

MEETING OF THE CITY COUNCIL  
CITY HALL, Fifth Floor  
6801 Delmar Blvd.  
University City, Missouri 63130  
**Monday, May 13, 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, May 13, 2019, Mayor Pro Tem Paulette Carr called the meeting to order at 6:30 p.m.

**B. ROLL CALL**

In addition to the Mayor Pro Tem, the following members of Council were present:

Councilmember Stacy Clay  
Councilmember Steven McMahon  
Councilmember Jeffrey Hales  
Councilmember Tim Cusick  
Councilmember Bwayne Smotherson  
Mayor Terry Crow (*Excused*)

Also in attendance were City Manager, Gregory Rose, and City Attorney, John F. Mulligan, Jr.

**C. APPROVAL OF AGENDA**

City Manager Rose requested the City Managers Report, item "K", be moved up and placed after the Swearing in to Boards and Commissions, item "G".

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

**D. PROCLAMATIONS**

1. Celebrating the 58<sup>th</sup> season of the University City Symphony Orchestra and recognizing this year's competition co-winners Anthony Kandilaroff and Theo Bockhorst.
2. Recognizing May 23<sup>rd</sup> as University City High School Key Club Day.

**E. APPROVAL OF MINUTES**

1. April 22, 2019 Regular session minutes – were moved by Councilmember McMahon, it was seconded by Councilmember Clay and the motion carried unanimously.

**F. APPOINTMENTS TO BOARDS & COMMISSIONS**

1. James Redd is nominated to the Park Commission replacing Steve Goldstein's expired term (1/21/2019) by Councilmember Tim Cusick. It was seconded by Councilmember McMahon and the motion carried unanimously.

Councilmember Cusick thanked Mr. Goldstein for his service.

2. Barry Nelson is nominated to the Board of Appeals replacing David Havens' unexpired term (8/1/2022) by Councilmember Paulette Carr. It was seconded by Councilmember Hales and the motion carried unanimously.

In compliance with the approved amended agenda, the City Managers Report was moved up to this section of the agenda.

Mr. Rose stated that he believed some residents from the RPA-1 area were present at the meeting who might be wondering why the Olive and I-170 Redevelopment project item is not on the agenda. He stated that earlier that he received a signed amended redevelopment agreement from Novus Development and in order to comply with State Sunshine laws and to ensure that we are above reproach as it relates to public scrutiny of the proposed agreement; it is not on tonight's agenda. He stated his intention is to place the item on the May 28<sup>th</sup> Council Agenda for introduction, and then to recommend approval of the agreement and the five related bills as a part of the June 10<sup>th</sup> Council Agenda. He plans to make the agreement available to public later in the week.

Mr. Rose stated that everyone is saddened that the Fair U City organizers decided to cancel the fair for this calendar year, and by all the mis-information circulating about what led to the cancellation. He went on to say he wanted to be clear relative to staff's involvement with this matter and the proposal that was offered to Fair U City. He highlighted a few important dates:

- February 13 – Staff began meeting with representatives from Fair U City to outline the City's expectations and to advise them that they needed to present their proposal to the Parks and Recreation commission.
- February 26 – Staff followed up with an email to the Fair U City representatives about the meeting that was to occur on March 19<sup>th</sup>.
- March 19 – The Park Commission met and had a brief discussion regarding Fair U City, but there were no representatives present from Fair U City. Representatives did attend the meeting in April, where they presented the information to the Parks Commission.
- May 1 – Staff scheduled another meeting with representatives from Fair U City, but again no representative attended.

There has been some discussion regarding the terms of the agreement; to ensure that everyone understands what the City's request was in the proposed agreement. Fair U City would be required to:

1. Provide Insurance
2. Obtain the proper permits
3. Provide a refundable deposit of \$5,459.00

The City stated that before any scholarships were given, the costs that the City would initially absorb for City services, which are \$16,614.00, would be paid back to the City. Another issue was the use of the park; it's the same structure, which is before any scholarships are given, Fair U City must pay for the use of the City Park. The City would absorb all of these costs initially. If after five years, Fair U City could not reimburse the City for the costs previously listed, Mr. Rose would recommend that all of the cost be waived. The central issue is to ensure that taxpayers' funds that will be used cannot be described as a pass through.

Therefore we need to ensure that the City is recouping all of the taxpayer's funds prior to any scholarships being awarded.

At no time did any staff member disrespect in any manner a representative of Fair U City during our discussions, nor will we in the future. As many of you are aware, Respect is one of the core values that define how we will behave towards Council, residents, stakeholders, and each other. On May 9, 2019 it was the consensus of Council that I pursue bringing a fair to University City in 2020. We have been given 90-100 days to provide the Mayor and Council with our initial report on this event.

