

**SPECIAL SESSION OF THE CITY COUNCIL
RETREAT / STRATEGIC PLANNING**

CITY HALL, Fifth Floor
6801 Delmar Blvd.
University City, Missouri 63130
Saturday, August 17, 2019

PLANNING SESSION REPORT OUT

1. Opening Remarks: Mayor Terry Crow

Mayor Crow welcomed everyone to the City Council Planning Retreat and asked the City Clerk to take the roll.

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

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

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

Before turning the presentation over to the City Manager, Mayor Crow expressed his pleasure with the opportunity to spend time with Dr. Jones, once again, and thanked him for his participation in today's retreat.

He stated this might also be a good time to take a few minutes and think about how far this Council has come over the past two years. Because when you look at the City Attorney; City Manager, and the Department heads; for the most part, the City has rounded out its leadership team with folks who are new to these positions. Council unanimously passed the budget; the Olive/I 1-70 Redevelopment Project, and as of August 3rd, fulfilled a promise made by every member of this Council, to return EMS back in-house. Mayor Crow stated while there will always be issues where they may not be in total agreement; over the years this Council has demonstrated the ability to reach unanimous decisions when it is in the best interest of this City. And as we move forward, it will become even more important for us to continue to find that common ground. He stated he is thankful for the opportunity to work with each and every one of his colleagues and looks forward to the plans being laid out for the upcoming year.

2. Opening Remarks: City Manager Gregory Rose

Mr. Rose stated he appreciates everyone's willingness to give up their Saturday to attend this retreat, which he does not take lightly. This is one of the most important annual meetings for you as a body because it sets the course for the entire organization and the City. This retreat provides staff with the ability to present updates on projects, receive feedback, and garner a consensus on some of the more challenging areas. And at the end of the day, he is confident that each member will remain united as a Council whose interest is in building a stronger community.

Mr. Rose stated Dr. Jones is a wonderful Facilitator that has a tremendous history in the St. Louis region, and he too is grateful for his presence here today.

3. Review of Agenda

No changes were made.

4. Issues

A) External Communications

Current

- Continuation of new videos. An easy tool that provides comprehensive and accurate information which seems to get a lot of attention.
- ROARS. This publication, which has a high readership among seniors, will be published quarterly rather than bi-monthly. Another goal is to make better use of the City Manager's Section by providing more updates, specifically with regards to the Olive Redevelopment Project.
- Social Media; i.e., Twitter, Facebook, live streaming

Long-Term

- Cable Media Channel.
- Communication's Strategy. Allison has been asked to put together a communication's strategy that identifies plans for some of the major projects currently underway.

Q. What are Council's expectations on what an effective communication's program for the City would look like?

A. Councilmember Clay:

- *If there was a process whereby the feedback received from citizens could be obtained and analyzed to determine what they would like to see in terms of communications that would seem to be a good starting point to determine how effective our current communications are and help to establish a more comprehensive vision going forward.*

Mr. Rose stated staff's goal is to be able to quantify where residents are getting their information from, so there is a question on the Resident Survey which seeks to obtain that information.

A. Councilmember Hales:

- *I think quarterly publications of ROARS will probably be adequate, but would like to see the content improved.*
- *I've received positive feedback from the videos; however, some of them have been incredibly long. I would like to see more short videos that communicate some of the activities staff has undertaken or plan to undertake that actually touches the lives of our residents.*

A. Councilmember Carr:

- *My particular concern is for the seniors who may not be getting the same amount of coverage in terms of communication, as those of us who frequently use technology. A reduction in the publication schedule for ROARS could result in many seniors being left out of the communication chain. So I would like to suggest that staff consider making Robocalls or something to that effect, especially when dealing with matters that require a resident's immediate attention.*
- *While I appreciated the video on the sewer collapse which did an excellent job of explaining the problem, she is not focused on the short-term. So even though her belief is that the City makes a good faith effort to get information out on a broad basis, there are instances; for specific groups, where this information falls through the cracks. However, oftentimes there are influencers, like the trustees in University Heights and Partridge Heights that can be very beneficial in helping to disseminate information and I think we should start using them.*

A. Mayor Crow:

- *The videos have probably softened our image, which is good, but I still think there is vast room for improvement.*

One of the lessons learned from the Redevelopment Project is the need to set the tone and control the dialogue, instead of reacting to it.

So going forward his hope is that staff can adopt a strategy based on something he learned in law school; after making the first move, the next step is to anticipate the reaction and put yourself in a position to strategically respond in a way that gets the results you want to achieve. We've gotten to know the folks involved in this project; those who are in support; those who are not; the developers and business owners, so let's start thinking about what it is we want to achieve and make sure that our message gets out to them first.

