership, vision, and action, by accepting the TIF Commission's recommendation, executing the Redevelopment Agreement, and seizing the opportunity to position this City and its residents for a bright future.

## **I. PUBLIC HEARINGS**

### **1. Liquor License - Mandarin House**

Mayor Crow opened the Public Hearing at 6:58 p.m., and hearing no requests to speak the hearing was closed at 6:58 p.m.

## **J. CONSENT AGENDA – Vote Required**

- 1. Liquor License - Mandarin House**
- 2. Capital Improvement Program (CIP) – Street Light Installations; (*moved to Agenda Item K.*)**

Mr. Hales moved to approve Item No. 1, it was seconded by Mr. Cusick and the motion carried unanimously.

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

### **1. Capital Improvement Program (CIP) – Street Light Installations**

Mr. Rose stated four of the lights included in staff's report were purchased with EDRST funds, therefore staff is recommending that the funding source for the replacement of these streetlights be amended to reflect EDRST funds rather than Capital funds. Staff anticipates that a portion of these funds will be replaced once the City receives reimbursement from its insurance claim.

Sinan Alpaslan, Director of Public Works, informed Council that the lights in question were the first four listed on the table in their packet.

Mr. McMahon moved to approve, it was seconded by Ms. Carr.

Ms. Carr asked if staff was indicating that the money to replace the first four lights on the list would be taken from the EDRST funds? Mr. Rose stated that is correct. Ms. Carr asked how much the City anticipated receiving from the insurance reimbursement? Mr. Rose stated the estimated reimbursement is 80 percent of the replacement cost. Ms. Carr questioned whether these four lights were installed sometime around 2010 with monies invested to improve the Olive Streetscape? Mr. Alpaslan stated that they were.

Mr. McMahon's motion to approve carried unanimously.

**L. UNFINISHED BUSINESS**  
*BILLS*

**M. NEW BUSINESS**

*RESOLUTIONS*

*BILLS*

**N. COUNCIL REPORTS/BUSINESS**

1. Boards and Commission appointments needed
2. Council liaison reports on Boards and Commissions

Ms. Carr stated preliminary data from the Stormwater Task Force survey created to determine whether homeowners had experienced flooding, has been provided in Council's packet. Through the work of the Task Force and MSD, data has now been collected from the entire community and is being teased to culminate a more definitive report that will be submitted in the near future.

Mr. Cusick stated Tuesday, April 2nd is Election Day and he would like to encourage everyone to vote "Yes" for Proposition L; a ballot measure for the purpose of renovating, improving, operating, and maintaining the University City Public Library facilities and services. For additional information please visit the library's website.

Mr. McMahon stated CALOP announced two open grant rounds for shorter videos produced by local filmmakers that tell positive stories about important issues within the community. Nineteen applicants applied for the first round; which has now been completed, and five \$3,000 grants were issued to Byron Shelton for *U City: A Day in Bloom*; Thomacine Clark for *The Loop: Authentically Nostalgic*; Michael Donnelly for *A Word on the Street*, and Eddie Ryan for *United U City: United by Great Food*, and Jose Garza for *A Brief History of the Lewis Center*. A \$1,500 grant was issued to a U City High School student. The second round of grants is scheduled to open in the very near future. Mr. McMahon stated all videos funded by CALOP are designed to encourage the development of programs that study the arts, culture, and history of University City. Videos are available for viewing at the University City Library, as well as other U City Platforms and regional access channels.

3. Boards, Commissions, and Task Force minutes
4. Other Discussions/Business
  - a) **District Athletic Commission**  
Requested by Councilmember Smotherson

Mr. Smotherson stated that the previous Mayor had established an agreement with the School District to implement the District Athletic Commission, wherein Councilmember Glickert had been appointed at the Council liaison. So he was interested in learning whether this Commission still existed, and if so, whether someone had been appointed to fill the position of Council liaison.

Mayor Crow acknowledged the City Manager's gesture indicating that staff will conduct an examination to determine the current status of this Commission.

**b) University City resources and Washington University**  
Requested by Councilmembers Hales and McMahan

Mr. Hales stated last Saturday multiple conversations took place between himself, Councilmember McMahan, and the City Manager, regarding the Mardi gras parties that took place in Rosedale Heights and Ames Place, with approximately 1,000 Washington University students. Thereafter, he circulated the following letter to officials at the University, which he would like to read into the record.

*"I am writing all of you to share my frustration and anger related to the events I observed that transpired this past Saturday with your students in the Rosedale Heights and Ames Place neighborhoods.*

*Shortly after 10 a.m. Saturday morning I received a phone call from a resident about hordes of Wash U students making their way to numerous Mardi Gras parties in the 6600 blocks of Washington and Kingsbury, and that the Wash U Police were not present. I arrived at about 10:30 and stayed for almost three hours. I observed the first Wash U Police Officer arrive shortly after I arrived, with the first U City Police Officer arriving about the same time, followed by a second U City Police Officer and a second Wash U Police Officer. The crowd was growing exponentially with students literally coming from all directions on foot and by car. I watched over that next 30 to 45 minutes as a third, and fourth, and fifth, and sixth, and seventh, and eighth, and eventually, a ninth U City Police car showed up as the crowds grew to fill the rear yards and alley behind Kingsbury and Washington. Our police officers estimated they disbursed close to 1,000 people over a two hour period. I want you all to understand that all of our uniformed U City police officers that were on duty that day were required to respond for the calls related to your students and their parties in the 6600 blocks of Kingsbury and Washington Avenues. In all, ten police officers responded, along with two Wash U Police Officers, and they did an excellent job under very challenging circumstances. I cannot emphasize enough it took all ten of our uniformed police officers on duty to respond and they were assisted by just two Wash U officers.*

*Nothing about what transpired on Saturday is acceptable. It is not acceptable to me. It is not acceptable to our residents; to our Police Department, and I'm certain, to our entire City Council and administration. For at least two hours my neighborhood, the neighborhoods of my constituents, and every neighborhood across our City were without a police presence because they were dealing with nearly a thousand party-goers in one block of the 1st Ward, in what the University has made into its north forty. As I asked one police officer after the crowds had dispersed what if we had an emergency situation anywhere in our City right now, the response was, 'We'd be screwed.' Where does that leave our community? As you know we've long had conversations about the drain of our City resources directly related to Washington University. We've talked about streets and sweeping, among other issues, but this weekend clearly highlights the most important impact, the impact on public safety for our residents in our City.*



*There is no question in my mind that what transpired this weekend and the police resources required relative to your students left the rest of our citizens of U City unnecessarily and unreasonably vulnerable. I am told we issued eight summonses and made one arrest. I think your students were quite fortunate in that regard, as I'm sure our Police Department was most focused on dispersing the massive crowds. In all, I observed well over 100 students walking down our streets and sidewalks with open containers of alcohol from cans and bottles of beer, to one young woman drinking directly from a bottle of wine as they made their way to the parties. I observed two students urinating on the fence of a single-family home at 6663 Kingsbury, and observed other party-goers walking through their yards, even entering the backyards of single-family homes. They apparently felt quite comfortable with their behavior. Later that day I was saddened to learn of a fire in one of the University-owned properties on Cates. I am thankful that no one was injured. I happened to watch the Clayton Fire Department ladder truck and a command vehicle respond to the scene on Hanley from my living room window. I cannot help but be reminded that of all the resources deployed to protect your property and your students only Clayton is compensated by the University to provide your fire protection.*

*This weekend highlighted what our community has been discussing for a number of years now. While Washington University is a wonderful institution to have as a neighbor, the University has caused an indelible stain on our community and our City's resources. Our relationship is terribly out of balance. Our neighborhoods were not designed to be your north forty. Perhaps, you have the luxury of not being accountable to our citizens, but I do not. How would you suggest we explain to our citizens why there was no police in their neighborhoods because they were forced to deal with your students' block parties? We should all be very thankful that there was not a life-threatening emergency for any of our 35,000 residents during that period of time on Saturday. Our community was put at an inherent risk and our police officers were put at an inherent risk as they were one-by-one called from our neighborhoods to assist and respond to your parties. As each officer was pulled away from their district to assist, it left the other officers in a potentially vulnerable position of having to be the first one on the scene to a dangerous call in another part of the City without an immediate backup available.*

*I will close with this; it is unconscionable for our City and for our taxpayers to bear the burden of providing all of our on-duty uniformed police officers to deal with your students and their parties. It is unconscionable that our neighborhoods were without a police presence for nearly two hours because every available resource was required to deal with your students and their parties. Whether it is wild or Super Bowl Sunday or Mardi gras, there is never an occasion for the public safety of our community to be compromised in the way it was on Saturday. What happened on Saturday cannot happen again. Collectively, we have to find a way to find balance in our relationship so that the impact of the University is not to the detriment of the neighborhoods and public safety of our City. I look forward to having those conversations soon."*

Mr. Hales stated while he is appreciative of the response he received from Wash U and the fact that several representatives are in the audience tonight, his plan is to meet with University leaders in the very near future to continue this conversation.

Mr. McMahan stated this has been an issue that has been bubbling below the surface for a long time. And today, he received an email from a resident which touches on what a day in the life of a homeowner who lives in this area truly is.

*"Greetings, Mr. McMahon. We live on the 6800 block of Kingsbury. I have already made my views known to Jeff Hales, and in the past, to Paulette Carr. I am not able to attend tonight's meeting so I wanted to at least communicate to you my views.*

*In the past, the former Mayor and most of Council have not been responsive to the difficulties created by proximity to Washington University. We live behind COCA and around the corner from Symphony School, and across the street from a block of Washington University apartments. Had I as a newcomer to St. Louis known nineteen years ago the reality of the situation or what the future would bring, I would have never bought here. The City approved the expansion of COCA against our stated wishes and has taken no notice of the congestion and parking issues created by increased population density of dormitory apartments. Not to mention the slow-downs caused by the Trolley two blocks away. The assurances by COCA and Wash U that they would coordinate events at those two venues to minimize neighborhood impact were of course nonsense, and I checked their schedules and found regularly scheduled events simultaneously.*

*Problems of construction; last year we were evacuated from our home for the day in the rain, with two dogs, a sick child, and no coats because a Washington University contractor hit a gas line in front of our house and next to our car so that we could use it to escape because the ignition might have ignited the gas. I, my sick son, my two dogs, just stood on the corner in the rain watching a stream of emergency vehicles arrive while we waited for my husband to arrive from West County so we could sit in the car and try to figure out where we could go to wait with two wet dogs and a sick child. We never received as much as an apology. Our lawn was torn up by the laying of pipes and was inadequately repaired so that I will need to fix it myself again. I don't think they fixed the chopped sidewalk. I also work at home on a computer and have to endure the construction noise.*

*Problems of partying; each year we endure numerous reveries, whether for so-called holidays or just because warm weather permits. These often require police attention. Students pouring out of the main party site like attendance falling out of Groucho's packed stateroom. They flood the streets noisy at all hours. We arrived home once at such a time and were struck by a log jam unable to get to our house for a considerable time. On that occasion, I had gone to pick up my husband from his office because he was working quite late and began to feel too ill to drive home. But I wasn't able to get to our house to get him home to bed. Our son, now twelve, since he was little, has been kept from sleep by such disruptions and often expressed fear of the bad people who were out on the streets and would they come get him. On one occasion I opened the front door to try to ascertain which building the groups of students were heading to and I was confronted by a student urinating on a tree in front of our house. On a different occasion; in broad daylight and for no apparent reason because there was no party, students were urinating in front of a Wash U building on Washington across from the Post Office. I was simply walking to mail a letter. Following such reveries, there are bottles and cups strewn throughout the neighborhood. I came home from my father's funeral to find Solo cups and beer bottles in my lawn.*

*Problems with parking; this is an ongoing issue that regularly disrupts your peace of mind. There is no security with parking in front of our houses; which is supposed to be private. I have to think twice before using my car on weekends because I may not be able to park when I get home. But it's not just weekends. I come home from shopping with a car full of bags and find spaces taken. Over the years we have come home from the hospital, doctor's office or urgent care to find we couldn't park near our home.*

*The last time I checked we are taxpayers, while Washington University is not.*

*I don't understand why our concerns are not addressed and why the University needs to get off scot-free? It seems to me that Washington University needs to pay for services rendered, in addition to paying for its upkeep. They should need to pay a fine for the noise and party complaints requiring the attention of our police. Perhaps, they will impose penalties on the students long enough to get their attention. It seems to me that the concerns need to be more strongly considered by the City with issues of zoning, population, density, and so on. Sincerely, Carol Wise."*

Mr. McMahon stated while the City is looking at how they can address some of these issues through the enforcement of their own Zoning Codes, today he researched Washington University's Student Code of Conduct to determine whether there was anything in the language that would place some responsibility on the University when actions such as the ones described are employed.

The first thing that became apparent, is that U City is virtually absent from the Code since the vast majority of its definitions refer to students on University-owned or affiliated properties. Mr. McMahon stated while he certainly understands that Wash U might have an issue with how to police students who do not live on campus, Code Number 6 states, *"Conduct which is disorderly; lewd; indecent, which disturbs the peace on University owned or affiliated premises"*. And since *"Affiliated premises"* is not defined, whether or not an entire apartment building that houses University students falls under this category is unclear. However, he believes that an argument could be made that urinating in front of someone's home or on a public street as outlined in the email, would fall under this definition. Does the question then become whether students are being disciplined for such behavior?

The Code of Conduct also states that *"Misdemeanors or felonies occurring within the jurisdiction of U City may be referred to the City's Police Department"*. So, how many offenders of this nature have been referred to U City's Police Department for prosecution within the last five years? Code of Conduct Number 10 states, *"Use, possession, manufacture or distribution of alcoholic beverages, except as expressly permitted by law or University policy"*. This one is not limited to Wash U properties; therefore, one could safely assume that the open containers on public streets witnessed by Councilmember Hales would be a violation of this Code. Number 10 also states, *"Unauthorized entry; deliberate destruction of; damage to; malicious use of or abuse of University public or private property"*. So wouldn't walking through the yards of U City residents be in violation of this Code?

Perhaps, Washington University's argument is that they have no legal responsibility because these students rent from private individuals. But if that is the case; and no compromise or agreements can be reached between the two parties, then it will be incumbent upon U City to step up and be the adult in the room, either by reviewing its current Zoning Codes for enforcement measures or enacting new ones that will help these young people learn what it means to be a good neighbor.

#### Citizen's Comments

##### **Suzanne Greenwald, 836 Barkley Square, University City, MO**

Ms. Greenwald stated she is here to add her voice to the voices of many other U City residents protesting the fact that Washington University refuses to pay for the services that U City provides. Wash U is one of the wealthiest schools in our country and last year their fundraising efforts yielded over three and three-quarters of a billion dollars; \$1 billion dollars more than their anticipated goal. Scholarships are offered to those who cannot afford to pay, but Wash U does not qualify for a scholarship.

She stated while she understands that Wash U is not legally obligated to pay property taxes but what about their moral and ethical obligations? Many of us look to Wash U for leadership; setting an example for their students and their community. So please don't disappoint us and pay your fair share.

**Cirri Moran, 6652 Kingsbury, University City, MO**

Ms. Morgan stated she is the resident who called Jeff at 10 a.m. last Saturday and would like to thank him and the U City Police Department for their quick responsiveness and effective management of this debacle. U City has always been in a reactive mode when it comes to dealing with problems associated with Washington University, which they have become accustomed to and take full advantage of. Because during some of the University meetings established specifically for residents, called *Neighborhood Voice*, they have been told by University representatives to contact the appropriate U City authorities when;

- Students misbehave;
- We experience acts of vandalism;
- University staff and students use neighborhood streets as default parking lots;
- We have issues about occupancy, and
- There is poor or inadequate maintenance to their privately owned student apartments.

So if the University has turned the management of all these responsibilities over to U City, shouldn't they at least get paid for babysitting this population of undergraduate students? Clayton gets paid to provide fire protection services to University properties, but U City does not. Is that fair?

Ms. Moran stated at the last Neighborhood Voice meeting she specifically asked the University what their plans were for handling this year's Mardi gras festivities and their response was; "*We know its coming. We have it in hand. No problem*". Based on that response and the reality of what actually took place, it seems as though the University has made it crystal clear that they are never going to step up and offer recompense on their own. Consequently, she would urge the City to reevaluate some of its existing enforcement tools that could possibly generate income when enforced. Or at the very least, institute the practice of submitting invoices to the University to help cover some of these extraordinary expenses.

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

Ms. Ginsberg expressed appreciation to Council for addressing the imbalances in Wash U's relationship with U City. And since they are using their tax exempt status to avoid paying for U City police and fire protection services that their students utilize, she, along with many of her friends and family who are Wash U alumni have discussed withholding their annual donations until the University begins a payment in lieu of taxes program. It's time for Wash U to pay their fair share.

**Kathy Freese, 6669 Kingsbury, University City, MO**

Ms. Freese expressed appreciation for the active role Councilman Hales played in helping to resolve the problems her neighborhood has faced, specifically with respect to student behavior which has become a chronic problem. She stated since moving into her home in 1980, the encroachment of students in her neighborhood seems to be getting out of control.

Ms. Freese stated although the University has made some improvements and she has tried to stay positive; attending all of the Neighborhood Voice meetings, and even working with Wash U students to plant small native plants on the Melville Walkway, there was nothing positive about the events that occurred last Saturday. Ultimately, every on-duty U City police officer was in her back alley trying to control this multitude of students. There were even students in her front yard, and the only way they could have gained access was to jump over two gates that lead to the front. So while she is aware that the University has made some attempts to address these behavioral issues through the use of education, when students are drunk at 10 a.m., it's obvious that those attempts were futile. Ms. Freese urged the City to step up and help its residents.