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

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

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

Mr. Johnson stated that he wanted to discuss economic development. The Rex Sinquefield plan for a City Council financial dictatorship is beginning to crumble. The polling found the out of state was more against the plan than those in state. It seems the City/County residents want to Sinquefield out and want to save their local governments. He stated that former mayor of Clayton is touting a plan B. The only difference between plan A (Sinquefield) and plan B (Freeholders) is that it will allow only City/County voters to vote. Plan B will adopt key parts of Plan A. An article in the April 27, 2019 Post-Dispatch reported that the St. Louis Regional Convention and Sport Complex Authority, paid 4 million dollars in legal fees to keep the RAMS in St. Louis and spent \$16 million to create plans for a riverfront stadium. It gave luxury suites, parking spaces, advertising, naming rights and more to keep the RAMS in St. Louis. Gave them a one dollar option to buy land worth \$12 million and spend \$300 million on the former Trans World Dome. Plus they spent an additional two hundred ninety-five thousand in more legal fees. City/County taxpayers pay \$24 million dollars a year to pay for this. This is not shady dealings, corruption, sweat heart or insiders deal, fraud, guard larceny or swindling. In the new world of Rex Sinquefield it is called economic development. According to the Post-Dispatch, the \$24 million dollars a year is actually to pay off the total bond debt; once estimated at \$720 million dollars. Whatever Plan B is; we know that it will be 1) a huge bond scheme fueled by sales taxes and service cuts; 2) a City bond bail out and 3) an abolishment of local government.

**Aren Ginsberg, 430 W Point Ct, University City, MO**

Ms. Ginsberg stated that she was there to address Mr. Tom Sullivan. She stated that she appreciated the work Mr. Sullivan did many years as a citizen advocate. She stated she questioned his recent campaigns; she has never heard him criticize the people profiting from putting off the economic losses in the 3<sup>rd</sup> Ward. She stated he is trying to stop U City from generating \$15 million in new funding to invest in the community. She has never heard criticism of the right-winged mega donor Rex Sinquefield's nor his many democratic attempts to reshape Missouri's laws. Instead you passed out his talking points from the Sinquefield's Show Me Institute at the TIF hearings. Ms. Ginsberg stated she has asked Mr. Sullivan how much Mr. Sinquefield is paying him? She stated Mr. Sullivan has filed ethics complaints against the U City Public Library and has accused the school district officials of lying and cheating. Why target institutions that benefit the most vulnerable neighbors? Libraries and schools rely on taxes to serve the public good, and billionaires like Rex Sinquefield hire advertisers to keep from paying their fair share.

**Jonathan Browne, 20 Allen Ave, Webster Groves, MO**

Mr. Browne stated that in light of Mr. Rose's comments about moving the redevelopment item to the May 28<sup>th</sup> agenda; he would hold off making his comments until that time.

**Jerry Boone, 8625 Elmore Ct., University City, MO**

Mr. Boone stated that he is in favor of the redevelopment project and would like to see it go through. He stated he is an electrical engineer for the federal government; he handles the tristate area and war zones in other countries. He stated that he installed shot caller equipment in different cities across the United States. He stated that he reviewed data and correlations from other projects like Camden NJ and Memphis and found they had similar projects to the proposed development here in U City. Their area was smaller but the project resulted in increased revenues, more police officers were hired, more jobs were created and the community was better. He stated the decision is taking too long and he would like to see the decision made to get the project going.

**Jerrold Tiers, 7435 Chamberlain, University City, MO**

Mr. Tiers stated he appreciates that work has been happening behind the scene regarding the redevelopment project. He stated that he has concerns about the rampant crime problem in U City. The real issue is about what other people think our crime issue is. He stated that he and his wife have run into people who are afraid to come to the Loop or even to U City because they are afraid of being robbed. Some people are convinced that it is a very dangerous area; however, he does not believe this is true. Mr. Tiers stated that he knows we have crime and some drug houses, but he does not think we have rampant crime. We should be concerned about how people around the St. Louis area view our crime situation. We should market ourselves better to advertise safety. The Loop, Olive Street or U City in general cannot afford this perception of the area being unsafe and dangerous. What is the City going to do to fix this bad reputation?

**I. PUBLIC HEARINGS**

**1. Liquor License – Neighbor Pharmacy LLC**

Mayor Pro Tem Carr opened the Public Hearing at 6:54 p.m.; and hearing no request to speak the hearing was closed at 6:54 p.m.

**2. Liquor License – Fox Fire Restaurant and Bar**

Mayor Pro Tem Carr opened the Public Hearing at 6:55 p.m.; and hearing no request to speak the hearing was closed at 6:55 p.m.