- *Something that may have also been a little bit of a challenge for the City Manager and his staff, is the fact that they have been saddled with a Council who previously was forced to follow social media in order to get timely updates or any notice at all, about what was going on in the community and City Hall. It's an old habit that may be putting a little more burden on the communication's staff to get things out quickly and accurately.*

A. Councilmember Cusick:

- *While I will mirror the Mayor's comments about the ability to be proactive vs. reactive, for me, it's about the platform. I think the City's website should be ground zero, the place where residents go to find what they need. I don't think this is the case today, but I also have not found it to be very user-friendly.*

A. Councilmember Smotherson:

- *I absolutely agree with the Mayor's comments and would like to see our Communications Director develop a relationship with mainstream media because I don't think our story ever got out in this venue.*

A. Councilmember McMahan:

- *I agree with the comments made by Councilmember Smotherson and the Mayor, but don't think we should define the blowback received from some of the information disseminated by the City, as unsuccessful. From time to time, we may have to tell a story that puts a little egg on our face, but the importance of telling that bad news first is transparency. Residents may not like what happened, but the message is successful because it eliminates the perception that the City is trying to cover something up, and hopefully, contains a plan for how the problem can be fixed.*
- *Council has the tools to direct residents down the right avenues. So when we receive a communication from a resident who says "I don't know what's going on," our first response should be, "Let me help you learn how to find out more".*

A. Councilmember Hales:

- *I agree with the need to be proactive vs. reactive, however, the question in my mind is related to the process that should be followed. The Director of Communications provides Council with weekly updates and my assumption is that she would be the one responsible for responding to and disseminating all communications. So when a member of Council encounters an issue they believe needs to be addressed, should it be brought to the Director's attention or the City Manager?*

Mr. Rose stated normally, the decision about what is going to be communicated and when it should be communicated is made by him. However, no matter how successful the City becomes with its communications strategy, to some degree, it will always be reactionary. These days, anyone with a computer can be a journalist. And unfortunately, it doesn't matter if their information is false or inaccurate because the public's trust in what they read from others is quite different from the trust they have in what the government is saying. So before we put any information out, we have to make sure it is complete and accurate.

One example is the big boo-boo PGAV made with the analysis. Even though we suspected that it was true, we still had to go through an investigative process to determine what occurred; who made the mistake; why, and then communicate accurate and complete information. Of course, it took us some time to do that, but in the meantime, tentative stories were being communicated to the public.

Now, that doesn't mean we should not have a plan to deal with how we handle mistakes because, from that perspective, there is room for improvement. But I would hesitate to say that we will always be able to be out in front of these issues simply because we cannot control some of the information that is being put out there.

The City's Communications Program is only about six months old, and during the same period of time when these organizational structures were taking place, the most-watched development in U City's history was occurring. Allison has spent most of those six months trying to learn the community and determine what the issues are and has now reached the point where she is able to develop a Communications strategy that will entail a plan for each specific project. So I think with the development of these systems to address some of the City's issues long-term, in the future, we will be much better.

A. Councilmember Hales:

- *The thing that raised concerns for some of our residents, and perhaps, members of Council, is the City's silence during their fact-finding process while all of this chatter was taking place. But in spite of the fact that the Communications Department is in its infancy, I have seen consistent improvements and understand that it is going to take some time for us to get where we need to be.*

Mr. Rose stated in instances where the City finds the sources to be questionable, maybe staff could disseminate a limited message to the public indicating that we are looking into the matter and will provide the facts after we have completed our due diligence.

A. Councilmember Clay:

- *I don't think we should let the perfect be the enemy of the good. In terms of communication, schools don't have the luxury of time, especially in emergency situations. One of my experiences involved the discovery of a weapon on the school premises at 12:30, so the communication process had to go into effect immediately. And while it may not have been perfect, we knew that we had to get some type of communication out, so flyers were disseminated by the end of day and sent home in every kid's backpack. Clearly, that's a very dramatic circumstance, but it's also an antidote to address Councilmember Hales' point. When something happens, at a minimum, we should react by acknowledging the incident and sending a message to our residents that we are working on it.*

A. Councilmember Carr:

- *It's much easier to put a note in a backpack than it is for us to reach out to people who may or may not be paying attention. But I do agree that when an issue comes up, staff should make the announcement that they are aware of the problem and they are looking into it. Typically, these things are posted on Nextdoor and other places where people are conversing within the first 24 hours, and some will take this misinformation and run with it.*
- *I also happen to think that Ms. Bamberger is our first line of defense in terms of alerting the City Manager because she has done a great job responding to some of the posts from people who have axes to grind. Nevertheless, social media has not totally pushed aside the desire to make personal contact with members of Council because her constituents still contact her for information via email.*

Councilmember Clay asked when Council should anticipate the Communications Strategy being completed? Mr. Rose stated as a part of the Work Plan this afternoon, he will be seeking Council's opinion on what projects should take top priority. Councilmember Clay stated he would like the plan to include some form of metrics that would allow everyone to objectively evaluate whether the strategy is successful or if it needs some tweaking. Of course, everyone is going to have a different perception about the types of measurements they would like to see, so we may have to coalesce around what makes sense as a Council.

B. Coordination: Elected Officials, City Manager, Department Heads

Q. What is Council's opinion about the coordination between the City Manager and THE Department Heads in terms of responsiveness?