**Judith Conoyer, 6404 Cates Avenue, University City, MO**

Ms. Conoyer stated she is outraged to learn what people in Ward 1 have had to go through. So even though she lives in the 2nd Ward she would like to thank Councilmen Hales and McMahon for the work they did to monitor this terrible situation, and Councilmember Carr for her prompt response in providing her with information about the fire, as well as her consistent efforts to keep residents abreast of what is going on. The University's abuse of U City resources is an issue that has been on the back burner for a long time, so she is glad to see it on tonight's Agenda, and is encouraged by what she has heard. Her hope is that under the City's new management U City will finally be able to position itself as an equal partner in future discussions and achieve a fair and equitable partnership with Wash U. Ms. Conoyer stated her husband is also an alumnus of Wash U and they too have decided to stop making any donations until they start to see some positive changes.

**Patrick Fox, 1309 Purdue Avenue, University City, MO**

Mr. Fox stated while City Council and representatives from Wash U are together in the same room, he would like to take this opportunity to express his concerns with the untenable relationship that currently exists. While there are many instances in which the City has provided services that present a major safety concern for both residents and students, the events that transpired over Mardi gras are just a sampling of what may be to come. Last week St. Louis County Councilmember Tim Fitch submitted a request for legislation to be put forth on the November 2019 ballot that would remove the County's ability to deputize Washington University's Police Department. In his words, *"This would effectively cripple the authority of Wash U's police"*.

1. What is the University's plan should this occur?
2. Will U City yet again, be asked to pick up the slack?

Mr. Fox stated the only time Wash U ever pays taxes is when they benefit; mostly by its use of historic tax credits. Their exploitation of these historic tax credits within U City is extremely manipulative since they are discarded once they have lost their financial significance. Wash U has given nothing by its token grants that in no way fill the enormous inequities they create for U City residents. While on the other hand, many distinguished universities find it appropriate to contribute to the local governments they are a part of to help defray the cost burden placed on them by their presence.

3. Other than providing a place to learn how have you contributed to our community?
4. Why have you not actively pursued a pilot?

In Wash U's fiscal year ending June 30, 2018, endowments earned \$745 million dollars, in addition to \$107 million dollars in endowment gifts, and roughly \$11 billion dollars in business assets unrelated to education. Yet, they continue to flaunt their belief that they are not obligated to help in any way, in the face of U City residents.

It is deplorable that we find our City in this position at the hands of Wash U; shame on you.

### **Peter Burgis, 755 Radcliffe, University City, MO**

Mr. Burgis stated although tonight's discussions have been focused on the incident that occurred last Saturday, he would like to point out a couple of things he believes will help everyone see this issue from a much larger perspective. Whether you live on Kingsbury or in the north part of the 3rd Ward, this issue affects everybody because of the demands it places on the City's budget. Two of the findings found in the July 2015 Report drafted by the U City/Washington University Advisory Committee initiated by Council to evaluate this issue, clearly illustrate that point:

1. Washington University is the largest property owner in the City and if it paid the property taxes it would be obligated to pay if it were not a tax-exempt institution, it would equate to nearly \$2 million dollars a year. Compare that to what the City's budget is, and you will easily be able to see that this is an enormous amount of money.
2. Wash U tax-exempt properties and the students who live in them currently receive full City services including police, fire protection, street maintenance, lighting, sewer, public and street parking, as well as the use of City parks and similar services. Based on the methodology utilized by the Task Force the value of the services provided to these students is between \$2.96 and \$3.49 million dollars per year.

Mr. Fox stated since U City's tax base is not being enhanced by large numbers of people moving in, the financial burdens created by the cost of these services put a strain on the City that ultimately gets passed down to all of its taxpaying residents. And he would agree that it is not unprecedented for universities to make payments in lieu of taxes to the cities they reside in and on whom they rely to provide services; namely, Yale, Boston U, Harvard, et cetera. The bigger picture should also include the fact that 1,400 out of a roughly 3,000 student population lives in Wash U owned housing that pays no property taxes.

### Council's Comments

Mr. Hales stated Mr. Burgis' comments presented a great segue for talking about the broader impact because when he and Steve put this item on the agenda it really was devoted to discussing all of the City's resources that are being utilized to provide services for the University.

So, this morning he prepared a spreadsheet of the properties in the 6600 block of Washington from St. Louis County property tax records. And when you talk about imbalance, this is it.

- Out of the 34 parcels he reviewed 18 are owned by the University. That's 53 percent of one block on Washington.
- There are 341 living units in the 6600 block; some of which include single family homes, but 235 of those living units are owned by Wash U. That's 69 percent on one block of Washington.

This is the heart of the conversation because many of the folks who spoke tonight are caught up in the middle of these statistics. Mr. Hales stated although he does understand that some of this simply comes with the territory, the truth is that U City was built next to the University, it was not built to be a part of the University campus. That is exactly what has happened and that is exactly why we will continue to have these conversations in the future.

Ms. Carr stated shortly after being elected to Council one of the first things she was told was that Wash U would not consider a pilot with U City because then they would have to establish a pilot with two other cities. But after all of this time, she is no longer interested in a pilot initiated at Wash U's discretion, but rather, in charging them for all of the services U City delivers, in addition to its fire and police protection. And just as a side note, U City had to bring in mutual aid to help them combat the fire that occurred last Saturday.

However, not all of the properties owned by Wash U actually fall off of the City's tax roll, and she was able to find thirty pieces of property that fell under this category; one in Ward 1; twenty-eight in Parkview Gardens, and the rest in Ward 2. Every one of these buildings has either applied for or is planning to apply for a historic tax credit. These buildings that are essentially owned by a for-profit corporation for a short period of time are put on the City's tax rolls in order to take advantage of historic tax credits. But, instead of paying property taxes, they only have to pay a utility tax. Nevertheless, these thirty buildings will remain on the City's tax roll for five years while they are being renovated. And from what she has been told, these renovations will be made to a much higher standard than they would have been if Wash U has been paying for the renovations themselves. So, with the exception of the Crescent building; which is currently being rented, all of the remaining properties will be removed from the roll of taxable properties in U City's jurisdiction. Although, the City did make a bargain with Wash U that the commercial portion of their mixed-use loft project; the Peacock Diner, would be taxed, in lieu of the City agreeing to relax some of its parking requirements. Unfortunately, most of United Provisions is in the City, and while Wash U was paying St. Louis City \$60,000, it was a couple of years before she discovered that they had not paid St. Louis County a dime for the Peacock Diner; and of course, it was somebody else's fault. But all of us clearly know when our tax bills come out and that we will continue to receive notifications until it is paid.

Situations like this have helped shape her attitude for why she does not view Wash U as a good neighbor. Good neighbors take care of each other. And they certainly have not done that in Ward 2, where the City has had to put up signs; and eventually will install parking meters, to ensure that the residents who live there can park in front of their homes since students don't want to pay the additional cost to park in the University's garage.

Councilmember Carr stated she and Councilmember Cusick are looking at ways to reinstitute some of the restrictions previously contained in the City's parking regulations that were exempted in 2015 to benefit Wash U. The results of that evaluation will be made available in the very near future. And while she would encourage her colleagues to continue to look at the City's zoning regulations, one of the most shocking things she read recently was a comment by former Alderman Scott Ogilvie, who said that 40 percent of property in the City of St. Louis is off of the City's tax rolls. So this really is a problem that needs a solution, and her hope is that that solution will be found here in U City.

Councilmember Carr stated while her expectation is that Wash U will come to the table without demands, the 2015 report mentioned by Mr. Burgis was disregarded because of their assertion that they had not been asked to participate in the Task Force. That was their response, in spite of the fact that they made a presentation to the Task Force and had a liaison who consulted with the Director of Community Relations, Cheryl Adelstein, on a frequent basis. She stated she is simply at a loss to understand how you can make demands on a city of residents who are picking up your tab while choosing between whether they are going to put food on the table or pay the flood insurance on the one little bit of wealth they have?

But as strongly as she feels about this situation, the door is still open and she is ready to sit down and talk to Wash U about the impact they are making on this City, discuss ways to mitigate these costs, and in due course become real partners and first-class neighbors.

Mr. Cusick stated he wanted everyone to know that Council is talking about that July 2015 Task Force Report and giving the findings/recommendations contained within very serious consideration. One thing this report was very clear about is that there is a definite imbalance in the relationship between U City and Wash U, with U City being on the losing end. And this imbalance has created direct and indirect consequences for every resident who lives in U City. The frustrations we heard from residents in the 1st Ward regarding their inability to feel safe, comfortable, and proud to live in their homes, can certainly be viewed as a direct consequence. Indirectly, every taxpayer is strapped with the responsibility of paying for the higher education of the students who attend Wash U, as well as the municipal services U City provides. And with respect to the emails he and his fellow colleagues have received asking about the status of a pilot, he would concur with Councilmember Carr's comments because it is a voluntary arrangement. What Council has been looking into are more concrete things;

- Parking Ordinances. A parking study is currently underway that will provide the City with a clear view of exactly which areas are congested and how it impacts the residents who live close to or in those neighborhoods.
- Zoning Ordinances. A review of the current ordinances, along with the possibility of instituting bed fees and conducting an impact study to determine the benefits or detriments Wash U is having on this City.

Mr. Cusick thanked everyone who sent emails or came out this evening, and reassured them that Council is listening to their concerns, taking them to heart, and making the necessary steps to create a healthier relationship.

Mayor Crow stated he would like to reiterate the comment he made to the City Manager earlier today, and that is, having such an intelligent and engaged City Council actually makes his job as Mayor a whole lot easier. He thinks that what everyone in the audience is seeing tonight, is precisely how engaged this Council is when it comes to this specific issue. And he sincerely appreciates all of the efforts that have been made.

Mayor Crow stated in his opinion, Ms. Freese really summed everything up. Sometimes we tend to forget the micro versus the macro. Overall, it is very clear that this relationship is out of balance. But listening to Ms. Morgan talk about going to the University's neighborhood meeting, asking them what their plans were to manage this year's Mardi gras festivities, and being told that everything is taken care of, when it wasn't, is one of those small issues where no one is really listening or planning, that has now festered into a day of accounting. So to everyone that spoke this evening; you did your part; our neighbor did not.

Mayor Crow stated he thinks this entire Council understands that every resident in this City has the right to live in peace and tranquility. They realize that there are students in some of our neighborhoods, but Wash U needs to realize that there are homeowners in these neighborhoods. At some point in time, the concept of simply being a good person and neighbor really should matter, so he does not think it would be asking too much for the students to apologize for their disruptive behavior.



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

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

Ms. Ginsberg stated this past month six more feral cats have been trapped, vaccinated, neutered, and returned. U City's TNR advocates will be meeting with Mr. Cross, of the Community Development Department on March 22nd, to discuss updating a part of the Municipal Code that pertains to pets. Advocates will also be sharing information about the benefits of TNR at U City's Annual Pet Clinic on April 6th at Heman Park Community Center. Anyone interested in more information about the Clinic, St. Louis County's Feral Cat Outreach Program, Carol House's Quick Fix Neutering services, and pet food pantries distribution dates, should see Ms. Ginsberg after the meeting.

**Jerry Boone, 8625 Elmore Court, University City, MO**

Mr. Boone stated as a Wash U alum, an engineer required to make crucial decisions, develop things, troubleshoot, and someone who has just completed a much larger project in India that took nine months, this Council might be able to understand why he is extremely frustrated about the amount of time it is taking to make a decision about the Olive/1-70 development. Can a third world country really make decisions faster than we can?

He stated although he does not live in U City, the property on Elmore Court was purchased by his parents who left it to his brother that died in February, and now passed on to him, so he has seen how Olivette has progressed and U City has steadily deteriorated; especially in the areas around Jeffery's Plaza. And while he believes that Costco will be a good tenant that can help this community grow and develop, it's the residents that this Council works for that should be making this decision because they are the main stakeholders. Irregardless of that, he has never seen a project of this nature that has gone on for three years. So what is really going on? It's either yes or no, but you need to make a decision.

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

Mr. Pace stated although he is outraged by the fact that he was not invited to the Mardi gras festivities, in solidarity, he will not be giving to Wash U anymore.

He stated sometime back he put the Fire brass in contact with Cheryl Adelstein and suggested that they work with her to achieve the same type of contract that Clayton has. At that point, the contract was about \$350,000, U City had a bigger department than Clayton, and he thought they had a good story. Wash U could get some goodwill by issuing that contract, but the City has got to go after it.

Mr. Pace stated he was a member of the U City/Wash U Task Force, and the only dissenting vote, based on his belief that the report was flawed. The previous comment regarding the services that residents of Wash U owned property receive, and the estimated cost of that service, is a big miss as far as he is concerned. Because what the report does not show is that the only thing Wash U does not pay is real property tax, which the last time he checked was 14 percent of the City's budget.

In the context of Better Together, Ms. Carr made a statement in her newsletter that she would not advocate for making a debt for the police facility until after the statewide vote. He stated he has been against the substation from the very beginning, so Ms. Carr's statement is something he absolutely would agree with. In his opinion, Council should move to put the \$6 million dollars it borrowed for the police substation back and place a moratorium on building a substation until after the vote; which he is certain Ms. Carr will be advocating for.

He stated he did not have an opportunity to review the recent Pay Ordinance prior to the final vote, but now that he has, it seems fiscally irresponsible. For example, when the new Director of Communications was hired, her salary was \$93,000, but as of March 1st, it jumped up to \$104,000, an \$11,000 increase. This person was just hired and now we are giving them another \$11,000; that's fiscally responsible? Under the paramedic/firefighter category the top pay for a private went from \$69,600 to \$80,300, a 15 percent increase. That means the cost of returning EMS to U City just went up folks.

Mr. Pace stated on numerous occasions he has been told that any decision regarding the return of EMS would have nothing to do with being subservient to Local 2665. So if this Council; who is all about the people, does return EMS to U City, he would urge them to instruct the City Manager to post ambulances every 4 hours just like Gateway does. That way they can get to the scene much faster and instead of a 90 second turnout time, they could achieve 30 seconds or less; just like we're seeing with Gateway. And he's sure the Union would be all for that because they're also all about finding the best ways to serve the residents of U City,

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

Ms. Adams stated the double-speak this City's politicians engage in never ceases to amaze and amuse her. At the last Council meeting members of Council were complaining about how the Better Together merger would put them out of their part-time jobs. Their exact statements were, *"We should have self-determination"*. *"We will be disenfranchised."* *"People must have the right to determine their own destiny."* *"We would have a government without representations."* The irony of that is when a number of residents and businesses in the footprint of the proposed Olive Development, and citizen advocates called for an open debate and public vote on the value this Costco development would have on the City, they were ignored by these same members. Council avoided introducing the proposed development before the April 2018 election, and thereafter, immediately voted to approve a TIF Commission without any public input, debate or vote by the citizens. At the second public meeting, every member of Council acknowledged that they were in favor of the development and under the procedures established by this Council they are the only ones who get to vote its approval.

The first TIF meeting was held in a facility with a limited capacity to hold 350 people, so hundreds of citizens could not attend. The second meeting limited the number of people in attendance when a notice was issued advising that citizens who had addressed the Commission at the first meeting would not be allowed to speak again. And the third meeting would likely not have occurred if Council had not been charged with Sunshine violations. These events demonstrate a concerted effort to disenfranchise U City residents on the issue of this development. This is blatant hypocrisy. How do you balance Council's complaints that they will be disenfranchised because their votes will be diluted by other Missourians versus the people who want to vote about keeping their homes and businesses?

Councilmember Hales informed us that he went to Jeff City and told our State Representatives that the majority of his constituents were against the merger. Ms. Adams stated she is a constituent, but he didn't ask her. And she has not seen a citywide survey or any notice of a public hearing to obtain the opinions of U City residents. In fact, there's not even an opportunity to express your opinions about the merger on the City's Facebook page.

Council approved the hiring of a Communications Director with a starting salary of \$93,000, and within weeks of the Director being hired her salary was increased to roughly \$104,000; which does not include her very generous benefits package that will cost taxpayers over \$100,000 a year. Ms. Adams stated while most will agree that good communication is a two-way street, this new Director not only refuses to answer questions to the comments she posts on social media, but she or someone in control of the City's Facebook page removes all of the questions. To date, the only communications she has seen are a few posts about City events, school events, and notices of public meetings. So how does this Council justify \$104,000 a year for what is basically a clerical position?

The total cost of our middle management new hires, along with the nearly \$250,000 paid to the City Attorney in one year, and the anticipated increase for bringing the ambulance service back in-house will raise the City's expenses one to two million dollars annually.

At the last Council meeting, Mayor Crow stated we are not yet in a deficit budget, but we are very close. Nevertheless, this Council voted to approve a compensation schedule which allows the City Manager; at his discretion, to pay each and every employee the upper limits of that schedule. And now Paulette Carr states in her newsletter that regardless of the Better Together merger and the lack of any financial analysis on its impact, she wants to proceed with the Olive Development, but cut street repairs and funds for the police station to offset any loss of revenue. Ms. Adams stated she is looking forward to reviewing the City's budget for 2020. *(Ms. Adams asked that her written comments be included in the minutes.)*

### **Peter Burgis, 755 Radcliffe, University City, MO**

Mr. Burgis stated he would like to speak about two issues related to the Olive/1-70 TIF Project. First, is the inadequacy of the briefing process related to what project was actually being discussed? In a couple of significant ways, we now know that the project advertised to public stakeholders is different than the project we have today. And once the actual structure and projections are determined, it should then be properly briefed.