**3. Liquor License – Dollar General**

Mayor Pro Tem Carr opened the Public Hearing at 6:55 p.m.; and hearing no request to speak the hearing was closed at 6:55 p.m.

**J. CONSENT AGENDA – Vote Required**

1. Awning Replacement
2. Liquor License – Neighbor Pharmacy LLC
3. Liquor License – Fox Fire Restaurant and Bar
4. Liquor License – Dollar General

Councilmember Smotherson moved to approve all four items, it was seconded by Councilmember Hales and the motion carried unanimously.

**K. CITY MANAGER'S REPORT**

This section was moved up and presented after section F.

## L. UNFINISHED BUSINESS

## M. NEW BUSINESS

### RESOLUTIONS

*Introduced by Councilmember McMahan*

1. **Resolution 2019-5** – Adopting the University City Sustainable Development Guidelines. The motion was seconded by Councilmember Smotherson and carried unanimously.

*Introduced by Councilmember Clay*

2. **Resolution 2019-6** – Approving a Right-of-Way Use Agreement and Settlement with Level 3 Communications, LLC. The motion was seconded by Councilmember Hales.

Councilmember Cusick asked for confirmation that agreement called for a one-time payment of \$500 thousand dollars to University City for the previous right-of-way uses?

Mr. Rose thanked and commended City Attorney John F. Mulligan and Special Counsel Dan Vogel for the job in negotiating this agreement.

Mr. Mulligan confirmed the \$500 thousand payment for previous use of the rights-of-way through May 31, 2019.

Councilmember Cusick stated that there had been other settlements to collect money from other utility companies that had been left on the table in previous years and asked what that total was?

Mr. Mulligan stated the amount collected, including this Level 3 agreement, is a total of \$1 million, 567 thousand; and approximately \$145 thousand per year going forward.

Councilmember Hales thanked Mr. Rose and Mr. Mulligan for all their work to recover these funds.

### BILLS

*Introduced by Councilmember McMahan*

3. **BILL 9385** – AN ORDINANCE AMENDING CHAPTER 400 OF THE MUNICIPAL CODE OF THE CITY OF UNIVERSITY CITY, RELATING TO ZONING, BY AMENDING SECTIONS 400.030; 400.510; 400.570; 400.620; 400.630 AND ADDING DIVISION 15 TO ARTICLE V OF CHAPTER 400 (ZONING CODE) THEREOF, RELATING TO MEDICAL MARIJUANA REGULATIONS; CONTAINING A SAVINGS CLAUSE AND PROVIDING A PENALTY. Bill Number 9385 was read for the first time.

*Introduced by Councilmember Smotherson*

4. **BILL 9386** – AN ORDINANCE AMENDING SCHEDULE III, TABLE III-B OF THE TRAFFIC CODE RELATING TO TWO-HOUR PARKING ZONES. (7300 Forsyth Blvd.) Bill Number 9386 was read for the first time.

## N. COUNCIL REPORTS/BUSINESS

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

Councilmember Hales congratulated James Crowe, the City Forester, on his retirement. The Parks and Recreation director is actively looking to fill that position. The Urban Forestry

Commission has been working on an educational piece and they are working with the Communications Director to provide information on the importance of trees in the community and the benefits that they provide. He stated that the residents on both the Traffic and Urban Forestry commission are terrific.

Councilmember Clay stated that the senior event held last week was delightful, lots of good information for seniors and anyone in the community. There was good entertainment; including tap dancers and a ukulele band.

Mayor Pro Tem Carr reported that the Plan Commission had approved and recommended the Ordinance presented earlier on medical marijuana. The Storm Water taskforce has come up with a model for early warning; collecting the rain fall and then predicting the flooding of the river. The model has been tested a couple of times, and they are close to writing their reports.

3. Boards, Commissions, and Task Force minutes
4. Other Discussions/Business

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

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

Mr. Sullivan stated he was tired of replying to Aren Ginsberg. He stated he has nothing to do with Rex Sinquefield; he copied an article written by the Show Me Institute, which does not make him part of Mr. Sinquefield's the payroll. He has never received any checks from Mr. Sinquefield. He stated he has raised issues regarding the U City schools; they are some of the worst in this area. He stated on average the black students are 3.8 grades behind the white students.

The Library had a proposal on the ballot, friends of the library had signs all over, and they distributed materials that did not include who paid for it. They did not file a single report as required by campaign finance disclosure.

## **P. COUNCIL COMMENTS**

Councilmember McMahon noted that Mayor Crow was absent and he wanted to congratulate all the University City students who are graduating tonight.