A. Councilmember Clay:

- *I appreciate the responsiveness of the City Manager and his staff when sending an email or making a call, and most of the time the resolution is what he would have hoped for.*

- *I go through the City Manager for everything. And even though Mr. Rose is quick to include the Department Heads in their conversation, he feels very comfortable with that type of interaction.*

A. Councilmember Carr:

- *I would echo Councilmember Clay's comments about responsiveness. I think the coordination has been excellent and on most occasions, I have received a response within hours.*
- *I also go through the City Manager directly because she believes he needs to know when there is an issue; he often makes contact with individuals she may not have previously identified, and in some cases, Mr. Rose's ability to see things from a different perspective has resolved problems she thought would be much more difficult with a great deal of finesse.*
- *Council is notified immediately, with details, every time there is an incident or someone is at risk. And those notifications give her the ability to answer questions from her constituents.*
- *The City Manager's open-door policy is exceptional, it allows Council to pose questions anytime they don't understand or agree with the City's stance on an issue. Mr. Rose and his staff have done an excellent job in changing the culture of communications between the administration and Council.*

A. Councilmember Hales:

The vast majority of communications I receive from residents are related to property or street maintenance. And for complaints that fall within the category of Public Works, his practice has been to notify the director of that department, with a copy to the City Manager. So here again, I would inquire about the exact procedure you would like to see followed?

Mr. Rose stated there is a need to make sure that everyone continues to respect the Charter, so making sure he is included in the communications stream is very important. In addition, every Tuesday he conducts a staff meeting where all of the outstanding issues from both residents and Council are reviewed, and if he has not been included in the conversation that item will not get added to the list. He also does not want staff to perceive communications that come from Council as a direct command.

A. Councilmember McMahon:

- *I was kind of at a middle ground between Councilmembers Carr and Hales. But when you came on board it was about the generation of customer service, so including you and staff, makes the process of addressing issues with residents and Council work a little better. Hopefully, we can refine this process as we move forward and ultimately, receive fewer complaints from our constituents.*

Mr. Rose stated the goal is for staff to acknowledge a resident's inquiry and inform them of the direction they intend to take within 24 hours.

A. Councilmember Clay:

- *What Mr. Rose just articulated has relevance; not just for individual residents but to the earlier conversation about mass communications.*

A. Councilmember Hales:

- *With respect to specific complaints involving property or street maintenance, it would be extremely helpful if the results of your Tuesday morning discussions with staff could be shared with the member of Council that initiated the communication, so they can provide residents with an update.*

Mr. Rose stated the system in place today is really just a band-aid. In the future, the intent is to have a more robust program consisting of a database that lists all of these items and generates a weekly report to Council. Although he does not have the personnel or the system in place to do that, going forward, he will make sure that Council is provided with at least a bi-weekly update on the status of each event.

A. Mayor Crow:

- *Based on the minimal number of citizen complaints I've received, I think that for the most part, the current system is working.*

Something the Mayor of Clayton told him when he first became Mayor, was "Your first response to any citizen's complaint should be, have you contacted your member of Council"? And the good thing is that I haven't really had to say that.

- *At this point, the challenge seems to be for us all to follow the same protocol when reporting incidents and getting an update or resolution back to our citizens. While the entire scenario about the sewer collapsing on Tulane strikes me as being rather odd, it should be a lesson learned. I tend to believe that Sinan and his crew do an incredible job of responding to inquiries, so when this citizen said that the reason they went to Channel 5 was because they had tried contacting City Hall and did not get a reply, my assumption is they never reached out to their Councilmember and that their real motive was to attract the media's attention. So I think we have to anticipate that some citizens are going to opt-out of utilizing the correct system because unfortunately, that's sort of the way they've been trained to react.*

A. Councilmember Clay:

- *At some point in time, I recall a software program that tracked complaints being discussed.*

Mr. Rose stated this conversation will eventually lead to a discussion about the 311 system where residents are given a number to call and their inquiry is logged into a database and followed until resolution. However, his initial intent; once he has the personnel in place is to establish a database that is managed by one member of staff. There are numerous software packages available, which you will hear more about during next year's budget process. Or maybe sooner, depending on Council's list of priorities.

A. Councilmember Clay:

- *From my point of view, a more comprehensive technological solution is probably the way to go and the creation of a database is simply the first step. So don't be afraid to bring that information forward.*

Mr. Rose stated while an update of this software will be included in the Work Plan, he would like to note that the economy does not appear to be growing as quickly as it has in the past, which means the City should probably anticipate a pullback on some of its tax dollars. As a result, there is a need to balance the service levels the City provides based on how the current economy is performing. So it's kind of the balancing act because you don't want the City to be in a position of providing excellent services that it can't afford.

Councilmember Smotherson asked the City Manager if he wanted to be copied on general questions that can be easily answered by a department head? I think the coordination by you and your staff is great and while I am guilty of sending emails out at 3 a.m., I'm certainly not expecting to receive a response by 4 or 5 a.m.