The most significant change to the project is the disappearance of \$25 million dollars in sales tax revenues; more than \$1 million dollars a year when it is spread out over 23 years. This is money the City had banked on receiving in its budget, included in its assumptions, and pointed to in order to garner support for the project. But now it's gone and that's a major impact.

The other change is something that would seemingly be at the heart of why this project is supposedly so necessary; existing businesses aren't doing it for the City and a major TIF project like this one is needed to increase revenues. Based on that rationale, it would be pretty important to accurately reflect the amount of revenue those businesses are generating. Unfortunately, that is not what happened here. The developer's figures; which the City relied on, greatly underestimated the amount of revenue these existing businesses were generating by stating it was \$6 million dollars when the actual figure was \$10 million dollars. That's 67 percent higher than what was originally presented. Although that figure got corrected, the story had already been told. And that story reflects those artificially low revenues which made this proposal look more attractive.

These are the major changes that we know about. What we don't know anything about at this point, are the nineteen changes that the developer requested after the Development Agreement had been placed on Council's agenda for approval. But it stands to reason that if the developer is requesting that these changes be made, it would not be to make the deal any better for the City.

To be consistent with the stated commitment to ensure public engagement with respect to this project, Mr. Burgis suggested that Council hold briefings to discuss this new version of the plan with its stakeholders and allow for comments before it is brought back to Council for consideration.

Mr. Burgis stated a deal term often included in big box developments that can be harmful to cities that agree to it is the use of deed restrictions which forbid any future sale to a competitor. Cities who have allowed this non-compete restriction have been left with vacant or underutilized buildings that are only suitable for another big box retailer who is excluded from the purchase. Mr. Burgis stated he communicated his concerns to the City Manager, who informed him that he had not decided what his recommendation to the Mayor and City Council would be regarding the deed restriction. But he would urge all members of Council to be aware of this term and to reject any such provisions as it threatens to leave the City with a useless shell of a building should the big box retailer decide to move on after the TIF bonds are repaid.

**Steven Glickert, 7750 Blackberry, University City, MO**

Mr. Glickert thanked Councilmembers Smotherson, Clay, the City Manager, and the Police Department for gaining traction on the zoning violations he brought to Council's attention back in August. And for the communications via email, keeping him informed of the progress being made. One of those emails mentioned an etiquette booklet that the City is assembling, which he thinks will be a great guide for residents who are not aware of the City's Zoning Codes.

Mr. Glickert stated he would also like to thank Councilmember Hales for the letter he sent to our not so nice neighbor to the south. Chancellor Mark Wrighton made a statement in response to an incident that occurred when Wash U students visited the I-Hop Restaurant in Clayton last July and in the body of that statement; which was sent to the entire study body and published in the Post Dispatch, was a paragraph he thought might be relevant to tonight's discussions *"I want to be very clear, this situation is unacceptable. It runs counter to our University's core values of mutual respect. We will not tolerate this kind of behavior on our campuses and we expect it to be addressed appropriately elsewhere."* It sounds somewhat hypocritical when Mr. Wrighton is so quick to denounce someone else's mistakes and then ignores his own words. Why should U City be expected to tolerate this kind of behavior from your students; unruly behavior, damage to private and public property, littering, vandalizing, trespassing, and urinating in public?

Mr. Glickert stated several members of his family lived on the 300 and 400 blocks of Melville and on a regular basis they experienced their garages being spray painted with political jargon, damage to City trees, excessive littering, and public urination. So this is a consistent problem that has been going on for years and he is glad that Council is finally addressing it.

**P. COUNCIL COMMENTS**

Mr. Hales stated he simply cannot give enough praise to the City Manager, Chief of Police, the two Wash U police officers, and the City inspectors for their quick response to the events that occurred last Saturday. Moving forward, he believes both the City Manager and Council have been very clear about their desire to initiate some of the new approaches mentioned tonight in an effort to address these issues.

- Q.** Roll-Call vote to go into a Closed Council Session according to RSMo 610.021 (1):  
Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys.

Councilmember Carr made a motion to go into a Closed Session, it was seconded by Councilmember Clay.

Roll Call Vote Was:

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

**Nays:** None.

**R. ADJOURNMENT**

Mayor Crow thanked everyone for coming out and closed the regular City Council meeting at 8:30 p.m. to go into a Closed Session on the second floor. The Closed Session reconvened in an open session at 9:41 p.m.

Deanna Burress/lr  
Acting City Clerk

## Council Comments –Financial - March 11, 2019

The double-speak that our politicians engage in never ceases to amaze and amuse me. At the last Council meeting, our Members were complaining about how the Better Together merger would put them out of a job. Their statements included: “we should have self-determination”, “we will be disenfranchised”, “people must have the right to determine our destiny”, “we would have government without representation”.

Oh, the irony! When a number of residents and businesses in the footprint of the proposed Olive development, and the many citizen advocates, called for an open debate and a public vote on the value to the City of the Costco development, these same Council Members ignored them. This Council avoided introducing the proposed development before the April 2018 election and then immediately went directly to a TIF Commission, without any public input or debate <sup>OR VOTE</sup> for its citizens. At the second public meeting, every Council Member said they were in favor of the development. And, under the procedures set by this Council, they are the only ones who get to vote.

The first TIF meeting was held in a facility that was limited to 350 people, so hundreds of citizens could not attend. The second meeting again attempted to limit the number of people able to attend by issuing a notice that participation would be limited and citizens who had spoken at the first meeting could not speak again. So there HAD to be a third meeting, which would likely not have been scheduled if this Council had not been charged with Sunshine violations. These events demonstrate a concerted effort to disenfranchise UCity citizens.

And now, these same Council Members now complain that they will be disenfranchised, not because they cannot vote on the merger, but because their votes will be diluted by other Missouri citizens. This is blatant hypocrisy. *HOMES & BUSINESSES*

Furthermore, Jeff Hales informed us that he went to Jefferson City and told our State Representatives that the majority of his constituents were against the merger. Really? Based on what, Mr. Hales? I am a constituent and you did not check with me. I have not seen a city-wide survey nor any notice of a public meeting to obtain the opinions of all UCity residents. There is not even an opportunity to express our opinions on the City’s Facebook page.

This Council has approved the hiring of a Communications Director, with a starting salary of \$93,000 and within weeks of her being hired was raised to over \$104k. With the generous benefit package that will cost taxpayers well over \$100,000. If any Council Member presumes to speak for the majority of UCity residents, then it is incumbent upon you to at least take a survey or provide a platform for public comments. So, you have again disenfranchised us.

Speaking of the new Communications Directors, I believe that most of us will agree that good communication is a two-way street. However, our new Communications Director not only does not answer questions to the comments that she posts on social media, but she, or someone with control of the City's Facebook page, takes down the questions I have posted.

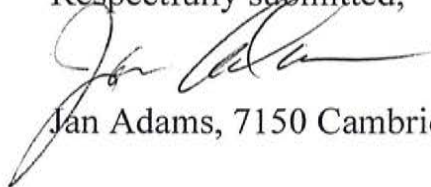
So far, all I have seen are posts of a few City and School events and notices of public meetings. How does this Council justify well over \$100,000 per year for what is basically a clerical job. The cost of all of our new hires for middle management positions, along with the nearly \$250,000 paid to the City Attorney this year and the anticipated increase for bringing the ambulance service back in-house, will raise our expenses One to Two Million \$ annually.

The Mayor stated at the last Council meeting that we are not yet in a deficit budget, but we are very close. Nevertheless, this Council just voted in a Compensation Schedule that allows the City Manager to pay each and every employee the upper limit of the compensation schedule - at his sole discretion, did any of you read the small print in that Ordinance?

Now, Paulette Carr states in her Newsletter that regardless of the Better Together merger, and the lack of any financial analysis of its impact, she wants to proceed with the Olive Development, and cut street repairs and funds for a police station to offset that loss of revenue.

I am looking forward to reviewing our budget for 2020.

Respectfully submitted,



Jan Adams, 7150 Cambridge Ave.

Citizen Comment –Olive Development Risk/Benefit Analysis - March 11.2019

The City planners and the developer for Olive/170 have presented a cost/benefit analysis which contains, according to Mayor Crow an “egregious error”. However, they have not even attempted to present risk/benefit analysis, so I am presenting some of the risks that I urge both parties to factor into what hopefully will be presented to citizens as a risk/benefit analysis.

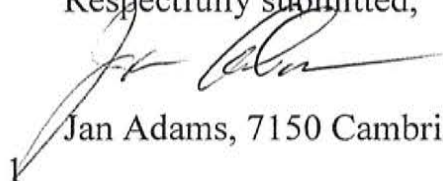
I am presenting the risks that I have identified in a chronological order of what I foresee happening, but I am not attempting, in this Comment, to either quantify or qualify each risk:

1. A Court injunction may halt or delay the development process because, after the \$27 Million error, the Mayor has stated to the media that the City does not intend to submit any amended calculations regarding financial feasibility to another TIF Commission;
2. Costco may back out due to delays and complications and we have no way of knowing what negotiations are taking place between Novus and Costco. We also do not know if Novus may proceed to bulldoze the footprint, knowing that Costco has declined to proceed;
3. Court injunctions and lawsuits may be filed by various businesses and residents who are subject to eminent domain actions, causing many months or even years of delay;
4. The Developer may back out due to the reduced revenue projections or his inability to obtain the necessary bonds;
5. The Developer may bulldoze the entire footprint for the Costco and THEN back out due to personal financial deficits he incurs;
6. Costco may decide to build a warehouse instead of a retail store due to the trend toward online purchases and we lose the projected sales tax revenues;

And finally, Better Together may pass and may lose control of the development.

The City should provide us with a detailed risk/benefit analysis and provide any and all documents to support such an analysis, BEFORE proceeding further with this development.

Respectfully submitted,



Jan Adams, 7150 Cambridge Ave.



**JOINT STUDY SESSION  
OF THE UNIVERSITY CITY COUNCIL AND  
THE LOOP SPECIAL BUSINESS DISTRICT BOARD  
5th Floor of City Hall  
6801 Delmar  
March 11, 2019**

**AGENDA**

Requested by the City Manager

**1. MEETING CALLED TO ORDER**

The City Council Joint Study Session was held in Council Chambers on the fifth floor of City Hall, on Monday, March 11, 2019. Mayor Crow called the Study Session to order at 5:30 p.m.

In addition to the Mayor, the following members of Council and The Loop Special Business District Board were present:

Councilmember Steven McMahon  
Councilmember Paulette Carr  
Councilmember Jeffrey Hales  
Councilmember Tim Cusick  
Councilmember Stacy Clay  
Councilmember Bwayne Smotherson

Board Member Joe Edwards  
Board Member Michael Alter  
Board Member Tom Schmidt.  
Board Member Ben Evans; (*absent*)  
Board Member Nakita Smith  
Board Member Jen Reiger; (*absent*)  
Board Member Kathy Caton  
Board Member Ryan Patterson  
Board Member Steve Stone

Also in attendance was City Manager, Gregory Rose; City Attorney, John F. Mulligan Jr., and Assistant CM/Economic Development Director, Libbey Tucker.

Mayor Crow announced that the Acting City Clerk, Deanna Burress will be sitting in for Ms. Reese, who is at a training session.

**2. CHANGES TO REGULAR COUNCIL AGENDA**

Mr. Rose requested that Item J (2); the Capital Improvement Program, be moved from the Consent Agenda to the City Manager's Report.

Mr. Smotherson requested that the District Athletic Commission be added to the Agenda for discussion purposes only.

### **3. Overview of LSBDB – Budget/Operations**

Mr. Rose thanked everyone for the opportunity to present this overview and introduced Libbey Tucker, the City's new Economic Development Director/Assistant to the City Manager. As the Board's liaison, Ms. Tucker will work with members on the execution of various projects.

#### **Boundaries:**

- Boundaries of the retail commercial "RC" zone include both sides of Delmar between Kingsland and the eastern municipal limits, including commercial establishments fronting on Kingsland, Enright, Leland, Melville, Westgate, and Delmar.

#### **Revenue:**

- Revenue shall be used for the purpose of paying for all costs and expenses incurred in the operation of the district, and/or the provision of services and improvements authorized in Section 120.960:
  1. The businesses and individuals licensed by the City to do business within the district, except vendors at the Market in The Loop, shall be subject to all additional business license taxes levied by the City; and
  2. The real property in the district shall be subject to an additional tax of eighty-five cents (\$0.85) per one hundred dollars (\$100) assessed relative; and
  3. The special assessment provided for by this chapter shall be collected by the City and held in a special account for dispersal to the district with the approval by the City Council.
    - ❖ *Revenues are reflective of a 50 percent additional cost for a business license for those businesses operating in The Loop.*

#### **Tax Abatement:**

- No real property within the district subject to partial tax abatement under the provisions of the Urban Redevelopment Ordinance No. 5085 and/or Urban Redevelopment Corporations Law of Missouri shall be exempt from the taxes levied in Section 120.910.

#### **Bonds:**

- For the purpose of paying all costs and expenses to be incurred in the acquisition, construction, improvement and/or expansion of any of the facilities of the district, the district may incur indebtedness and issue general obligation bonds and/or revenue bonds or notes for the payments thereof subject to Missouri Statutes.

**QUESTION:** Mayor Crow asked whether the LSBDB had ever issued any bonds?

**ANSWER:** No, we have not.

#### **Section 120.940 - Advisory Commission:**

- The Mayor and City Council shall have the sole discretion as to how the revenues of the district shall be used within the scope of this chapter.

To assist in exercising this discretion, a University City Special Business District Advisory Commission is created; The Loop Special Business District.

- a) The Board shall be comprised of nine (9) members,
- b) Each member shall serve a term of three (3) years.
- c) Members may be removed from the Board for any form of misconduct.
- d) Vacancies shall be filled by the Mayor with the approval of Council.
- e) Members shall not be compensated for their service.
- f) Members are required to disclose all relevant conflicts of interest.

**Duties of the LSBDB:**

- The Board shall consist of three officers; Chairman, Vice Chairman, and Treasurer.
- The Board may create Bylaws for administrative purposes, as long as they do not conflict with State Statutes or the City Code.
- The purpose of the Board shall be to create a Development Plan that can be utilized as a strategic guideline for Loop activities.
- The Board shall submit a line item budget to Council for approval,
- The Board shall submit an annual report of its activities.
- All Board meetings shall be open to the public.

**Allowable Improvements/Activities:**

1. Close streets and alleys
2. Construct Improvements
3. Implement or enhance landscaping
4. Construct and Operate Childcare Facilities
5. Provide special police or cleaning personnel and facilities
6. Street and alley maintenance
7. Purchase, operate minibusses or buses

Comment from a Board Member: The minibus activity was added at a point in time when the Loop was really down and out. And the thought was that it could possibly be used to attract Wash U students.

**Municipal Services:**

- City Council shall not decrease the level of municipally-funded services in the district existing prior to the creation of the district...

Mr. Rose stated the core purpose of this briefing is to generate discussion and direction on four areas:

1. Pursuant to City' code, the Board is required to submit a line item budget for Council's approval.
2. Pursuant to City Code, the Board is required to develop a Strategic Plan that links to the budget.
3. Does The Loop need its own Executive Director?
4. What should our partnership with the East Loop Include? Is there a willingness to partner with the East Loop, and if so, under what conditions?

Mayor Crow stated he was unaware of whether the Board had the personnel resources to prepare a line item budget and strategic plan.

Comment from a Board Member: I think it would really help to have an Executive Director, especially as all of our volunteers and their hours start to kind of fade away. As far as a line item budget, we definitely have that capability. For years the Board has submitted a line item budget that the Director of Finance put into general categories; which we found to be a little more difficult to read than our budget. But the budget is something we are working on right now and it should be finalized within the next couple of weeks.

Comment from a Board Member: The Strategic Plan is something new, so depending on the level of detail required we still have some pretty committed volunteers that might be able to put something like that together.

Mr. Rose stated typically the individual facilitating the plan's conception would reach out to all of the stakeholders and get their thoughts on what they envision for The Loop. It would then be reviewed by the Board, who would make any necessary modifications, and ultimately, it would be submitted to the Mayor and Council for approval.

Comment from a Board Member: Any planning has always married up with the receipt of monies from the 1/4 cent sales tax. The Board starts out with \$80,000 a year, and its request to the EDRST Board reflects the amount the LSBD has on-hand, and how much it can devote from that pot of money. So if you take the two and put them together, you might have enough to hire an Executive Director.

Mr. Rose stated during his previous tenure he recalls the Board having a person who functioned in the role of an executive director and was responsible for putting the budget and annual report together.

Comment from a Board Member: To attract someone of Jessica's caliber you would almost have to use the entire \$80,000 of annual receipts.

Comment from a Board Member: I believe Jessica was officially working 20 hours a week as our Marketing Director. And even though she was putting in more hours than required, what we found is that her compensation was insufficient for the amount of work we were asking her to do. And that what we really needed was a full-time Executive Director.

Mr. Rose informed the Board that he was not recommending that they hire an executive director, just simply mentioning it is an option. So, if the Board has the ability to utilize some of its volunteers to put these things together then perhaps, a director won't be needed.

Comment from a Board Member: Although it might not be specific to the City's needs, our current Executive Director started working on a general strategic plan and has already met with the stakeholders and business owners.

Ms. Carr asked the Board if they would provide her with their Executive Director's duties and salary?

Comment from a Board Member: Her time is approximately one-third in the West Loop and two-thirds in the East Loop. Her duties overlap for both when it comes to special events and promotions, but singular if it involves real estate development in the East Loop. One of our biggest challenges is attracting tenants to both areas. And the fact that she spent thirteen years in Maplewood and helped bring it back to life is why it really makes sense to have a person of her caliber. She has contacts with different real estate brokers and is setting up roundtables and tours to allow potential tenants to walk through the unoccupied spaces. The other part that's really important is that she organizes and oversees all of our special events. We've gone to extremes to make sure that everything is separate and adheres to all of the regulations.