Councilmember Hales thanked Mr. Tiers for his comments about the Loop. He has also had similar conversations with Mr. Rose. A couple of months ago during a LSBD meeting the subject was discussed; the optics and perception of the Loop. He feels it is very safe; he doesn't hesitate to go there for dinner. The issue of changing or correcting the perception is being looked at.

Mr. Hales stated that some residents have received their property tax assessment letters and one resident's assessed value has almost tripled. On his block he knows there were 50% increases and some more than doubled since two years ago. He thinks something is a bit off with some of the numbers and consistency of the percentages that are increasing. He stated that it would be worth a look to see how these increases relate to previous years. He is hearing a lot of concern about the increases and wondered if the City has any access/authority to look into this issue.

Councilmember Cusick stated he wanted to mention the incident that occurred in the Loop a few nights ago, where someone attacked several people with a hammer. Incidents like this can happen anywhere, but it is extremely hurtful when it happens on our home turf. He wants residents to know that Mr. Rose has asked the police to step up their patrol of the Delmar Loop earlier than normal for the summer season. There is no toleration for incidents like this; we take them very seriously. He and Councilmember Carr have been meeting business owners in the Loop to find ways to make the Loop safer and economically viable to lessen the number of vacant storefronts in that area. We are concerned about safety, security and policing in all areas of University City. Residents have come forward to express concerns with drugs in some areas; we are focusing our efforts in all three Wards not just the Loop, so that everyone feels safe in their homes and on the streets.

Councilmember Smotherson asked and Mr. Rose agreed to repeat the redevelopment announcement that was made at the beginning of the meeting for those residents that had arrived late.

Mayor Pro Tem Carr congratulated the University City High School students who are graduating tonight and the parents and teachers for the support they've given them over the years; and she wished them well. She announced a Town Hall meeting hosted by herself and Mayor Crow on Wednesday night at the McNair Administration building at 7:00 p.m. to discuss the City/County consolidation of Better Together. We should never be in the position of not discussing something just because we don't like it; in fact that's when our voices should be heard. The presenters will be Mayor Crow, Mike Jones, a contributor to the St. Louis American weekly paper, and Terry Jones, who is Professor Emeritus at UMSL and a well-known scholar of local government. She invited anyone interested to please attend.

## **Q. ADJOURNMENT**

Councilmember Cusick moved to adjourn the meeting and it was seconded by Councilmember Clay.

Mayor Pro tem Carr thanked everyone for their attendance and closed the Regular Session of the City Council meeting at 7:18 p.m.

LaRette Reese  
City Clerk

Jerrold Tiers, 7345 Chamberlain

I am here to talk about the rampant crime problem in University City.

I can already hear people denying this, saying that there is no rampant crime problem in University City. We won't debate the truth of that just now. The real issue here is what other people think.

My wife and I have been running into people who refuse to come to the Loop, or in some cases to even enter U-City, because they are afraid of being robbed. The area seems to be widely "known" as dangerous, regardless of the true situation. These folks are from all over the St Louis area, including Clayton, St Louis city, etc. Having lived here 34 years, I find it surprising, but they believe it is true.

Recently a person who lives in the South Grand area of St Louis told my wife they are afraid to come to the U City Loop. That should tell you the sort of reputation we seem to have. I know people who have lived near South Grand, and one of them actually had a running gun battle go through their backyard. So residents in an area that has running gun battles think U City is dangerous? Something is wrong with the perception of this city, and that perception needs to be changed.

As for the rampant crime, there are indeed crimes, reported and unreported. It appears that the numbers may be up a bit, regardless of the statistics, but maybe crime is just shifting to different areas.

In my own neighborhood, which is relatively crime-free at the moment, we had two alleged drug-selling operations on Drexel. The neighbors state that they reported these, but at least one of them operated for well over a year, and finally ceased operation only when the house was foreclosed on and sold. The neighbors say that no apparent police action was ever taken, and it would not be polite to repeat some of their comments and accusations with regard to the Police. That is not the way things should be.

So, you may think there is no rampant crime, and you may be right, in some areas at least. But as to what people in the rest of the St Louis area think, that's another matter.

You need to be concerned about this as you try to increase economic activity in U-City, and attract new residents. The Loop cannot afford to be considered as a dangerous area. Olive Street cannot afford to be considered to be a dangerous area. U-City cannot afford to be considered as a dangerous area.

Please note that these beliefs do not have to be true, although there is a basis for them. The only thing that matters is that people actually believe U City is dangerous. That is all it takes to keep people away.

Action is needed to make sure that the beliefs are changed. U city needs to be safe, and U City needs to be seen as, safe. This seems to be the business of the Police, and the various economic development groups.

What are you going to do to fix our bad reputation?