Mr. Rose stated he has no doubt that Council can go to any of his employees and get information. However, here again, his preference would be that even those general inquiries come through him to ensure that you are getting accurate and complete information. The response you receive from a lower line-level employee might be vastly different than a response you receive from me or a director.

A. Councilmember Hales:

- *Although I have no idea what it would cost, I think the 311 idea is great. I actually downloaded St. Louis County's 311 app and it's kind of amazing because not only are you notified when the status of an event changes, it also allows you to upload pictures of the problem area. So, it would make a lot of sense for this program to be funneled through one person and I am excited to see what's in store.*

Councilmember McMahon asked if it would be advisable to also copy the City Clerk on any communications to the City Manager or the head of a department? Mr. Rose stated a copy to LaRette would be fine.

Q. When you receive information from staff, are you getting it in a timely fashion?

A. Councilmember Hales: *I have absolutely no complaints. I think we get terrific information via Council's packets or a weekly report.*

If I have any questions I can pick up the phone and call Mr. Rose, who always answers them in a timely fashion.

A. Councilmember Clay:

- *Generally speaking, I am very satisfied with the amount of information received.*
- *A minor process point I have found to be really effective is direct follow-up. For example; if a question or comment is posed during one of Council's sessions that specific question/comment relating back to what was said should be revisited at the next opportunity. Oftentimes answers are presented in a more generic fashion, but when it's specific; it clicks and helps me construct the bigger picture.*

A. Councilmember Carr:

- *The ways things are today compared to the way they existed before, is a sea change that I truly welcome. There are certainly no problems with the lack of information or timeliness, and by the time I arrive at a Council meeting most of my questions have been answered.*

C) Guidelines: City Manager's Emergency Authority

Mr. Rose stated this topic emerged as a result of the purchases made to bring EMS back in-house. He stated he would be the first to admit that in spite of his belief that he possessed the authority to make these purchases; that they were the right thing to do, and that Council had given him clear directions about their desire to obtain these items, it should have been brought forward on the next agenda. The facts that led him to view this as an emergency situation, was the possibility of the contracting parties walking away leaving the City with no mutual aid, personnel, equipment, or other options to provide EMS assistance to its residents.

However, the City's Code could be interpreted to say that he did not have the authority to make those purchases and that he should have followed the process of first, asking the Mayor and Council for the authority to do so. Mr. Rose stated in his mind, this interpretation could be somewhat problematic in emergency situations where it might not be practical; from a time standpoint, to obtain approval for purchases over \$25,000; i.e., major tornados, floods or situations that cause residents to suffer.

So he placed this topic on today's agenda because he would like to have a clear understanding of what Council believes his authority should be in these types of emergency situations.

A. Councilmember Carr:

- *Although I guess there was enough time to inform Council; which is something Mr. Rose normally does, I did feel as though this purchase had been implied, if not explicitly stated, based on Council's intent to move in the direction of bringing EMS back in-house. So from that standpoint, I viewed the City Manager's actions as being more or less in line with Council's intentions.*
- *Perhaps, it is a matter of interpretation, but I want to have absolute confidence that our City Manager has the ability to manage the City on a day-to-day basis, and in the case of an emergency where he determines an immediate need, that he would be able to act first, and call a meeting immediately thereafter to inform Council of his actions.*

A. Councilmember Cusick:

- *For me, this is somewhat of a no-brainer. If something presents a danger to the public, then it needs to be acted upon immediately.*
- *I have total confidence that Mr. Rose would exercise good judgment, and in this situation, he recognized the potential for an emergency and knew that something needed to be done.*

A. Councilmember Clay:

- *Policy transcends people, so when you think about setting a policy it's important to think about people who will fill that same seat subsequently.*
- *Are we talking about a policy that has a provision in it for emergency situations or about changing the policy?*

Mr. Rose stated although the City Attorney may disagree, his understanding is that the discussion is about how Council would like the existing policy to be interpreted.

Mr. Mulligan stated he is looking at the Code related to purchases and there are two sections that are relevant with respect to the ambulance purchase. There is specific language with respect to competitive bidding which states that it is not required in cases of an emergency and it is not practical to secure such bids. However, since the word "emergency" is not defined in this particular section, we would look to the dictionary definition. *"Emergency is an unforeseen combination of circumstances or the resulting state that calls for immediate action"*.

The next section deals with all purchases, contracts or undertakings of any kind involving the expenditure of an amount greater than \$25,000. Those expenditures have to be approved by Council, and there is no emergency exception. You could look at the competitive bidding language and include it there, but the emergency exception does not exist for amounts greater than \$25,000. I think that is the point the City Manager is raising.

Certainly the Fire Chief, Police Chief and City Manager have the power to take whatever actions are necessary to protect the public in any kind of an emergency situation. Perhaps an example of a situation where the City Manager could have entered into that contract to purchase equipment before there is an opportunity to present it to Council is a situation where he had to make a commitment to secure services that the City could not provide on its own or through a Mutual Aid Agreement that has been previously approved by the Council, if it is something that would be a benefit. Now, in cases of an emergency, Council can call a meeting on 24 hours notice or less, via telephone or videoconference.