Ms. Carr stated as you know, there has been some retraction in the West Loop, so her concern is whether there is a need for someone who is more dedicated, or if you think one-third of the time is adequate?

Comment from a Board Member: I think it's important to note that when Jessica was in this position she was paid by the East and West Loop and has been able to work for both sides and cover the overlap. The Board voted unanimously to hire her and her track record has shown that she has a large appetite to take on very substantial projects. So while he can only speak for himself, his opinion is that she is up to the job and that the hours are adequate for what she has been hired to do.

Comment from a Board Member: I would respectfully disagree.

Comment from a Board Member: Since you were not on the Board when we voted to hire Jessica, I can understand that.

Comment from a Board Member: When Jessica was working for both entities I believe U City was paying two-thirds of her salary and the City portion of the East Loop was paying one-third. I can't remember how she was allocating her time, but as a West Loop property owner and Board member, I think the West Loop needs a full-time person, but we don't have the resources to hire one. And at one point, the East didn't have the resources to pay their share in a timely fashion. So this is something that we've known for a long time, and in fact, property owners have even discussed a self-assessment and a CID to increase the amount of money that's available and address the need for a full-time employee and some of the other things we need money for. We realize \$80,000 is not a small sum of money and that our allocation from the EDRST Board is not small, but even when the two are combined it is not enough to underwrite an executive director and a fulsome marketing endeavor.

Comment from a Board Member: I agree wholeheartedly. When it comes to the allocation of time and the division of labor for our current Executive Director, I would just note that the previous Director's expectation was 20 hours a week. And whether that was 50/50; 10 hours for the West and 10 hours for the East, or two-thirds/one-third; 13.5 hours and 6.5 hours, our current Executive Director is working 40 to 50 hours a week, and a third of 45 hours is 15 hours. So if you look at it from that perspective it's a better split than what we had previously.

Comment from a Board Member: I think the issue is; does this entity have the resources to get the job it needs to get done in 2019/2020?

I'm not questioning how we've tried to piece things together in the past or even today, but I do think it is a limited resource, and that has nothing to do with the Director's capabilities.

Comment from a Board Member: Could we utilize somebody full-time? I think the answer is yes. And if more money were available, for both sides to have their own full-time person, that would be an optimal solution. But the reason we're doing what we're doing today is because we did not have the resources to pay for a full-time employee. So working together with the East Loop seemed like a prudent thing to do at the time.

Comment from a Board Member: I think the fact that we now have Libbey and others at City Hall who can work with Rachelle is a great asset that can really balance things out. But I don't think we should lose perspective of how important it is to include the East Loop when we are promoting the Delmar Loop since we are competing against other communities. The competition is really stiff and there are huge amounts of dollars going into some of these areas right now. So to be able to illustrate all of the amenities that we have here in the same brochure is really meaningful to our image. All of that works together for the benefit of both U City and the City.

We weren't the ones who decided to have this artificial City/County border, which really hurts us. But each year 300,000 guides are distributed and placed in every hotel room in St. Louis and dispersed to companies and visitor centers throughout the country. So for us to join together and be listed in the official St. Louis Visitor's Guide and pool our resources and energies to include three full pages every year, along with the pocket guide, should be viewed as a very impactful marketing initiative. Out of the 96-page brochure that came out in January, Loop businesses were featured in 29 of those pages. And that would not have happened if we had not pooled our resources.

Ms. Carr stated while she understands the pitch, the reason we are here tonight is to talk about the West. So let's keep in mind that the City is making an investment in the Delmar Loop and when as we look at the retraction problem it is experiencing, our focus is on how we can reverse it. And if the Visitor's Guide only features pictures of the Pageant or the East Loop, that's not solving the City's problems, in fact, it could be hurting us. There are always some benefits to a partnership, but what she does not want to see is an overlay district. Ms. Carr then asked how many of the 29 pages actually featured businesses in the West Loop?

Comment from a Board Member: I can count them up and let you know later, but every year I have always distributed copies of the Guide to any member of Council that wants one. And according to my recollection, the U City calendar featured the Pageant and Moonrise Hotel because they thought it would be beneficial to the image of their calendar.

Ms. Carr stated photographs for the City's calendar are selected by the Arts & Letters Commission, not by this Council, or anyone else, so she does not think that was the reason. Ms. Carr stated while she understands Mr. Edwards' relationship with the Pageant and what the City is doing, she's talking about the health of this particular area; what can be done to improve it, and how the Board, with Council's approval, will work to make that happen. So on one hand, I'm asking what you need to make that happen, but on the other, I'm saying that for a long time this Board has not been following the Code.

At present, there is a problem with \$8,000 that was spent on marketing, where we've not seen any results, and lingering questions about how that was accomplished without Council's approval and whether the people who donated the money even know what it was used for. But hereafter, everyone's focus should be on regaining the vibrancy and health of the Westside.

Comment from a Board Member: That's our goal as well, and if you think otherwise then you're wrong. If you look at the invoice I sent out last fall for this Guide, it is broken down by the number of businesses that participated or did not participate in the ads. So you can get the exact breakdown from that invoice.

Mr. Rose stated part of this process is to identify activities the LSBSD is going to be working on over the next year. And at this point, it sounds as though there needs to be a better understanding at the Council level, of what the marketing strategy for The Loop is going to be. So that is an activity that the LSBSD can work on with Libbey and then bring back to Council for formal action.

Mr. Cusick stated something he has not been able to settle within himself is the potential for a conflict of interest. With the current arrangement, there are no requirements for the Director to have an allegiance to either side. So there are no guarantees that when faced with a situation where a business expresses a desire to locate to this area that she won't choose one side over the other, for whatever reason.

Comment from a Board Member: The vast majority of what Rachelle does for the East Loop is to help coordinate the parking lot that was built in the 5800 blocks of Delmar. That's why they're paying the bulk of her salary. But the concept behind the broker's roundtable is to allow potential tenants an opportunity to see all of the options available to them at one time. And it's much more impactful to have the entire area represented that way. I think Rachelle's dedication is very strong and all-encompassing. But, if Council would like to see how her billing hours are broken down or have any other suggestions, we're open to hearing them.

Mr. Cusick stated he would be interested in seeing a breakdown of the hours and billing for the West Loop.

Comment from a Board Member: I think that's a totally valid concern. And a condition of her employment was the assurance that there would be adequate resources and time dedicated appropriately to each side. Over and above that, we've had some stalls getting information from the City about retaining the services of an accounting firm to maintain our records and produce a clear breakdown of the finances for both sides. We think that's another way to add extra assurances that everything is being done properly.

Mr. Hales stated he has been paying attention for a long time and heard a great deal about the regionalism of The Loop, but what he's seen over the last ten years is an increased focus on the Eastside. That's where the investment seems to be and that's where the buildings are going up. So it really does not sit well with him that a third of the resources are being dedicated to the West Loop when it has the greatest need.

Comment from a Board Member: I don't think anybody would disagree with those comments, but you just can't hire an executive director of any value for \$40,000 a year.

Mr. Hales stated he is not questioning the actions taken by the Board, merely expressing his observations about the number of vacant spaces here in The Loop, which are his main concern.

Comment from a Board Member: I think we are all very concerned about that. But one thing to point out is that a lot of this construction by private individuals is happening east of the City limits. Pace Properties is building the new three-story building at the corner of Delmar and Skinker; which by the way, has increased The Loop's security in a positive way now that the gas station is gone. So he thinks we should be grateful that these people are putting in huge amounts of money to develop over there. And if we could provide land for developers in the western portion of The Loop he's sure they would be happy to make an investment here.

Mr. Clay stated while he is not naive enough to believe that a strategic plan is a cure-all, he does think it can provide some direction, and concrete steps to address some of the issues his colleagues have brought up. The Mayor brought up resources or the lack thereof, but is this something the Board can begin to work on at this point in time, to at least address some of the larger issues?

Comment from a Board Member: Something both Boards approved and set aside a small amount of funding for is a lighting study. Our goal is not only to enhance safety, but to come up with a lighting design that will deliver the amount of light needed to make our streets look more attractive and exciting.

Comment from a Board Member: While I know the \$80,000 figure has been used on several occasions, I actually think it's been closer to \$72,000. The majority of the Board's funding comes from EDRST funds, and the difficulty with that and the development of a strategic plan is that this money is only allocated on a yearly basis, and Council has the discretion to determine the amount. So perhaps, if there was a way to establish a five-year plan that would guarantee the Board \$100,000 every year, it would be a lot easier to do some of these things.

Comment from a Board Member: While I think a strategic plan could be helpful, a comprehensive lighting approach is not going to be cheap. And in order to be successful in these efforts, we are going to need long-term commitments from the EDRST Board.

Comment from a Board Member: Can the EDRST Board make multiple year commitments for larger projects?

Mr. Rose stated what you've described is similar to the City's five-year Capital Improvement Program which gives an indication of the overall direction of where the Mayor and Council are headed with respect to specific projects. So even though a project may take multiple years to complete, the funding could be allocated in one year and used over a period of time. However, he thinks the first step is for the Board to determine what it is they want to achieve, even if it requires a longer period of time to reach your goal.

Comment from a Board Member: I don't know what requirements or resources are needed to prepare a formal strategic plan, or that we can even verbalize our overall vision right now.



But I do know that this Board and other merchants in The Loop have a general idea of what they would like to see. So putting a plan together could help us keep our eyes on what we really want to achieve and not be distracted by the smaller things.

Ms. Carr stated a strategic plan is not necessarily constrained by money at the time you put it together, but at some point, it begins to direct your budgeting. With respect to an accounting firm, I have been in attendance during your Board meetings and suggested that you put it out for a bid, which you agreed to do. And while there is plenty of room for a partnership, it seems to me that having an accounting firm that represents both sides again raises the question of a conflict of interest. We are unique, and by that I mean different; one entity is a governmental body and the other is a CID. Or did you formally get rid of the CID?

Comment from a Board Member: It was formally dissolved.

Ms. Carr stated so rather than a CID, the East Loop is actually a not-for-profit, which again, makes them two very different animals with unique demands. It's not that I'm being arbitrary, but business districts are often looked at by the auditor, so there is a certain criterion that must be adhered to. Therefore, before we get ourselves into that position let's first make sure we've cleaned this up and started to focus on a strategic plan. And if that plan includes a partnership with the East Loop, that's great. Plans change over the years. So you can accommodate for changes in your vision or the market, by conducting a reevaluation every two or three years.

Comment from a Board Member: I was sort of struck by something Councilmember Hales said. I don't think that if something good happens on the East that it necessarily confers some type of benefit in the West; or vice-versa. And while there may be value in creating the impression of a joint continuum of entertainment, I'm interested in maintaining a degree of independence and seeking out those areas where we can collaborate; where efficiencies can be achieved, and where joint marketing can take place. But my interest is completely on the Westside because I've been on this side for a long time and have invested in U City. So I am uncomfortable being dependent on another entity that sits across a dividing line to take care of the business that we need to do here.

The taxes you collect here depend on leases being entered into and property values being maintained. And while he does not believe the East is doing anything that's interfering with that upside, he does think that since we are partnering with them, we should be paying attention to what's happening and be cognizant of how our interests are being taken care of. So I think Paulette makes a valid point; the Board's responsibility is to take care of the businesses here. And while I believe that everybody is honestly trying to balance their time and allocation of resources, we've got to bring some additional capital to bear here, so that we don't lose our independence.

Mr. Cusick stated the answer provided to his comment about a conflict of interest still has not put his mind at ease. So he would like to see that function kept separate because, from his perspective, the Executive Director could easily be put in a situation where her loyalty to one side or the other, is tested. Another area where he would like to see a clear line of demarcation is the agenda for LSBDD meetings. These agendas contain information for both entities, which is also reflective in the minutes. So he would like the Board to consider making them separate.

Comment from a Board Member: I'm confused by your comment regarding what you have referred to as LSBSD meetings because these are actually general meetings to provide an overall report for the two areas. The West Loop's Board meeting is held immediately after the general meeting. I'm also confused by your comment regarding a conflict of interest.

But as far as utilizing the same accounting firm, the LSBSD pays roughly \$600.00 a year to the City for an auditor to check our books. So that audit should produce the necessary checks and balances. Perhaps, there is a better way to separate the two, but there are savings to be had by utilizing the same firm.

Mr. Cusick stated you used the example of a broker's roundtable that allows potential tenants to see options in both the East and West Loop. And while that may be a rather neutral decision for a business interested in locating in this area, the type of attitude exhibited by the Executive Director could steer that business into being more favorable to one side. The bottom line is; he would feel more comfortable with someone he knows has the City's back 100 percent.

Comment from a Board Member: Well I think that she does. The goal of these tours is simply to put it out there and place the owners of these buildings in a position to have contact with numerous potential clients. But, the fact that U City now has an Economic Development Director means that she could be a part of this whole thing and really steer it in our direction.

Comment from a Board Member: Councilmember Cusick, are you suggesting that we have our own Executive Director or that we come up with an agreement to make this a 50/50 split?

Mr. Cusick stated he would like to have the LSBSD's Executive Director working with Libbey so that they could be out there pushing for U City 100 percent of the time. But, he also understands how impractical that may be, even though he's still not sure how to get over his conflict of interest concerns.

Comment from a Board Member: So the percentages are not a significant factor for you?

Mr. Cusick stated his concerns are about her allegiance; who does she answer to?

Comment from a Board Member: She answers to both Boards.

Mr. Cusick stated that's why he sees this as a potential conflict of interest.

Comment from a Board Member: For several years, Council has asked the Board to consider making investments on Olive on the premise that rising tides lifts all boats. And while I do think that Olive's success helps to support The Loop, I also feel the same way about the East Loop. Now, while I don't think the notion that when something happens in the East means it's not happening in the West should be totally dismissed, people coming to the Pageant is relevant and does help businesses in the U City Loop.

Mr. McMahon stated it seems as though there is a fairly decent consensus that if the funds were available we would not have the type of arrangement we have today. So we're here by necessity. And while I will back off of the conflict of interest, when someone is advocating for one side or the other, that often comes to the forefront.

So if by necessity we had to create a conglomeration of sides, then what we're really advocating for is a different area, which may be beneficial to both sides, but not as impactful as it could be if we were only focused on one area. Now that's not to cast any dispersions because you've got to do what you've got to do. But when all is said and done, can we do this in a way that increases those funds so we don't have to do things out of necessity or have concerns about who's advocating for whom?

Mr. Rose stated the purpose of this meeting was twofold. One, to ensure that everyone understood the Code that governs the LSBDB's operations, and second, to get a clear understanding of the direction the Mayor and Council would like to see The Loop going in.

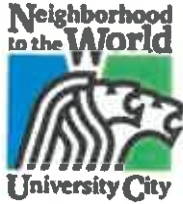
The next step will be to present the LSBDB with a proposed budget for them to consider how to fund a strategic plan, an annual report, a marketing plan, and special activities. Mr. Rose stated he thinks the next step should be to come back together again and discuss the need for an Executive Director.

#### **4. Adjournment**

Mayor Crow thanked everyone for coming and adjourned the Joint Study Session at 6:29p.m.

Deanna Burress/lr  
Acting City Clerk





## Council Agenda Item Cover

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**MEETING DATE:** March 25, 2019

**AGENDA ITEM TITLE:** Zoning Code Text Amendment to Article VII - Off-street Parking and Loading Requirements

**AGENDA SECTION:** Public Hearing

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

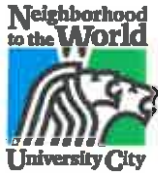
### **BACKGROUND REVIEW:**

The following proposed amendments to the University City Zoning Code were reviewed by the code review sub-committee on two separate occasions along with City Staff. The Plan Commission reviewed the changes and made comments during their regularly scheduled meeting on February 27, 2019 at the Heman Park Community Center. The proposed revisions, to Article VII, are intended to better meet the parking demands of University City residents and businesses. The proposed changes are intended to better utilize existing space in University City and to accommodate and more accurately represent the parking demands of the community.

This agenda item requires a public hearing at the City Council level and passage of an ordinance. The first reading and public hearing will take place on March 25, 2019. The second and third readings and passage of the ordinance could occur at the subsequent April 8, 2019 meeting.

See New Business agenda item M1 for additional documentation and details





## Council Agenda Item Cover

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**MEETING DATE:** March 25, 2019

**AGENDA ITEM TITLE:** Capital Improvement Program Amendment –  
Forsyth Blvd. Americans with Disabilities Act (ADA)  
Improvements and Resurfacing Project

**AGENDA SECTION:** Consent Agenda

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

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### BACKGROUND REVIEW:

The City of University City applied for federal funds, through the Missouri Highways and Transportation Commission and administered by East West Gateway Council of Governments and the Missouri Department of Transportation, to improve Forsyth Boulevard within City limits (approximately 0.75 mile). The proposed improvements include resurfacing of the road, ADA improvements (curbs, curb ramps and sidewalks), traffic signal improvements at Forsyth-Asbury intersection and bicycle facilities signage and markings in accordance with the Gateway Bike Plan and the Bicycle and Pedestrian Master Plan for the City of University City.

The total project cost is \$920,000 for construction. Federal grant participation is 80% of the project cost in the amount of \$736,000, and City participation is the remaining 20% in the amount of \$184,000. This application for funds was granted to University City and design was completed including the construction bidding of the project.