Mr. Mulligan stated the policy question from his view, would be that this is not an interpretation of the existing ordinance on the \$25,000 or more because he does not read an emergency into it. But, if Council wants to put it there, the policy could be amended, even though he does not know of any instances where this has come up in the last 30 years.

A. Councilmember Clay:

With great discipline I always try to separate policy from personnel, and in this instance, I just do not see a circumstance where a purchase would need to be made in an emergency situation, without Council approval. Maybe my vision is limited on this issue, but I think the City has the tools in policy and practice, to address any emerging life or limb situations that might arise.

Mr. Rose stated his understanding is that public safety does not have the authority to make a purchase larger than \$25,000. So if a generator goes out they would have to get approval from Council before purchasing a new one. And in a flooding situation that could become challenging.

A. Councilmember Clay:

- *Drilling down to the practicality of it, in that circumstance you wouldn't be able to pay for a generator on a Saturday morning and have it delivered.*

Unidentified Speaker: You absolutely could. CK Power will come out in less than 24 hours and replace the whole thing.

A. Councilmember Clay:

- *Drilling down I'm just not seeing this as something that would come up. And as Mr. Mulligan stated, he has not seen a circumstance in 30 years where that would be necessary.*

Mr. Rose stated he is probably a little more sensitive about this topic because he has seen something like this happen. So based on the City's history with flooding, and where we stand today, on resolving this issue, the likelihood of this occurring is increasing every day.

A. Councilmember McMahon:

- *I would agree with Mr. Rose on that last point, in the sense that if one section of the Code is suggesting that under competitive bidding Council approval is not required in cases of an emergency where it is not practical to secure a bid, but all purchases involving an amount over \$25,000, must be approved by Council; without any exceptions, then the coordination of those two sections seem to make sense. None of us can see into the future and it might not be possible, by any means, to get a quorum, so it provides a tool for the administration.*
- *But by the same token, I think we need to look back at this particular situation and come to a consensus about what constitutes an emergency or the potential for an emergency. Both Council and staff knew at the time this service was outsourced that there was no backup plan and worked under the luxury that neither Gateway nor Medic-One would pull out. So based on the knowledge that there was the potential for an emergency I think Council can take some of the responsibility for not pushing this issue to its final conclusion and directing the City Manager to make those purchases.*
- *The dividing line is that we cannot use emergency power for potential emergencies; they have to be imminent. However, since that was the direction this Council was going in, he does not see any problems with how this situation was handled.*

A. Mayor Crow:

- *Something this Council also needs to think about is that after the North and South litigation the City Manager's authority within a court of law is, to a certain extent, pretty narrowly drawn.*
- *Here are a couple of points related to the City's history with expenses. When the City refused to honor the Loop Trolley's Conditional Use Permit because they had not fulfilled all of the requirements, the Trolley retained Clayco at the last minute to complete 48 hours worth of work that easily exceeded \$25,000. Although this was a private entity, the point is, he thinks the City has reached the scale where it could easily exceed \$25,000 in an emergency.*
- *A former City Manager divided Fair U City's contract into three separate contracts just to avoid having to come before Council for approval.*
- *Some of us know how the Ordinances can be misused, so he would rather address this issue by establishing parameters that give City Managers operational guidance. And if there is a need to amend the Code he would suggest amending it by adding an emergency provision that gives the City Manager the authority to act in the best interest of the City. It should also include the need to notice up a meeting with Council within 24 hours.*
- *Every year Council has one specific level of authority, and that level entails whether to retain or dismiss the City Manager.*

A. Councilmember Carr:

- *In addition, it wasn't just that the numbers had been split, but the entire expenditure was hidden from Council and never brought before them for a budget adjustment. Of course, that is a totally separate issue from what happened in this case.*
- *The section of the Ordinance regarding expenditures should be codified to allow for emergency spending. That amendment should delineate certain specifics related to spending and the need for an emergency meeting of Council to be called within a specified number of hours.*
- *The City Manager has acknowledged the need to do a better job in these kinds of situations, so her hope is that this Council has trust in the person running their City.*

Typically, these emergency decisions are on the fly and require an individual to react quickly, so Council should make sure there is a tool in the box that with any luck won't be misused. Of course, Council's other strength is that they can vote against an expenditure after-the-fact.

A. Councilmember Hales:

- *While I agree with everyone's point of view, I would like to take this one step further. Council sat right at that table during a Study Session and went through the plan; reviewed the bids from Osage, and had an opportunity to ask questions. So his recollection is that it was crystal clear that every member of Council was on board and agreed with the purchase.*

Mr. Mulligan stated he did not mean to imply that instances of this nature had never occurred; simply that he has not seen it.

He stated from a drafting standpoint, he has heard a lot of good information. Separate the policy from the people. While it is highly unlikely, what if there was a need to make a million-dollar purchase? Do you want to place a cap on this policy?

To promote consistency, it would make sense to have this codified. So one thought he had was that before the City Manager pulls the trigger on a purchase, an email would be sent to Council explaining the emergency, what he is proposing to do, how much it will cost, and whether there is a need to call an emergency meeting within a specified timeframe; assuming that you have that luxury. If no meeting is called within that timeframe then under the Code the City Manager would have the authority to make that purchase. And thereafter, Council would be notified of the full details.

In this scenario, the contract would be an enforceable agreement that the contractor could rely on; which is something he wants to know at the time he enters into the contract. Either the City Manager has the authority or he doesn't. So there can be no provision which states Council may or may not ratify it later. If you want to add a ceiling on the amount this applies to, that can also be included. But overall, he thinks this type of codification would harmonize the two provisions dealing with competitive bidding and emergencies.

A. Mayor Crow:

- *I don't think there is a need to go into a great amount of detail today, and that a better protocol might be to see what other similarly situated cities are doing in the St. Louis area. So, I would prefer that Council have a little time to look at this and come back with some options*

A. Councilmember Cusick:

- *While I would agree with the Mayor's suggestion to take some time to review this, I do not want to hollow the City Manager with the need to send out an email if City Hall is burning down. I would like to see the policy codified in a way that gives him the ability to act.*

Mr. Rose stated when this Code went into effect \$25,000 was a lot of money. But as it relates to how the inflation rate has changed over time this dollar amount has not stayed consistent with the economy. So while he is accustomed to caps, he is also accustomed to having some authority in emergency situations. Mr. Rose stated his belief is that he has developed the type of relationship with this Council where everyone understands that if he needed to make a million-dollar purchase it would have to be justified. And if that did not occur, he understands that he wouldn't be here much longer. So his recommendation would be to change the Code so that it addresses Mr. Mulligan's concerns; provides him with the authority to act, and contains a cap that Council is comfortable with.

A. Councilmember Clay:

- *I simply want to reiterate that this is about policy, not personalities, and for that reason, I like the way forward that Mayor Crow has charted. I think everyone can rely on the City Manager to touch base with the Mayor or a representative from Council before making major financial decisions, but also thinks it is important to include a provision that ensures some degree of collaboration or communication with Council; especially when the inclusion of a generous cap is being contemplated.*

D) Relationship: Washington University

Councilmember Cusick stated he would like to start this segment off by asking Mr. Rose to update Council on the status of the Impact Study that was approved and funded several months ago?

Mr. Rose stated funding for the Impact Study was approved as a part of this year's budget and became effective July 1st. So at this point, nothing has been advanced because he wanted to have this discussion first. Before moving forward, Mr. Rose stated he wanted to have a clear understanding of what Council was looking to achieve so that he could develop a solid foundation for the scope of this project.

Q. What would you like to see that study achieve?

A. Councilmember Cusick:

- *The first major issue pertains to the quality of life for residents who live in neighborhoods adjacent to Wash U and college dorms.*
- *The second issue is the overall impact Wash U has on U City's resources; i.e., police, fire, EMS, street cleaning, and trash services, and how that impacts the services U City is able to provide for its residents.*
- *We also are not kept in the loop about Wash U's plans, as they relate to U City. Recently the Commerce Bank building in the Delmar Loop went up for sale, and the question in his mind is whether this will be another prime piece of real estate they gobble up and remove from the City's tax rolls?*

A. Councilmember Carr:

- *The quality of life issues also impact the residents who live in Parkview Gardens, especially as it relates to parking.*
- *I think there is a lot Council can do by way of looking at methods to recoup the City's Code.*
- *I also hope this study will take into account the impact this entity has on the individual taxpayer, particularly those who are least likely to be able to shoulder that burden. Because the tax restrictions imposed by the Hancock Amendment has shifted the burden to them, and I don't believe there will ever be a pilot as long as they are not so inclined. Moreover, the contracts we have been able to execute with them were always limited to five or ten years, which really does not account for the cost of delivering services to them. Wash U has its own waste hauler, but U City sweeps and plows the streets their employees and students reside on. The costs of those services are included in our residents' tax dollars and/or fees, but Wash U pays nothing for these services.*
- *The contributions Wash U makes to the City's school system aren't even extraordinary. In fact, I was told by a member of the School Board that the contributions they receive are the same amount Wash U would make to any school district.*
- *When Councilmember Cusick and I visited the County Assessor's office, citywide, U City experienced a 28 percent increase in the value of its land and a 20 percent increase in the value of its structures. However, the buildings Wash U owns in U City showed no increase at all. Questions posed to Jake Zimmerman, the County Assessor, for the most part, only generated excuses; some I understood, and some I frankly did not buy.*
- *As Councilmember Cusick stated, we have no idea what their plans are. In 2008, Council passed a Resolution asking Wash U to give the City a heads up about their long-range plans regarding the Millbrook Shopping Center. And whether you look at their broad outline from the company they used to develop this plan or the plans produced in 2011 for The Loop, what you will see is exactly how much they impact U City; although a predominant portion of Wash U's financial contributions is distributed to the City of St. Louis.*
- *While there may be an opportunity to work with Chancellor Martin, the Board who he must answer to is largely populated with people who are okay with the status quo. Wash U is also a very important and powerful stakeholder throughout the entire region; which means that U City is going to have to take care of itself. And if we do not make an effort to do just that, then shame on us.*