The construction phase of the Forsyth Blvd. ADA Improvements and Resurfacing Project is planned for FY2019. In the end of the FY2018, the City Council approved the Resolution 2018-9 that allocated a fund reserves commitment to the project for \$184,000 from the Capital Improvement Sales Tax Fund and to be a part of the Capital Improvement Program in FY2019. A grant match in the amount of \$736,000 wasn't allocated in the program to pay for the reimbursable grant funds.

Staff proposes to amend the CIP FY19 funding outlay to add a Forsyth Blvd. ADA Improvements and Street Resurfacing Project (Project #PW19-13) under the Grant Fund for \$736,000.

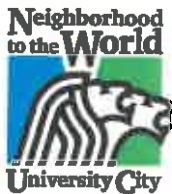
### RECOMMENDATION:

City Manager recommends that City Council authorize allocation of \$736,000 in Grant Fund to Project #PW19-13 (Forsyth Blvd. ADA Improvements and Street Resurfacing).

Note: Funding to cover the upfront cost for this project will be expensed from the Street Maintenance Fund 12-40-90-8080.







## Council Agenda Item Cover

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**MEETING DATE:** March 25, 2019

**AGENDA ITEM TITLE:** Morgan Wilshire – Road and Drainage Improvements

**AGENDA SECTION:** Consent Agenda

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

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**BACKGROUND:**

In FY17 City Council approved a contract with CDI to do the design and engineering work for Morgan Wilshire. In FY19 funding for construction of the project was appropriated. This project consists of full depth reclamation and sidewalks, placement of concrete curb and gutter, concrete approaches, storm sewer and inlets, utility adjustments, and seeding. Construction is to begin in the spring of 2019.

This project was advertised on February 14, 2019 on Drexel Technologies and the City website. The bid opening was held on March 5, 2019. The City received and reviewed 4 bids. The lowest bidder is Gershenson with a bid in the amount of **\$206,990.00**. The bid results are as follows:

Company	Bid Amount
Byrne & Jones	\$256,141.00
Gershenson	\$206,990.00
Raineri	\$276,538.66
Spencer Contracting	\$207,209.80

The City's budget for this project is \$250,000.00, for construction services. The project is funded by the Capital Improvements Program.

**RECOMMENDATION:** City Manager recommends that City Council approve an award to Gershenson in the amount of \$206,990.00 for the construction of this project.

**ATTACHMENT:**

1. Bid evaluation
2. Award recommendation from the City's consultant.



Morgan and Wilshire - Pavement and Drainage Improvements Bid Results				Rainart Construction, LLC				Byrne & Jones Construction				Genshemann Construction Co., Inc.				Spencer Contracting Co.			
Items	Quantity	Unit	Unit Cost	Actual Total	Bid Form Total and Comments	Unit Cost	Total	Bid Form Total and Comments	Unit Cost	Total	Bid Form Total and Comments	Unit Cost	Total	Bid Form Total and Comments	Unit Cost	Total	Bid Form Total and Comments		
MOBILIZATION	1	LS	\$31,500.00	\$31,500.00		\$60,650.42	\$60,650.42		\$50,787.60	\$50,787.60		\$10,900.00	\$10,900.00		\$10,900.00	\$10,900.00			
POTHOLING	2	EA	\$900.00	\$1,800.00		\$1,100.00	\$2,200.00		\$443.99	\$887.98		\$800.00	\$1,600.00		\$800.00	\$1,600.00			
CLEARING AND GRUBBING	1	EA	\$6,950.00	\$6,950.00		\$5,380.00	\$5,380.00		\$5,050.00	\$5,050.00		\$4,800.00	\$4,800.00		\$4,800.00	\$4,800.00			
CONCRETE SIDEWALK	670.7	SY	\$58.50	\$39,235.95		\$49.20	\$32,998.44		\$32,998.40	\$32,998.40		\$36.75	\$24,767.64		\$36.75	\$24,767.64			
CONCRETE DRIVEWAY	138.8	SY	\$111.25	\$15,441.50		\$108.70	\$14,895.96		\$14,810.00	\$14,810.00		\$54.80	\$7,544.36		\$54.80	\$7,544.36			
MAINTENANCE OF TRAFFIC	1	LS	\$14,250.00	\$14,250.00		\$3,575.00	\$3,575.00		\$5,005.36	\$5,005.36		\$69.00	\$9,577.20		\$69.00	\$9,577.20			
TYPE 'B' CONCRETE CURB	87	LF	\$30.50	\$2,653.50		\$38.50	\$3,349.50		\$20.00	\$1,740.00		\$26.50	\$2,305.50		\$26.50	\$2,305.50			
CONCRETE CURB AND GUTTER	668	LF	\$27.50	\$18,370.00		\$23.95	\$15,998.60		\$25.90	\$1,740.00		\$29.70	\$19,839.60		\$29.70	\$19,839.60			
FULL DEPTH RECLAMATION	2882.3	SY	\$18.70	\$53,899.01		\$10.80	\$31,128.84		\$74.80	\$23,823.80		\$86.60	\$249,587.10		\$86.60	\$249,587.10			
REMOVAL OF IMPROVEMENTS	318.5	Ton	\$97.00	\$27,709.50		\$81.10	\$25,830.35		\$24,529.11	\$24,529.11		\$17,485.00	\$5,500.00		\$17,485.00	\$5,500.00			
4 WAY AREA INLET	1	EA	\$19,500.00	\$19,500.00		\$16,520.00	\$16,520.00		\$2,975.00	\$2,975.00		\$52.06	\$5,830.72		\$52.06	\$5,830.72			
12 IN PVG PIPE	112	LF	\$5,950.00	\$6,664.00		\$94.80	\$10,617.60		\$7.55	\$2,830.91		\$8.00	\$9,105.60		\$8.00	\$9,105.60			
TURF REINFORCEMENT	388.2	SY	\$11.00	\$4,270.20		\$2,450.00	\$2,450.00		\$500.00	\$500.00		\$2,310.00	\$2,310.00		\$2,310.00	\$2,310.00			
SIGNING	1	LS	\$2,700.00	\$2,700.00		\$34.95	\$3,613.83		\$68.08	\$7,059.47		\$12.60	\$1,302.84		\$12.60	\$1,302.84			
GLASS 'A' EXCAVATION	103.4	CV	\$10.00	\$1,034.00		\$27.70	\$2,884.75		\$20.00	\$2,000.00		\$44.00	\$4,564.00		\$44.00	\$4,564.00			
PIPE BEDDING CLASS 'C'	17.5	CV	\$48.00	\$840.00		\$3,000.00	\$51,000.00		\$1,000.00	\$1,000.00		\$400.00	\$400.00		\$400.00	\$400.00			
EROSION CONTROL MEASURES	1	LS	\$2,600.00	\$2,600.00		\$1,570.00	\$1,570.00		\$712.36	\$3,711.80		\$500.00	\$500.00		\$500.00	\$500.00			
ADJUST INLET TO GRADE	5	EA	\$650.00	\$3,250.00		\$880.00	\$4,400.00		\$5,000.00	\$5,000.00		\$22,000.00	\$22,000.00		\$22,000.00	\$22,000.00			
DITCHING	3.3	STA	\$1,450.00	\$4,785.00		\$730.00	\$2,439.00		\$2,600.00	\$2,600.00		\$22,000.00	\$22,000.00		\$22,000.00	\$22,000.00			
SEEDING	0.5	AC	\$10,500.00	\$5,250.00		\$7,300.00	\$3,650.00		\$5,000.00	\$5,000.00		\$22,000.00	\$22,000.00		\$22,000.00	\$22,000.00			
				\$276,338.66		\$256,141.00	\$256,141.00		\$26,196.00	\$26,196.00		\$27,208.80	\$27,208.80		\$27,208.80	\$27,208.80			
Total as Billed on the Bid Form																			
Completed Bid Form				YES															
Bid Form Signed				YES															
Site Verification				YES															
Bid Bond				YES															
E-Verify				NO															
Subcontractor Approval Form				YES															
Sample Certificate of Insurance				YES															
Contractor Qualification Worksheet				YES															
Equal Opportunity Compliance Form				YES															
OSHA Training Provisions				YES															
Affidavit of Work Authorization				YES															
Equipment List				YES															

Total items on bid form does not add up to the Bid Amount. Assume it is due to the seeding and the math error on concrete driveway.





## Civil Design, Inc.

5220 Oakland Avenue | St. Louis, MO 63110 | 314.863.5570  
WWW.CIVILDESIGNINC.COM

March 12, 2019

Mr. Chris Kalter  
Project Manager  
Department of Public Works and Parks  
City of University City  
6801 Delmar Blvd.  
University City, MO 63130

Re: Letter of Recommendation for Contract Award  
Morgan and Wilshire Drainage Improvements

Dear Mr. Kalter,

Civil Design, Inc. (CDI) has completed an analysis of the bids received for the above referenced project.

1. Four (4) bids were received and opened on Tuesday, March 5th, 2019 at 10:00 a.m. The bids ranged from a low bid of \$206,990.00 to a high bid of \$276,538.66 (see attached bid tabulations).

All bids were properly signed and complete

2. The low bid was as follows:

Gershenson Construction Co., Inc.	\$206,990.00
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CDI contacted several references listed on the Gershenson Statement of Qualifications and found no information that would suggest that Gershenson would not perform this project to the standards outlined in the specifications.

CDI finds that Gershenson Construction Co., Inc. meets the qualifications standards as set forth in the project manual. CDI recommends that the Gershenson bid be accepted. If you have any questions concerning this evaluation, please do not hesitate to contact me.

Sincerely,

Tricia Bohler, P.E.  
Project Manger  
Civil Design, Inc.  
5220 Oakland Ave.  
St. Louis, MO 63110



## Council Agenda Item Cover

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**MEETING DATE:** March 25, 2019

**AGENDA ITEM TITLE:** Parking Study

**AGENDA SECTION:** Consent

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

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### **BACKGROUND REVIEW:**

A proposal was requested and submitted to the City to perform a Parking Study within certain areas of University City, which will include the following scope of work:

- Obtain parking information from the City that would be relevant to this study, including possible GIS Shapefiles, parking restrictions maps, etc.
- Perform on-street parking observations on a weekday between 1:00 p.m. and 7:00 p.m. and on a weekend between 3:00 p.m. and 7:00 p.m. These observations would reveal the relative occupancy (Full, 90%, 75%, 50%, 25%, Mostly Empty) of parking along each block segment at hourly or bi-hourly intervals, as appropriate. Efforts would be undertaken to identify parking users, including investigating primary arrival and departure periods, monitoring walk routes, etc. Existing parking restrictions would also be inventoried during observations.
- Summarize the field data obtained in the above task and generate exhibits and graphics to illustrate the findings.
- Research parking strategies employed in other cities in an effort to preserve on-street parking for adjacent land uses.
- Recommend parking management strategies that would be applicable to each zone. For each strategy, provide guidance to the City regarding implementation and ongoing management.
- Document the findings of the study in a brief report, including graphics, charts, and figures to summarize the information.

The Request for Proposals was directly requested from the City's Traffic Engineer – Lochmueeler Group at a cost of \$24,000.00 to include three zones (Map Attached).

Lochmueller Group is highly qualified, has great knowledge of the city and its challenges, as well as experience with completing the City of Clayton's Parking Study and many others.

**RECOMMENDATION:** City Manager recommends that the City Council approve the proposal submitted by Lochmueller Group in the amount of \$24,000. Originally \$28,000 was budgeted for a City Wide Space Needs Study which will be substituted by the Parking Study through the Capital Improvement Plan.

**Attachments:** Scope Proposal  
Zone Map



March 7, 2019

Mr. Errol Tate  
Senior Project Manger  
City of University City  
6801 Delmar Boulevard  
University City, MO 63130

RE: University City Parking Study  
Lochmueller Group Project No. 519-0023-OPK

Dear Mr. Tate:

We are pleased to submit the following proposal for a parking study for designated areas within University City. The purpose of the study would be to evaluate on-street parking within each area and to develop recommendations aimed at increasing the availability of on-street parking for City residents. The study would not encompass off-street or private parking facilities or parking along or adjacent to alleys. Each of the designated study areas is identified below, as well as depicted in **Figure 1** on the next page:

- **Zone 1** would encompass the area bounded by Vernon Avenue to the north, Eastgate Avenue and Mehlville Avenue to the east, Washington Avenue to the south, and Trinity Avenue and Kingsland Avenue to the west.
- **Zone 2** would encompass the area bounded by Stratford Avenue and Pershing Avenue to the north, Jackson Avenue and Forest Park Parkway to the east, Maryland Avenue and University Drive to the south, and Hanley Road and Jackson Avenue to the west.
- **Zone 3** would encompass both sides of Forsyth Boulevard between Big Bend Boulevard and Forest Park Parkway and Jackson Avenue, and both sides of Lindell Boulevard between Forsyth Boulevard and Manhattan Avenue.

Within each zone, field observations of on-street parking would be performed for up to 6 hours on a weekday and up to 4 hours on a weekend. The observations would denote any parking restrictions as currently posted, quantify the relative occupancy of on-street parking along each block segment in periodic intervals, and attempt to identify (by inspection) non-residential parking that may be occurring. From the observations, we expect to determine if an on-street parking shortage exists within each zone.

Based on the information obtained from the field observations, strategies would be researched to increase parking availability for residents and to limit (or prohibit entirely) parking for other purposes. Specific strategy recommendations would be offered to the City for consideration, which could include targeted enforcement, updated restrictions, neighborhood permit parking districts, metered or fee-based parking, etc. Along with each recommendation, a brief implementation and management strategy would be provided.





UNIVERSITY CITY  
ZONING MAP

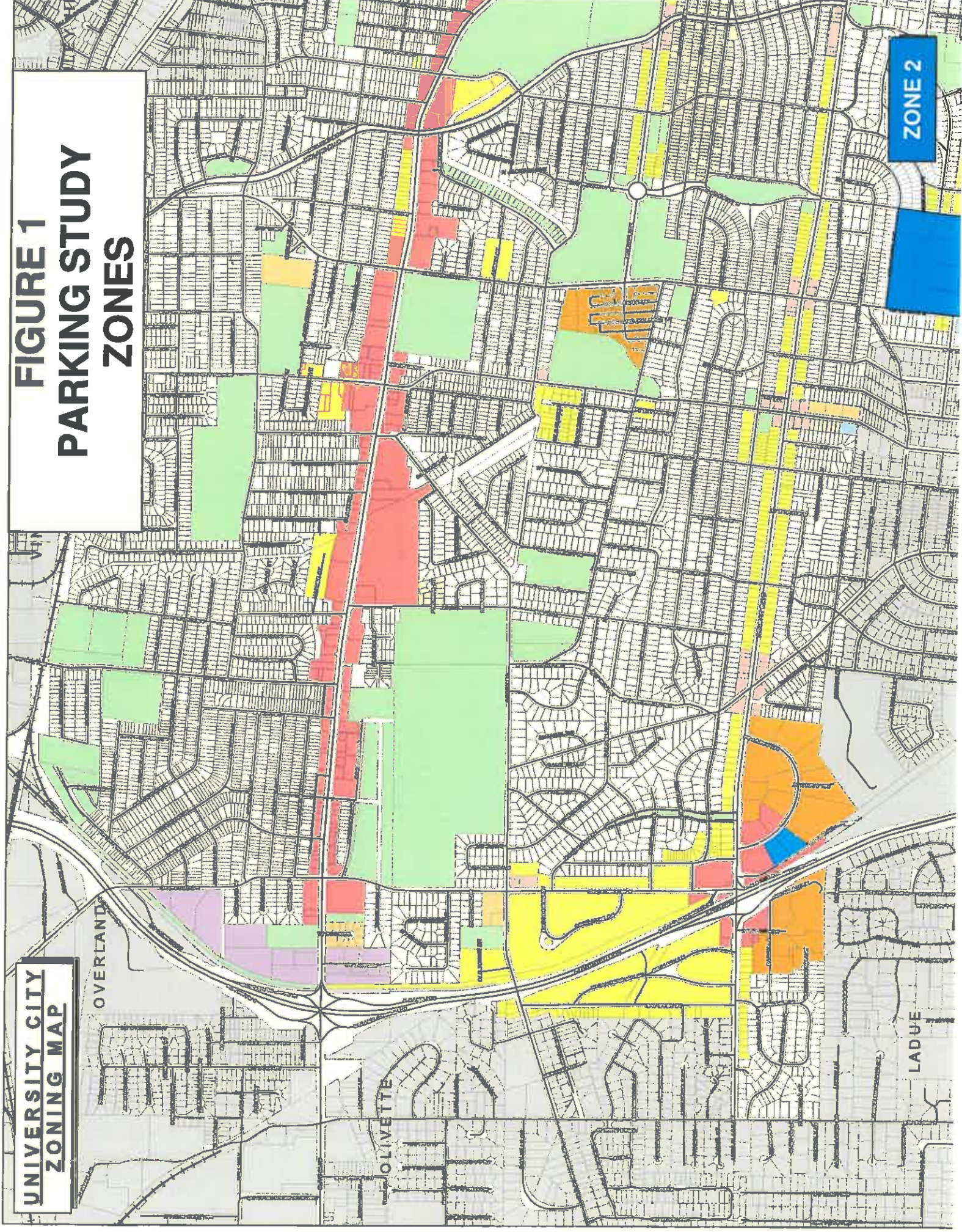
# FIGURE 1 PARKING STUDY ZONES

OVERLAND

OLIVETTE

LADUE

ZONE 2





**Scope of Services**

1. Obtain parking information from the City that would be relevant to this study, including possible GIS Shapefiles, parking restrictions maps, etc.
2. Perform on-street parking observations on a weekday between 1:00 p.m. and 7:00 p.m. and on a weekend between 3:00 p.m. and 7:00 p.m. These observations would reveal the relative occupancy (Full, 90%, 75%, 50%, 25%, Mostly Empty) of parking along each block segment at hourly or bi-hourly intervals, as appropriate. Efforts would be undertaken to identify parking users, including investigating primary arrival and departure periods, monitoring walk routes, etc. Existing parking restrictions would also be inventoried during observations.
3. Summarize the field data obtained in Task 2 and generate exhibits and graphics to illustrate the findings.
4. Research parking strategies employed in other cities in an effort to preserve on-street parking for adjacent land uses.
5. Recommend parking management strategies that would be applicable to each zone. For each strategy, provide guidance to the City regarding implementation and ongoing management.
6. Document the findings of the study in a brief report, including graphics, charts, and figures to summarize the information.
7. Attend up to 2 meetings with the City to discuss the findings of this study and to answer questions.