A. Councilmember Clay:

- *There were some previous discussions about staff initiating ongoing meetings with Wash U. Is there a potential to get them involved in this study, and could you also provide us with an update on that process?*

Mr. Rose stated staff has met with Rose Windmiller and JoAnna Schooler on almost a monthly basis to talk about issues of mutual concern. What they are focused on now is improving safety in The Loop and the creation of an Apartment Manager's Program. Chief Hampton and Wash U's Chief of Police are working together to draft a safety strategy that will be presented to Council for consideration. The Apartment Manager's Program is a U City initiative designed to make managers aware of reported problems in their buildings and the City's new approach for the issuance of citations.

As it relates to previous discussions about a Fiscal Economic Impact Study, the consensus among Council was that the study be conducted internally. So after he has received Council's direction on what they would like the scope of this study to entail, a draft will be presented to the subcommittee for their recommendations, and then to the Mayor and Council for approval to commence the project.

Mr. Rose stated so far, the thrust of discussions regarding the study at-hand seems to be primarily focused on the fiscal impact; services and resources, rather than the economic impact; how much direct/indirect purchasing power Wash U and its students have.

A. Councilmember Hales:

- *Given the change in demographics in the areas adjacent to The Loop and Parkview Gardens, several questions I've had are how many people actually live in the area year-round, and are some of the challenges that exist today, the result of a student population that is absent during the summer months and present during the winter months? So I think the inclusion of their economic impact is important.*
- *Another issue is accountability. For years it has felt like U City has been accountable to Wash U, and there have been relentless uncertainties when it comes to the University's accountability to U City. But accountability should work both ways.*
 - *What is the University's accountability for their students who live on and off-campus; specifically with respect to the students living in our neighborhoods?*
 - *What is the significance of the University's Honor Code or Code of Behavior?*
 - *What tools can we offer Public Works or Planning & Development that would diminish the need for them to go through a six-month process to remove a bad tenant or take actions to address chronic problems?*
- *U City has a vast amount of property located near Wash U's Famous Barr Campus and it would be nice to know what their intentions are with this piece of property so that we're not caught off-guard.*

A. Councilmember Clay:

- *Although I could be wrong, my understanding as it relates to the Fiscal Impact Study, is that even though the City was prepared to conduct it on its own, an attempt was going to be made to see if Wash U wanted to participate; with a very clear articulation of what their role could be. Given the new leadership of Chancellor Martin revisiting this conversation may be beneficial in obtaining access to some of the information needed for the study, or perhaps, they might be willing to pay for a portion of it.*

A. Mayor Crow:

- *There was an option to include Wash U and my belief is that there were several members of Council who felt strongly that it would be more appropriate to conduct this study on our own. So there has been no engagement with Wash U.*

A. Councilmember Carr:

- *An incomplete study is worthless. So three important components would be their economic influence; because that's what the university touts; the cost of maintaining that relationship from an operational standpoint, and their impact on property values at Ames Place and Parkview Gardens. It's also my understanding that some additional living units are being proposed at Lewis Center which could add more stress on parking.*
- *Mr. Rose provided a perfect example involving a resident who made a request to discontinue paying fees for her trash service because she no longer lived in her house.*

However, since the City is required to render services on that street, her request was denied. And that's the same case we have here with Wash U and all of the City's not-for-profit organizations.

A. Mayor Crow:

- *I do not believe that anyone would disagree with the need to include both the fiscal and economic impacts to the study.*
- *The one thing I think we should be paying attention to is the fact that on a policy level there has been no engagement at all.*

The new Chancellor has signaled that he would like part of his tenure to be about Wash U's contributions to the community-at-large, but we have not initiated any substantive conversations with this new administration. So rather than sitting here waiting on the results of an Impact Study that could take a year to complete, I think my colleagues and senior staff have got to decide what stance they are going to take. A positive engagement about what's going on in U City, or a negative engagement that tightens the reins on Wash U; these are the policies we are going to start implementing. Right now, if I was Wash U, I'm kind of happy with the status quo. Waiting for a year and a half to complete a study clearly takes us off of their radar screen and allows the decision-makers to move on to other things. Wash U has the benefit of time and money and in order to get their attention, we have got to make a move, either left or right.

- *It's clear that the footprint at Jackson and Forsyth is not a good fit for Wash U, so something is definitely going to take place with that land. Yet, once again, U City is not a part of that conversation.*

Q. Let me kind of close-off the strand of things that address the study by first asking if anyone has any comments they would like to add, and then for Council's reactions to the Mayor's comments?