**Fees**

The services described above would be performed for Zones 1, 2 and 3 on a lump sum basis for a total fee of \$24,000.00.

**Exclusions, Extra Costs and/or Supplemental Services**

The above fee estimate does not include costs for meeting time beyond that specified in Task 7, exact parking demand counts, individual parking space counts, parking duration counts, parking ordinance reviews, land use parking requirements calculations, parking design, or traffic engineering.

If needed, these or any other supplemental services would be performed on a time and materials basis using the attached rates unless they are addressed by a separate proposal. However, no additional work would be performed without your direction or authorization.

Mr. Errol Tate  
March 7, 2019  
Page 4



**Acceptance**

If you accept the scope and fee noted above, please sign and return the attached Agreement for Limited Professional Services for final execution. We will return a fully executed copy for your files.

If you have any questions or comments concerning this proposal, don't hesitate to contact me at 314-621-3395.

Sincerely,

A handwritten signature in black ink that reads "Kelly Schaefer". The signature is written in a cursive, flowing style.

**Lochmueller Group, Inc.**  
Kelly Schaefer, P.E., PTOE  
Senior Traffic Engineer

cc Mr. Chris Beard, Director of Traffic and Transportation Planning



411 North 10<sup>th</sup> Street, Suite 220, St. Louis, Missouri 63101  
 5650 Mexico Road, Suite 2, St. Peters, Missouri 63376

**2019 HOURLY RATE SCHEDULE**  
**PROFESSIONAL ENGINEERING AND PLANNING SERVICES**

Classification	Hourly Rate
Principal .....	\$275
Senior Project Manager.....	\$235
Senior Project Engineer.....	\$195
Project Engineer IV .....	\$185
Project Liaison .....	\$175
Project Engineer III .....	\$155
Project Engineer II .....	\$125
Civil Engineering Specialist I .....	\$100
Senior Transit/NEPA Specialist .....	\$190
Senior Appraiser .....	\$185
Right-of-Way Services Specialist .....	\$150
Planner II.....	\$110
Planner I.....	\$95
Engineering Designer III .....	\$122
Engineering Designer II .....	\$105
Engineering Designer I .....	\$92
Senior Graphic Designer.....	\$80
Administrative Assistant .....	\$60
Field Technician.....	\$55

DIRECT EXPENSES will be charged to the client in addition to the above quoted rates. Mileage will be charged at a rate of .50 per mile. Direct expenses include but are not limited to: mileage, filing fees, testing costs and express mail costs, provided that they are reasonable and necessary for the accomplishment of the work.

These rates may be changed on an annual basis at the discretion of Lochmueller Group, Inc.



**An Agreement for the Provision of Limited Professional Services**

**Date:** March 7, 2019

**Lochmueller Project No:** 519-0023-OPK

**Client:** Mr. Errol Tate  
Senior Project Manager  
City of University  
6801 Delmar Boulevard  
University City, MO 63130

**Client Project No.:**

**Project Name/Location:**

Parking Study – City of University City

**Scope/Intent and Extent of Services:**

Lochmueller Group would perform a parking study for designated areas within University City. The purpose of the study would be to evaluate on-street parking within each area and to develop recommendations aimed at increasing the availability of on-street parking for City residents.

**Fee Arrangement:**

The services described above would be performed for Zones 1, 2 and 3 on a lump sum basis for a total fee of \$24,000.00.

**Special Conditions:**

Supplemental services would be performed on a time and materials basis using the attached rates unless they are addressed by a separate proposal. However, no additional work would be performed without your direction or authorization.

411 North 10th Street, Suite 200  
St. Louis, Missouri 63101  
PHONE: 314.621.3395

**THIS AGREEMENT IS SUBJECT TO THE TERMS AND CONDITIONS ON THE FOLLOWING PAGE HEREOF. PLEASE REVIEW THEM CAREFULLY.**

**Offered by:** Lochmueller Group, Inc.

**Accepted by:**

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Signature*

Christopher Beard, Director of Traffic

**Printed Name and Title**

\_\_\_\_\_  
**Printed Name and Title**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Date**

## TERMS AND CONDITIONS

Lochmueller Group, Inc. (*Lochmueller*) shall perform the services outlined in this agreement for the stated fee arrangement.

### Access To Site:

Unless otherwise stated, **LOCHMUELLER** will have access to the site for activities necessary for the performance of the services. **LOCHMUELLER** will take precautions to minimize damage due to these activities, but has not included in the fee the cost of restoration of any resulting damage.

### Dispute Resolution:

Any claims or disputes made during design, construction or post-construction between the Client and **LOCHMUELLER** shall be submitted to non-binding mediation. Client and **LOCHMUELLER** agree to include a similar mediation agreement with all contractors, subcontractors, subconsultants, suppliers and fabricators, thereby providing for mediation as the primary method for dispute resolution between all parties. Should client and **LOCHMUELLER** fail to resolve their dispute by mediation, they agree that jurisdiction for any litigation concerning such dispute shall be in a federal or state court situated in Vanderburgh County, Indiana, subject to applicable law.

### Billings/Payments:

Invoices for **LOCHMUELLER's** services shall be submitted, at **LOCHMUELLER's** option, either upon completion of such services or on a monthly basis. Invoices shall be payable within 30 days after the invoice date. If the invoice is not paid within 30 days, **LOCHMUELLER** may, without waiving any claim or right against the Client, and without liability whatsoever to the Client, terminate the performance of the service.

### Late Payments:

Accounts unpaid 45 days after the invoice date may be subject to a monthly service charge of 1.0% on the then unpaid balance. In the event any portion or all of an account remains unpaid 90 days after billing, the Client shall pay all costs of collection, including attorney's fees and all court costs.

### Certifications:

Guarantees and Warranties: **LOCHMUELLER** shall not be required to execute any document that would result in its certifying, guaranteeing or warranting the existence of conditions whose existence **LOCHMUELLER** cannot ascertain. Any opinions or probable project costs or construction costs rendered by **LOCHMUELLER** represent its best judgment and are furnished for general guidance only. **LOCHMUELLER** makes no warranty, either express or implied, as to the accuracy of such opinions as compared to bid or actual costs. **LOCHMUELLER** warrants only that it will use that degree of care and skill ordinarily exercised under similar conditions by the engineering profession practicing in the same or similar locality. No other warranty, express or implied, is made or intended by this Agreement.

### Responsibility for Claims:

In recognition of the relative risks, rewards and benefits of the project to both the Client and **LOCHMUELLER**, the risks have been allocated such that the Client agrees that, to the fullest extent permitted by law, **LOCHMUELLER's** total liability to the Client for any and all injuries, claims, losses, expenses, damages or claim expenses arising out of this agreement from any cause or causes, shall not exceed the amount of **LOCHMUELLER's** total compensation for services paid and received by **LOCHMUELLER** under this agreement. Such causes include, but are not limited to **LOCHMUELLER's** negligence, errors, omissions, or breach of contract. **LOCHMUELLER** shall not be responsible for the means, methods and techniques of the construction contractor in the prosecution of its work nor for the construction contractor(s)' and their subcontractors' safety programs, training or compliance with safety requirements of any federal or state agency.

### Subcontractors:

If **LOCHMUELLER** has been asked by the Client to subcontract certain geotechnical, architectural, survey or laboratory testing services on behalf of the Client, **LOCHMUELLER** agrees to do so only as an accommodation to the Client and in reliance upon the Client's assurance that the Client will make no claim to bring any action at law or in equity against **LOCHMUELLER** as a result of this subcontracted service. The Client understands that **LOCHMUELLER** is neither trained nor knowledgeable in the procedures or results of the subcontractor's services and the Client shall not rely upon **LOCHMUELLER** to check the quality or accuracy of their services. In addition, the Client agrees to the fullest extent permitted by law to indemnify and hold **LOCHMUELLER** harmless from any damage, liability or cost (including attorneys' fees and costs of defense) arising from the services performed by this subcontractor except only those damages, liabilities or costs caused by the sole negligence or willful misconduct of **LOCHMUELLER**.

### Termination of Services:

This agreement may be terminated by the Client or **LOCHMUELLER** should the other fail to perform its obligations hereunder. In the event of termination, the Client shall pay **LOCHMUELLER** for all services rendered to the date of termination, all reimbursable expenses, and reimbursable termination expenses.

### Ownership of Documents:

All reports, drawings, specifications, computer files, field data, notes and other documents and instruments prepare by **LOCHMUELLER** as instruments of service shall remain the property of **LOCHMUELLER**. **LOCHMUELLER** shall retain all common law, statutory and other reserved rights, including, without limitation, the copyrights thereto.





## Council Agenda Item Cover

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**MEETING DATE:** March 25, 2019

**AGENDA ITEM TITLE:** U. S. Department of Justice, Edward Byrne Justice Assistance Grant Program FY 2018 Local Solicitation

**AGENDA SECTION:** Consent Agenda

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

---

### **BACKGROUND REVIEW:**

The Police Department is requesting the signature of the honorable Mayor Terry Crow for completion of a grant application. The grant application was awarded by the U.S. Department of Justice on October 1, 2018 in the amount of \$16,683.00. As part of the application, a *Certifications and Assurances by the Chief Executive of the Applicant Government* form was included. The DOJ has released the funds, but a special hold has been placed pending resubmission of an updated CEO Certification.

### **RECOMMENDATION:**

City Manager recommends the honorable Mayor Crow sign the application.

**U.S. DEPARTMENT OF JUSTICE  
OFFICE OF JUSTICE PROGRAMS**

**Edward Byrne Justice Assistance Grant Program FY 2018 Local Solicitation**

**Certifications and Assurances by the Chief Executive of the Applicant Government**

On behalf of the applicant unit of local government named below, in support of that locality's application for an award under the FY 2018 Edward Byrne Justice Assistance Grant ("JAG") Program, and further to 34 U.S.C. § 10153(a), I certify under penalty of perjury to the Office of Justice Programs ("OJP"), U.S. Department of Justice ("USDOJ"), that all of the following are true and correct:

1. I am the chief executive of the applicant unit of local government named below, and I have the authority to make the following representations on my own behalf and on behalf of the applicant unit of local government. I understand that these representations will be relied upon as material in any OJP decision to make an award, under the application described above, to the applicant unit of local government.
2. I certify that no federal funds made available by the award (if any) that OJP makes based on the application described above will be used to supplant local funds, but will be used to increase the amounts of such funds that would, in the absence of federal funds, be made available for law enforcement activities.
3. I assure that the application described above (and any amendment to that application) was submitted for review to the governing body of the unit of local government (e.g., city council or county commission), or to an organization designated by that governing body, not less than 30 days before the date of this certification.
4. I assure that, before the date of this certification— (a) the application described above (and any amendment to that application) was made public; and (b) an opportunity to comment on that application (or amendment) was provided to citizens and to neighborhood or community-based organizations, to the extent applicable law or established procedure made such an opportunity available.
5. I assure that, for each fiscal year of the award (if any) that OJP makes based on the application described above, the applicant unit of local government will maintain and report such data, records, and information (programmatic and financial), as OJP may reasonably require.
6. I certify that— (a) the programs to be funded by the award (if any) that OJP makes based on the application described above meet all the requirements of the JAG Program statute (34 U.S.C. §§ 10151-10158); (b) all the information contained in that application is correct; (c) in connection with that application, there has been appropriate coordination with affected agencies; and (d) in connection with that award (if any), the applicant unit of local government will comply with all provisions of the JAG Program statute and all other applicable federal laws.
7. I have examined certification entitled "State or Local Government: FY 2018 Certification of Compliance with 8 U.S.C. §§ 1373 & 1644" executed by the chief legal officer of the applicant government with respect to the FY 2018 JAG program and submitted in support of the application described above, and I hereby adopt that certification as my own on behalf of that government. (This provision is not applicable to Indian tribal government applicants.)
8. I have examined certification entitled "State or Local Government: FY 2018 Certification Relating to 8 U.S.C. §§ 1226(a) & (c), 1231(a)(4), 1357(a), & 1366(1) & (3)" executed by the chief legal officer of the applicant government with respect to the FY 2018 JAG program and submitted in support of the application described above, and I hereby adopt that certification as my own on behalf of that government. (This provision is not applicable to Indian tribal government applicants.)

I acknowledge that a materially false, fictitious, or fraudulent statement (or concealment or omission of a material fact) in this certification, or in the application that it supports, may be the subject of criminal prosecution (including under 18 U.S.C. §§ 1001 and/or 1621, and/or 34 U.S.C. §§ 10271-10273), and also may subject me and the applicant unit of local government to civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. §§ 3729-3730 and §§ 3801-3812). I also acknowledge that OJP awards, including certifications provided in connection with such awards, are subject to review by USDOJ, including by OJP and by the USDOJ Office of the Inspector General.

\_\_\_\_\_  
Signature of Chief Executive of the Applicant Unit of  
Local Government

\_\_\_\_\_  
Date of Certification

\_\_\_\_\_  
Printed Name of Chief Executive

\_\_\_\_\_  
Title of Chief Executive

\_\_\_\_\_  
Name of Applicant Unit of Local Government

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BJA-2018-13626



## Council Agenda Item Cover

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**MEETING DATE:** March 25, 2019

**AGENDA ITEM TITLE:** FY2018 Comprehensive Annual Financial Report  
Hochschild, Bloom & Company LLP

**AGENDA SECTION:** City Managers Report

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

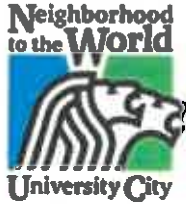
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**BACKGROUND REVIEW:**

This item is a report to the Mayor and Council from representatives of Hochschild, Bloom and Company on the findings of the FY2018 audit.

**RECOMMENDATION:** City Manager recommends that the City Council accept the report.





## Council Agenda Item Cover

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**MEETING DATE:** March 25, 2019

**AGENDA ITEM TITLE:** Zoning Code Text Amendment to Article VII - Off-street Parking and Loading Requirements.

**AGENDA SECTION:** New Business

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

### **BACKGROUND REVIEW:**

The following proposed amendments to the University City Zoning Code were reviewed by the code review sub-committee on two separate occasions along with City Staff. The Plan Commission reviewed the changes and made comments during their regularly scheduled meeting on February 27, 2019 at the Heman Park Community Center. The proposed revisions, to Article VII, are intended to better meet the parking demands of University City residents and businesses. The proposed changes are intended to better utilize existing space in University City and to accommodate and more accurately represent the parking demands of the community.

This agenda item requires a public hearing at the City Council level and passage of an ordinance. The first reading and public hearing should take place on March 25, 2019. The second and third readings and passage of the ordinance could occur at the subsequent April 8, 2019 meeting.

**RECOMMENDATION:** City Manager recommends that the City Council approve the Zoning Code Text Amendment to Article VII - Off-street Parking and Loading Requirements.

### **Attachments:**

- 1: Transmittal Letter from Plan Commission
- 2: Draft Ordinance



**Plan Commission**

6801 Delmar Boulevard, University City, Missouri 63130, Phone: (314) 862-6767, Fax: (314) 862-3168

March 25, 2019

Ms. LaRette Reese  
City Clerk  
City of University City  
6801 Delmar Boulevard  
University City, MO 63130

RE: Zoning Code Text Amendment to Article VII - Off-Street Parking and Loading Requirements.

Dear Ms. Reese,

At its regular meeting on February 27, 2019 at 6:30 pm in the Heman Park Community Center, 975 Pennsylvania Avenue, University City, Missouri, 63130, the Plan Commission reviewed proposed changes to Chapter 400 Article VII - Off-Street Parking and Loading Requirements of the municipal code of the City of University City.

By a vote of 5 to 0, the Plan Commission recommended approval of the proposed text amendment to Article VII – Off-Street Parking and Loading Requirements.

Sincerely,

Cirri Moran, Chairperson  
University City Plan Commission

INTRODUCED BY:

DATE:

BILL NO.

ORDINANCE NO.

**AN ORDINANCE AMENDING CHAPTER 400 OF THE MUNICIPAL CODE OF THE CITY OF UNIVERSITY CITY, RELATING TO ZONING, BY AMENDING SECTIONS 400.2010, 400.2070, 400.2130 AND 400.2140 THEREOF, AND BY ADDING 400.2145 THEREIN, RELATING TO OFF-STREET PARKING AND LOADING REGULATIONS; CONTAINING A SAVINGS CLAUSE AND PROVIDING A PENALTY.**

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

**WHEREAS**, Chapter 400 of the Municipal Code of the City of University City, Missouri divides the City into several zoning districts and regulates the uses and off-street parking on which the premises located therein may be put; and

**WHEREAS**, the City Plan Commission in a meeting held at the Heman Park Community Center located at 975 Pennsylvania Avenue, University City, Missouri on February 27, 2019, at 6:30 p.m. recommended an amendment of Sections 400.2010, 400.2070, 400.2130 and 400.2140, and the addition of Section 400.2145, and

**WHEREAS**, due notice of a public hearing to be held by the City Council in the 5<sup>th</sup> Floor City Council Chambers at City Hall at 6:30 pm, March 25, 2019, was duly published in the St. Louis Countian, a newspaper of general circulation within said City on March 8, 2019; and

**WHEREAS**, said public hearing was held at the time and place specified in said notice, and all suggestions or objections concerning said amendment of the Zoning Code were duly heard and considered by the City Council.

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

**Section 1.** Chapter 400 of the Municipal Code of the City of University City, Missouri, relating to zoning, is hereby amended, by amending Sections 400.2010, 400.2070, 400.2130 and 400.2140 thereof, and by adding Section 400.2145, relating to Off-Street Parking and Loading Regulations; and as so amended shall read as follows (where applicable, underlined text is added text and stricken text is removed):

**Article 7, Division 2, Section 400.2010**

Location of Parking Areas.

[R.O. 2011 §34-92.3; Ord. No. 6139 §1(Exh. A (part)), 1997]

A. All required off-street parking shall be provided on the same zoning lot occupied by the use or building to which it is appurtenant, except as provided for below.

B. In the event that there exist practical difficulties in satisfying the requirement for parking spaces and/or if the public safety and convenience would be adequately served by another location. An alternate location may be authorized under the conditional use procedure (see Article XI), subject to the following conditions:

1. If parking is to be located elsewhere than on the lot on which the principal use is located, then the "off-site" property to be utilized for parking shall be in the same possession (either by deed, or by easement, or long-term lease which has a term equal to or exceeding the projected life or term of lease of the facility bound by covenants filed in the office of the St. Louis County Recorder of Deeds) as the owner of the principal use, except as provided for in Section 400.2130. In addition, the owner of property used for off-site parking shall be, bound by covenants filed in the office of the St. Louis County Recorder of Deeds requiring such owner, successors, assigns to maintain the required number of off-street parking spaces during the existence of such principal use utilizing the property for parking.

2. Such off-site parking areas shall be located not more than five hundred (500) one thousand (1,000) feet from the nearest primary entrance to the principal building being served, provided the lot, for which off-site parking is to be provided, is not located in a SR (single family) or LR (limited residential) district. a zoning district that permits a parking lot or structure as a principal use of the off-site parking spaces are in a parking structure having at least two hundred (200) parking spaces and a conditional use permit for the off-site parking area is approved by the City Council under the procedure in Article XI, Conditional Uses. The distance between a primary entrance and the off-site parking site shall be calculated using the door of the primary entrance and the nearest point on the property from said entrance on the off-site parking area. In addition, such off-site parking areas shall not be located so as to cause persons to cross an arterial street to get from said parking area to the principal use which it serves unless such off-site parking area is located within five-hundred (500) feet of a signalized intersection. For purposes of this paragraph, arterial streets consist of Delmar, Olive, and Hanley. Such off-site parking areas shall not be located so as to cause persons to cross I-170 to get from said parking area to the principal use which it serves.[Ord. No. 6989 §1, 4-27-2015]

3. Such off-site parking must ensure the route from required ADA accessible spaces in the off-site parking area to the nearest ADA accessible entrance follows an accessible route as defined by the most recent ADA standards.

C. Cross-access between off-street parking areas on adjacent properties shall be subject to review and approval by the Department of Community Development. Execution of a cross-access easement shall be as approved by the Department of Community Development.

[Ord. No. 6989 §1, 4-27-2015]

**Section 400.2070 - Parking For Multiple Use Buildings.**

[R.O. 2011 §34-93.3; Ord. No. 6139 §1(Exh. A (part)), 1997]

The number of parking spaces required for land or buildings used for two (2) or more purposes shall be the sum of the requirements for the various uses, computed in accordance with this Article. Parking facilities for one (1) use shall not be considered as providing the required parking facilities for any other use, except as provided for in Section 400.2130.E of this Article.

**Article 7, Division 4, Section 400.2130**



**Exceptions To The Minimum Off-Street Parking and Loading Space Requirements.**  
[R.O. 2011 §34-94.1; Ord. No. 6139 §1(Exh. A (part)), 1997; Ord. No. 6401 §1(part), 2002]

*A. Parking Exception For The "CC" District.* Division 4 of this Article shall not apply to any re-occupancy or redevelopment of existing buildings or structures, whether or not the new use is similar to the previously permitted use, when located within the "CC" Core Commercial District as indicated on the official Zoning Map of University City. ~~In addition, this exception does not apply to redevelopment of any site located within the "CC" district.~~ For the purposes of this Section, the term "redevelopment" shall mean:

1. The construction of a new building, or
2. An addition to an existing building that increases the gross floor area of that building by more than ten percent (10%) of the original gross floor area.

*B. Exception For Places Of Worship.* On-site parking facilities required for places of worship may be reduced by not more than fifty percent (50%) where such facilities are located in a non-residential district and within five hundred (500) feet of public or private parking lots having sufficient spaces to make up for the reduction. The use of an off-site public parking lot may only be authorized under the conditional use permit procedure (see Article XI). The use of an off-site private parking lot shall comply with Section 400.2010(B)(1), and be subject to the approval of the Zoning Administrator.

~~*C. Exception For Elderly Housing.* The off-street parking requirements, for housing marketed and intended for occupancy by elderly persons, may be reduced to three fourths (0.75) spaces per dwelling unit subject to the conditional use permit procedure (see Article XI) or the planned development procedure (see Article IV, Division 1.1). Approval of such a reduction shall be predicated on reserving an area on the site to accommodate the additional parking, that would otherwise be required, should conversion to conventional housing occur in the future.~~

~~*D-C. Exception For Change Of Use Of Existing Commercial Buildings.* A reduction in the number of required off-street parking and loading spaces for the re-use of a commercial building, existing prior to the effective date of this Chapter, may be authorized under the conditional use permit procedure (see Article XI), subject to the following conditions:~~

1. The reduction shall not exceed twenty-five percent (25%) of the off-street parking space requirements for the proposed use;
2. No reduction shall be made in the amount of existing available off-street parking spaces on-site;
3. The proposed use does not involve an expansion of the building that would result in additional parking or loading space requirements;
4. Notwithstanding compliance with other standards contained in this Article (e.g., setbacks and landscaping), any portion of the site that can be reasonably converted to off-street parking shall be so used to satisfy a portion of the parking requirement; and

5. The reduction shall not result in "spill-over" parking on adjacent or nearby properties. In making its determination, the Plan Commission and City Council shall consider information on the parking and loading demand associated with the proposed use as presented by the applicant and City staff.

~~E-D. Exception Where Public Parking Is Allocated For Use.~~ The City Council may allow a reduction in the number of on-site parking spaces required when the building served by such parking is located within five hundred (500) ~~one thousand (1,000)~~ feet of a public parking facility or lot provided a fee is paid to the City for pro rata share of the cost of constructing and maintaining such facility or lot. [Ord. No. 6989 §1, 4-27-2015]

~~F-E. Exception for Shared Parking Arrangements.~~ Shared parking is an arrangement in which two or more uses with different peak parking periods (hours of operation) use the same off-street parking spaces to meet their off-street parking requirements. Up to 100% of the parking required for one use may be supplied by the off-street parking spaces provided for another use.

1. By conditional use permit, a reduction in the number of parking spaces may be authorized. In issuing a conditional use permit, the City will consider whether the uses:

- a. Are located within 500 (five hundred) feet as the crow flies of the shared parking as measured from the entrance of the use to the nearest point on the property;
- b. Have no substantial conflict in the principal operating hours of the uses for which the sharing of parking is proposed (see shared parking table in Section 400.2130.E.3 as a guide);
- c. Do not adversely affect surrounding neighborhoods;
- d. Do not adversely affect traffic congestion and circulation; and
- e. Have a positive effect on the economic viability or appearance of the project or on the environment.
- f. Relieved spaces or off-site shared parking spots cannot be located within the SR, LR, MR or HR Zoning Districts.

2. Application Requirements for Shared Parking. As a part of the application materials required for a conditional use permit, the applicant seeking shared parking shall submit to the Zoning Administrator the following information as a part of the conditional use permit application:

- a. Proof that the uses of the shared spaces will reflect different peak hours of operation at different times of the day, week, month or year (see shared parking table below);
- b. Proof of the size and types of proposed development or substantial changes, size and type of activities, composition of tenants, rate of turnover for parking spaces, and anticipated peak parking and traffic loads;

c. Proof that the route from required ADA accessible spaces in shared parking area to the nearest ADA accessible entrance follows an accessible route as defined by the most recent ADA standards;

d. An agreement providing for the shared use of parking areas, executed by the parties involved including owners of record, that shall include provisions for maintenance, snow removal, ownership, liability and duration of the agreement, which must be filed with the Department of Community Development in a form approved by the Community Development Director.

3. Shared Parking Table. The following table shall be used to determine peak hours of operation for proposed shared parking. Parking requirements shall be the cumulative requirements of the uses sharing the parking, except where different categories of uses (retail or service, employment, civic, or dwellings) are participating in the sharing agreement and are likely to generate distinctly different times of peak parking demand. Each use should provide a percentage of parking required by these regulations according to the shared parking table below. Whichever time period column requires the highest total parking spaces among the various uses should be the amount of parking provided subject to the shared parking agreement and Plan Commission review. Alternative parking allocations may be approved as a function of the conditional use permit based on industry data or other sufficient evidence and analysis of peak parking demands for specific uses.

Land Use	Percentage of Required Parking Spaces by Period				
	Monday-Thursday Day and Evening		Friday-Sunday Day and Evening		Nighttime
	6 AM to 5 PM	5 PM to 1 AM	6 AM to 5 PM	5 PM to 1 AM	1 AM to 6 AM
<u>EMPLOYMENT</u>	<u>100%</u>	<u>10%</u>	<u>5%</u>	<u>5%</u>	<u>5%</u>
<u>RETAIL OR SERVICE</u>	<u>75%</u>	<u>75%</u>	<u>100%</u>	<u>90%</u>	<u>5%</u>
<u>RESTAURANT</u>	<u>50%</u>	<u>100%</u>	<u>75%</u>	<u>100%</u>	<u>25%</u>
<u>ENTERTAINMENT and RECREATION</u>	<u>30%</u>	<u>100%</u>	<u>75%</u>	<u>100%</u>	<u>5%</u>
<u>PLACE OF WORSHIP*</u>	<u>5%</u>	<u>25%</u>	<u>100%</u>	<u>50%</u>	<u>5%</u>
<u>SCHOOL</u>	<u>100%</u>	<u>10%</u>	<u>10%</u>	<u>10%</u>	<u>5%</u>
<u>DWELLING</u>	<u>25%</u>	<u>90%</u>	<u>50%</u>	<u>90%</u>	<u>100%</u>
<u>LODGING</u>	<u>50%</u>	<u>90%</u>	<u>75%</u>	<u>100%</u>	<u>100%</u>

\*Place of Worship parking needs will be considered on a case by case basis as different faiths gather at different days and times during the week.

4. Duration of agreement. Shared parking privileges will continue in effect only as long as the agreement, binding on all parties, remains in force. Agreements must guarantee long-term availability of the parking, commensurate with the use served by the parking.

5. Recording of Agreement. The agreements must be recorded with the County Recorder. If the uses of either party changes, the CUP is no longer valid unless the Zoning Administrator authorizes the new uses and determines there is compliance with the shared parking table (Section 400.2130.E.3). If a shared parking agreement lapses or is no longer valid, then parking must be provided as otherwise required by this article.

6. Revocation of permits. Failure to comply with the shared parking provisions of the shared parking plan shall constitute a violation of the Zoning Code and shall be cause for revocation of a certificate of zoning compliance and/or building permit.

~~F. Exception For Multi-Tenant Commercial Buildings.~~ The off-street parking requirements may be reduced for uses located in multi-tenant commercial buildings, subject to the following conditions: [Ord. No. 6989 §1, 4-27-2015]

- ~~1. The reduction shall not exceed twenty percent (20%) for uses in multi-tenant commercial buildings with a minimum of three (3) tenants.~~
- ~~2. The reduction shall not exceed fifteen percent (15%) for uses in commercial buildings with two (2) tenants.~~

~~G. Exception Based On Peak Hours Of Operation.~~ The off-street parking requirements may be reduced by an additional ten percent (10%) for a commercial use in a multi-tenant building/development when the peak hours of operation for said commercial use allows for shared use with other tenants or uses in said building/development. The reduction shall be subject to review and approval by the Department of Community Development. [Ord. No. 6989 §1, 4-27-2015]

~~H. F. Exception For Uses Located Near Transit Stations and Stops.~~ For uses located within five hundred (500) one thousand (1,000) feet of a public transit station or stop, the off-street parking requirements may be reduced by ten fifteen percent (15% 10%). The Loop Trolley stops and stations shall not be included in this exception. [Ord. No. 6989 §1, 4-27-2015]

~~I. Exception For Uses Located Near Transit Stops.~~ For uses located within five hundred (500) feet of a public transit stop, the off-street parking requirements may be reduced by ten percent (10%). [Ord. No. 6989 §1, 4-27-2015]

~~J.~~ The parking requirements shall be reduced by one (1) vehicle parking space for each five (5) bicycle parking spaces provided with a maximum reduction of three (3) vehicle parking spaces. [Ord. No. 6989 §1, 4-27-2015]

#### **Section 400.2140**

##### **A. Schedule of Off-Street Vehicle Parking Space Requirements.**

[R.O. 2011 §34-94.2; Ord. No. 6139 §1(Exh. A (part)), 1997; Ord. No. 6158 §1, 1998; Ord. No. 6989 §1, 4-27-2015]

USE	MINIMUM PARKING REQUIREMENTS
Amusement centers (indoor)	1 space for each 50 square feet devoted to amusement devices, virtual reality games, restaurants and bar areas
Amusement centers (outdoor)	1 space for each 200 square feet of enclosed building space devoted to customer service and administration; plus 1 space for every 3 persons that the outdoor facilities are designed to accommodate when used to the maximum capacity
Animal hospitals, and veterinary clinics, boarding facilities, and grooming facilities	1 space for each 200 square feet of floor area
Animal boarding facilities	1 space per 400 square feet of floor area, but not less than 3 spaces
Appliance stores	(see Furniture and appliance stores)
Art galleries and studios	1 space for each 500 square feet of floor area
Auditoriums	(see Places of public assembly)
Automobile and truck sales, rental, and leasing	1 space for each 400 square feet of floor area of sales and showroom area
Banks and other financial institutions	1 space for each 200-250 square feet of floor area (see also drive-through facilities)
Banquet centers and reception halls	(see Places of public assembly)
Barber and beauty shops and/or nail salons or spas (as a principal use)	3-2 spaces for each haircut or styling station, nail station, or massage room
Bars and taverns	(see Restaurants, bars, and taverns)
Billiard parlors	(see Amusement centers, indoor)
Bingo halls	(see Places of public assembly)
Bowling alleys	(see Sports and recreation facilities)
Car wash, full-service (as a principal use, with or without automated washing equipment)	8 spaces; plus 10 stacking spaces for each washing bay
Car wash, full-service (as an accessory use, with or without automated washing equipment)	3 stacking spaces for each washing bay
Car wash, self-service	4 stacking spaces for each washing bay; plus 1 parking space per washing bay for drying vehicles; plus 2 stacking spaces for each vacuuming station which is separated from the stacking lanes to the washing bays
Churches or synagogues	(see Places of worship)
Clubs and lodges	1 space for every 3 persons based on design occupancy load per the University City Building Code

Convalescent and nursing homes	1 space for every 3 patients based on designed maximum capacity
<u>Convenience stores</u>	<u>(see Grocery store)</u>
Day care centers	1 space for every 5 individuals cared for as authorized by State licensing
<del>Dentists</del>	<del>(see Office, medical and dental)</del>
<del>Doctors</del>	<del>(see Office, medical and dental)</del>
Dormitories	2 spaces for every 3 beds based on the designed maximum capacity
Drive-through facilities (except as otherwise specified in this Section)	5 stacking spaces for each customer service station, including drive-up service windows, drive-up automated teller machines (ATM), drive-up banking service lanes, but not including drive-up public telephones. Parking circulation aisles shall not be utilized to satisfy this requirement.
Dwellings, <del>apartments</del> multi-family (including elevator, garden, and town house <del>buildings</del> <u>apartments</u> )	<del>1.5</del> 1.5 spaces for each dwelling unit, except that <del>2</del> <u>1.5</u> spaces shall be provided for each dwelling unit containing 2 or more bedrooms; plus visitor parking for <del>apartment</del> dwellings with 6 or more dwelling units, at the rate of 1 parking space for each <del>5</del> dwelling units or fraction thereof for the first 30 dwelling units and 1 space for each additional 20 dwelling units
Dwellings, single-family (including attached single-family, detached single-family, and patio dwellings)	2 spaces for each dwelling unit
Dwellings, two-family	2 spaces for each dwelling unit, except that 1.5 spaces may be provided for each dwelling unit in unified developments containing at least 8 two-family or attached single-family dwellings and subject to approval under the "Planned Development" procedure
<del>Fraternities or sororities</del>	<del>1 space for each bed based on the designed maximum capacity</del>
Funeral homes or mortuaries	1 space for each 75 square feet of parlor or chapel area or 1 space for every 5 fixed seats, whichever is greater, but no less than 20 spaces for each parlor or chapel
Furniture or appliance stores	1 space for each 400 square feet of floor area

Gasoline stations	2 spaces; Gasoline stations offering other retail goods for sale, in enclosed space accessible by the customer, shall also comply with the parking requirements for convenience stores. Gasoline stations providing vehicle repair or maintenance services shall also comply with the parking requirements for vehicle repair or service facilities. Gasoline station having accessory car wash facilities shall provide vehicle stacking spaces in accordance with car wash, full service
Gymnasiums	(see Sports and recreation facilities and Places of public assembly)
Hotels or motels	1.1 spaces for every rental unit; plus spaces as required herein for affiliated uses such as restaurants, meeting rooms or banquet facilities
Kennels	(see Animal boarding facilities)
Laundromats, self-service	1 space for each <del>200</del> 250 square feet
Manufacturing, warehousing and wholesale uses	1 space for each 1,000 square feet of floor area or 2 spaces for every 3 employees, whichever is greater; plus 1 space for each vehicle customarily used in the operation of the use or stored on the premises; plus spaces as required herein for affiliated uses such as office or retail sales area
Mini-warehousing	(see Warehousing, self-storage)
Mortuaries	(see Funeral homes or mortuaries)
Movie theaters	(see Places of public assembly)
Nursing homes	(see Convalescent and nursing homes)
Offices, other than dental and medical offices, or offices associated with banking or other financial institutions	1 space for each <del>300</del> 400 square feet of floor area, including the basement if used or adaptable to office use
Offices, dental and medical (including outpatient medical clinics, surgery centers, MRI centers, chiropractor offices, and similar uses)	1 space for each <del>200</del> 250 square feet of floor area, including the basement if used or adaptable to office use
Places of public assembly (including auditoriums, banquet halls, gymnasiums with spectator seating, meeting rooms, reception halls, sports facilities with spectator seating, theaters, and similar uses)	1 space for every 3.5 seats in the main assembly room (1 seat equals 2 feet of bench length); or where no fixed seating is provided, 1 space for each 50 square feet of floor area, exclusive of kitchen, restrooms and storage areas; plus spaces as required herein for affiliated uses
Places of worship	1 space for every 3.5 seats in the main assembly room (1 seat equals 2 feet of bench length)
Plumbing, heating, and air-conditioning equipment sales or service	1 space for each 300 square feet of floor area devoted to sales area; plus 1 space for each vehicle customarily used in the operation of the use or stored on the premises
Residential uses	(see Dwelling)
Restaurants, bars, and taverns	1 space for each 75 square feet of <u>gross floor area (GFA)</u> , exclusive of kitchen, restrooms and storage areas

Restaurants, providing drive-through service only	<del>8</del> 5 stacking spaces for each service window; plus 2 spaces for each customer service window
Restaurants, providing carry-out service only	1 space for each 200 square feet of floor area
Retail stores, <u>retail specialty shops, grocery, and commercial retail</u> service establishments not elsewhere specified in this Section	1 space for each <del>200</del> <u>250</u> square feet of floor area; <del>for retail uses greater than 10,000 square feet — 1 space for each 350 square feet of floor area</del>
Schools, elementary, junior high, and middle schools (public or private)	1 space for every 20 students based on building design capacity
Schools, high schools	1 space for every 7 students based on building design capacity
Schools, business, professional, or technical schools	1 space for every 3 students based on program capacity
<u>Senior living facilities</u>	<u>0.75 spaces per dwelling unit</u>
Sororities	(see Fraternities or sororities)
Sports and recreational facilities:	
Bowling alleys	5 spaces for each bowling lane; plus spaces otherwise required for any additional uses such as restaurants, bars, and indoor amusement centers
Gymnasiums <u>without spectator seating</u>	1 space for each 100 square feet of floor area (not applicable to gymnasiums associated with schools); <del>plus spaces otherwise required for spectator seating</del>
Ice and roller skating rinks	1 space for each 100 square feet of skating area; plus spaces otherwise required for spectator seating
Racquet sport courts, including handball, racquetball, squash, and tennis courts	3 spaces for each court; plus spaces otherwise required for spectator seating
Recreation centers, general purpose	1 space for each 300 square feet of floor area
Swimming pools	1 space for each 75 square feet of pool area, including patio areas; plus spaces otherwise required for spectator seating
Vehicle repair or service facilities	4 spaces for each service/repair bay or station; plus 1 space for each vehicle customarily used in the operation of the use or stored on the premises



Warehousing, self-service storage	5 spaces for the first 5,000 square feet of storage area; plus 1 space for each additional 5,000 square feet of storage area
Wholesale establishments	(see Manufacturing, warehousing and wholesale uses)

**400.2145. Off-Street Bicycle Parking Requirements.**

**A. Schedule of Off-Street Bicycle Parking Requirements.** Bicycle racks shall be provided in accordance with the following tables. When calculating the minimum number of bicycle racks required results in a fractional number, a fraction more than one half (½) shall be rounded to the next highest whole number:

**1. Residential**

<b>Number of Dwelling Units</b>	<b>Required Number of Minimum Bicycle Parking Racks</b>
Eight (8) units or less	0
More than eight (8) units	One (1) per four (4) dwelling units

**2. Non-Residential**

<b>Number of Vehicle Parking Spaces Required Per Article VII</b>	<b>Required Number of Minimum Bicycle Parking Racks</b>
Ten (10) spaces or less	0
More than ten (10) spaces	One (1) per five (5) parking spaces

**3. Industrial and Hotel/Motel**

<b>Number of Vehicle Parking Spaces Required Per Article VII</b>	<b>Required Number of Minimum Bicycle Parking Racks</b>
Ten (10) spaces or less	0
More than ten (10) spaces	One (1) per ten (10) parking spaces

**B. Bicycle Rack Construction Requirements.**

1. Bicycle racks shall be made of steel tubing one (1) inch to four (4) inches thick, containing two (2) locking points between one (1) feet and three (3) feet off the ground and a gap near the bottom for pedal clearance, enabling one to lock a bicycle frame and one of the wheels with a standard U-Lock.

2. A bicycle rack must be able to accommodate two (2) bicycles in an upright position. Bicycle racks that support the wheel but not the frame of the bike shall not be used to fulfill a bicycle parking requirement.

3. All creative design racks shall be capable of securing two (2) standard bicycles. The creative design rack shall provide a minimum of two points of contact with the bicycle. The design of a creative rack, including the installation details, shall be reviewed and approved by the Building Commissioner.

4. All bicycle racks shall be securely anchored to the ground or building structure.

### **C. Bicycle Rack Site Requirements.**

1. Bicycle racks installed pursuant to and required under this section shall be installed on private property. Bicycle racks installed in public streets or alleys require separate approval from the Public Works Department and shall not be used to fulfill a bicycle rack site requirement.

2. Bicycle racks shall be at least three (3) feet from any curb, so as not to impede ingress and egress to and from parked vehicles.

3. Bicycle racks shall be at least two (2) feet from the nearest building. Bicycle racks, including attached bikes, shall allow at least five (5) feet of American Disabilities Act compliant clearance on one or both sides of the rack.

4. Bicycle racks shall be at least two (2) feet from other objects, including but not limited to utility vaults, fire hydrants, and streetlights.

5. Bicycle racks shall be at least five (5) feet from curb cuts and accessibility ramps.

6. Bicycle racks, including attached bicycle, shall maintain a minimum four (4) feet of unobstructed walkway for pedestrian traffic at all times.

7. Bicycle racks shall not be located directly in front of an exit or entrance of a building.

8. Bicycle racks shall be located in well-lighted, highly visible areas to minimize theft and vandalism.

9. Bicycle racks shall be located no further from the building than the nearest automobile spaces, other than those spaces for persons with disabilities.

10. Safe and convenient means of ingress and egress to bicycle parking facilities shall be provided.

11. Bicycle racks, including attached bikes, shall not interfere with accessible paths of travel or accessible parking as required by the Americans with Disabilities Act of 1990, as amended.

12. When a bicycle rack is installed adjacent to another bicycle rack it shall be oriented to maximize the use of both.

13. Bicycle parking spaces adjacent to automobile parking shall be located so as to protect bicycles from damage.

14. In cases where bicycle parking spaces are not visible from the primary street, signage shall be used to direct cyclists safely to the bicycle parking spaces.

15. In parking lots and parking garages, physical barriers, such as posts or bollards, shall be provided so as to prevent a motor vehicle from striking a parked bicycle.

**Section 2.** This ordinance shall not be construed to so as to relieve any person, firm or corporation from any penalty heretofore incurred by the violation of said Sections mentioned above, nor bar the prosecution for any such violation.

**Section 3.** Any person, firm or corporation violating any of the provisions of this ordinance, shall upon conviction thereof, be subject to the penalty provided in Title 1 Chapter 1.12.010 of the Municipal Code of the City of University City.

**Section 4.** This ordinance shall take effect and be in force from and after its passage as provided by law.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
MAYOR

ATTEST:

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

CERTIFIED TO BE CORRECT AS TO FORM:

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





## Council Agenda Item Cover

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**MEETING DATE:** March 25, 2019

**AGENDA ITEM TITLE:** 300 Block of Williams Avenue – Residential Permit Parking Area

**AGENDA SECTION:** New Business

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

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### **BACKGROUND REVIEW:**

The Traffic Commission reviewed a petition to create a Residential Permit Parking Area in the 300 Block of Williams Avenue, between Pershing Ave and Forest Park Parkway.

According to the Municipal Code Section 355.030 Residential Parking Permit Plan, parking on public streets within residential neighborhoods may be restricted to the residents along not more than three (3) blocks of a street if the street is within two (2) blocks of Washington University or another municipality's boundary and if the problems caused by non-resident parking on the block are chronic and well documented.

The petition submitted by property owners at 7100 Pershing Avenue documents the parking problems on both sides of the 300 block of Williams Ave, and requests to restrict parking for residents on the both sides of the block.

The signatures in the petition exceeded the minimum requirement. The petition was signed by 100% of the affected households. Restricted hours are not to exceed twelve (12) hours daily. Proposed hours are from 8 am to 8 pm, Monday through Friday.

The Traffic Commission reviewed this request at their December 12, 2018 meeting and recommended approval of this petition to alleviate a reoccurring parking problem existing in this residential arterial road within University City by the City Council.

**RECOMMENDATION:** City Manager recommends that the City Council approve the request based on the parking issues documented and submitted to the City through the petition attached, and complies with the requirements outlined on the University City Municipal Code section 355.030; thus amending the Traffic Code Schedule III-D Residential Permit Parking Areas to add both sides of Kingsbury Boulevard., between Big Bend Blvd and Williams Ave.

### **Attachments:**

- Bill amending Schedule III-D Residential Permit Parking Areas
- Staff Report
- Petition submitted affected property owners of the 7100 block of Pershing Avenue Boulevard

INTRODUCED BY:

DATE:

BILL NO:

ORDINANCE NO.

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

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

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

**Section 2.** Schedule III of the University City Municipal Code is hereby amended to add both sides of Williams Avenue from Pershing Avenue to Forest Park Parkway where the City has designated as a Residential Permit Parking Area, to be edited to the Traffic Code as the "Schedule" – Schedule III, as follows:

**Traffic Schedules**

**Schedule III: Parking Restrictions**

**Table III-D Residential Permit Parking Areas**

The following areas are "Residential Permit Parking Areas" and are regulated as set forth in section 355.030 of this Code:

Street	Block	Scope
Williams	300	Both Sides

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

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

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

PASSED THIS \_\_\_\_\_ day of \_\_\_\_\_ 2019

\_\_\_\_\_  
MAYOR

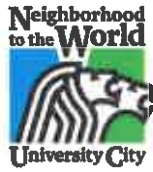
ATTEST:

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

CERTIFIED TO BE CORRECT AS TO FORM:

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

DRAFT



**Department of Public Works and Parks**

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

**STAFF REPORT**

**MEETING DATE:** December 12, 2018  
**APPLICANT:** Greg and Rebekah Murphy – 7100 Pershing  
**Location:** Williams Ave - Between Pershing and Forest FPPW  
**Request:** Residential Parking Permit request  
**Attachments:** Traffic Request Form

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**Existing Conditions:**

Williams Avenue



Williams Avenue between Pershing Avenue and FPPW has no parking restrictions. Both sides are available for parking.

The street is within two blocks of Washington University or another municipality's boundary and the problems caused by nonresident parking\* on the block are chronic and well-documented.

The street is within one (1) block from both a municipal boundary and Washington University, thus is eligible for a Residential Parking Permit system.

**Request:**

Implement a Residential Parking Permit System on Williams Avenue between Pershing and FPPW on both sides of the street.

**Conclusion/Recommendation:**

It is recommended that the Traffic Commission determines the list of affected households for a petition to implement the residential parking permit system.



RESIDENTIAL PARKING PERMIT PETITION

TO: UNIVERSITY CITY- TRAFFIC COMMISSION

PROBLEMS CAUSED BY NON-RESIDENT PARKING (PROBLEMS SHOULD BE CHRONIC AND WELL DOCUMENTED). USE ADDITIONAL PAGE IF NECESSARY

Since the beginning of the academic year at Washington University, students and employees have begun parking on Williams Avenue between Forest Park Parkway and Pershing Ave. They leave trash in the street and alley along Forest Park Parkway, where they walk to the Washington University campus. The property owners would like to protect the values of their homes

SPECIFIC AREA REQUESTED TO BE RESTRICTED:

All of Williams Ave. from Forest Park Parkway to Pershing Ave.

REQUESTED RESTRICTED TIME PERIOD (SHALL NOT EXCEED 9 HOURS DAILY):

10:00 a.m. to 7:00 p.m.

NOTE:

THIS PETITION SHOULD BE SIGNED BY AT LEAST SEVENTY-FIVE (75%) PERCENT OF THE PROPERTY OWNERS ADJACENT TO THE BLOCK OF THE PUBLIC STREET INVOLVED.

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

NAME: Greg & Rebekah Murphy

ADDRESS: 7100 Pershing Ave., University City, MO 63130

PHONE (HOME): 314-705-7456      PHONE (WORK): 314-854-8689

Date: 9/25/18




Please return completed to Angelica Gutierrez, Secretary of the Traffic Commission, at the Public Works Department, 3<sup>rd</sup> floor of the City Hall, located at 6801 Delmar Blvd, University City, MO 63130. Phone: (314) 862-6767, ext. 8568 Fax: (314) 862-0694

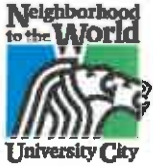
**PETITION FOR RESIDENTIAL PARKING PERMIT**

**Blocks: One Block between Forest Park Parkway and Pershing Ave.**

**Name of Street: Williams**

**Hours restricted: 9:00 a.m. to 6:00 p.m.**

NAME (PRINTED)	SIGNATURE	ADDRESS
GREG MURPHY		7100 Pershing
		<del>7100 Pershing</del>
Kevin Buchek		7066 Pershing
Christina Buchek		7066 Pershing



## **Green Practices Commission**

6801 Delmar Boulevard, University City, Missouri 63130, Phone: (314) 862-6767, Fax: (314) 863-9146

**Meeting Minutes – University City Green Practices Commission**

**January 10, 2019**

**Location: Heman Park Community Center**

**Attendees Present:** John Solodar (Chairperson), Barbara Brain, Mary Gorman, Timothy Dugan, Liz Essman, Jonathan Stitelman, Tim Cusick (Council Liaison), Jenny Wendt (Staff Liaison).

**Attendees Absent:** Adam Staudt

1. **Meeting called to order, Roll Call 5:34pm**
2. **Opening Round: No Comments**
3. **Approval of Minutes**
  - a. **11/08/18 Green Practices Commission Meeting Minutes were approved.**
4. **Special Presentations**
  - a. **Public Comments: None**
5. **New Business**
  - a. **SWMD municipal grant approval – additional drop-offs for glass and mixed paper**
    1. **Container Options – Commission discussed collection container options: Large 30 cubic yard containers at 1 location or smaller containers at multiple locations.**
    2. **Location Options – Commission discussed optional locations for the drop-off containers. Preferrably in the western side of the City to balance the current location. Several locations were suggested, Jenny will research these further.**
  - b. **SWMD grant application – MRF analysis: A grant application was submitted to analyze the former recycling processing area located at the Maintenance Facility.**
6. **Old Business**
  - a. **Mayors for Solar Cities – Solar project update: The Green Practices Commission fully endorsed the signing of the Statement of Support for Solar Energy. Jenny will bring this to the Administration to request approval of this initiative by the City Manager and City Council.**
  - b. **Sustainable Practices Guidelines (Developmental Green Practices): Stormwater Task Force, and Plan and Traffic Commission have reviewed the Sustainable Practices Guidelines. When the new Community Development Director comes on board, Jenny will meet with him to discuss our next action.**

- c. Recycling update: Jenny provided an update on the regional recycling. All St. Louis County municipalities with the exception of Wildwood are continuing with single stream. Wildwood my move to dual stream. St. Charles County municipalities are proceeding in various ways. Commission discussed various ways to communicate recycling information.

6. Commission Reports

- a. Council Liaison Update: Tim Cusick – City working to finish the details in the TIF agreement.

McKnight and Delmar construction should be completed soon.

St. Louis County working on North and South – resurfacing, fixing potholes, etc., moving quickly, should be completed soon.

Trolley LLC. – 3<sup>rd</sup> trolley car is being refurbished and will be brought to U City soon.

Budget process is starting soon – The City needs to set the pace for solar projects and put solar projects in the budget.

7. Closing Round

Jonathan Stitleman suggested a bumper sticker regarding solar – for example “If it’s sunny we’re making money”

Jon Solodar indicated that Isreal has solar powered water tanks on many buildings. Isreal also has a good payback on private properties selling back unused energy to the grid.

Barb discussed duct cleaning and a process called “aeroseal” which lines the ducts and increases energy efficiency of the HVAC.

8. Adjournment at 6:39 pm