A. Councilmember Carr:

- *As a member of the Zoning Subcommittee formed by the Mayor, I am open to suggestions.*
- *I thought it was clear that we were still working with Wash U in terms of policing. They just had a carjacking incident involving one of their students, so I'm sure safety is a priority. Let's catch them on that and see if we can extend our influence.*
- *At the same time, we need to be thinking long-term. What's going to happen to this City in 25 years in terms of property values and older infrastructure that needs to be replaced? I think we need to utilize both positive and negative engagement.*
- *We are performing work on Westgate in Parkview Gardens which is an area where Wash U owns a substantial amount of property. Maybe it's prorated based on the number of properties they own, but why not reach out and ask them to consider making a contribution to those repairs because it benefits them as well. Who is the major beneficiary? That's what we should always be thinking. We apply pressure where we can; apply good negotiating skills where we can, but always invite them to the table.*
- *And everybody likes praise, so we should applaud them whenever they step up and do something positive.*

A. Councilmember McMahon:

- *I didn't think the change in direction on the Impact Study was about exclusion, but about fairness and not giving them the latitude to manipulate the situation. The manner in which Wash U offered to pay for half of the study seemed to be geared at taking control. And my thoughts were for that level of contribution they were getting far more than the City should allow. So the consensus was to pay for the study ourselves, invite Wash U to participate, and in doing so, send the message that the City's desire is to work cooperatively and not be talked down to.*
- *When all is said and done, both U City and Wash U will still be here, so it boils down to how we have those discussions and the position we want to be in to present them.*

Hopefully, we can build on those communications and establish a level of trust between the two entities so that our communications begin to flow more freely.

A. Councilmember Smotherson:

- *We are all aware that when an incident occurs involving Wash U students there will be ten U City officers on the scene and two Wash U safety officers. That presents a huge disparity with respect to the use of our services. So I'm curious to know why we aren't still in discussions with Wash U, at least about public safety?*

A. Mayor Crow:

- *While it's clear that the City Manager still has conversations with Wash U on a regular basis, the last substantive conversation he can recall being engaged in was related to the incident at Ames Place last year during Mardi Gras.*

A. Councilmember Hales:

- *After talking to Chief Hampton, I am confident that the police have been seriously engaging with Wash U since that incident, even though Council has not necessarily been briefed on all the details.*
- *Last year, I was involved in several meetings with members of Wash U's Government Affairs Committee who were supposed to be our liaisons, but once those meetings ended I never heard from them again. And their engagement this spring was really just an attempt to put the PR fire out as quickly as possible. This relationship works both ways, but I certainly have not felt like they possessed a strong desire to engage,*
- *Whether this study proceeds jointly or independently, it should not preclude us from having conversations with Wash U, if this entire body agrees to start that dialogue because personally, I have some concerns with the fact that our counterparts' level of engagement has not materialized. Unfortunately, this happens to be the same sentiment expressed by the residents at Ames Place who participate in regular meetings with Wash U.*

Mr. Rose substantiated the fact that Chief Hampton is actively engaged with Wash U in an attempt to develop a public safety strategy for The Loop. And while he suspects it will include strategies related to personnel, technology, and lighting, Council is scheduled to receive a cursory briefing on some of the details in either October or November.

A. Councilmember Cusick:

- *I concur with the comments of Mayor Crow and Councilmember Hales.*
- *My thinking is that after we receive the results from the Impact Study we will then be able to sit down with one core group, bring all of these issues to the table, and begin to develop a centralized method of discovering exactly what is going on between these two entities.*
- *I also think we need to start looking at our Codes to see what can be done now to make some of the situations we are experiencing a little better.*

Mr. Rose stated today we know that Wash U has an impact on public safety and the amount they contribute in that area; which in his mind is less than what it should be. But his belief is that the results of the Fiscal and Economic Impact Study will provide Council with the type of information that really helps to quantify whether a balance exists between the resources utilized and the resources contributed. That's the information you don't have today to guide you on the creation of policies and really drive those substantive discussions.

Councilmember Clay stated as it relates to the study, are we saying that we have allocated the funds to do this on our own, but saying, Wash U if you would like to participate here are the terms of that participation? Mayor Crow asked Councilmember Clay if he was suggesting money or just their participation in the study? Councilmember Clay stated he was referring to their participation. While he understands that the consultant can perform this study without them, it might be easier if they participate in terms of accessing information and performing a thorough evaluation.

Mayor Crow stated although he cannot speak for Wash U, he does not think they would be interested in participating in the financial aspect of this study nor have they been asked to participate. However, if Council would like to extend an invitation, that request could be made by the City Manager.

A. Councilmember Carr:

- *Here are a few of my basic disagreements with some of the positions taken during this discussion. It would be disrespectful to the fourteen members who sat on the Task Force; many of whom are community leaders, to say we don't have an idea about Wash U's impact on this City.*

- *Their report may not be as strong as the Impact Study or it may not have gone in the direction the City Manager wants to talk about, but she thinks it clearly demonstrated an imbalance. Therefore, I would be loath to disrespect any of the City's Boards or Commissions unless there is an obvious malfunction.*
- *Not only was Wash U consulted in this study, but they were also allowed to present any impacts they believed they had made on the City. Instead, they came in asking for six of the fourteen positions and wanted to have the final say about the scope of the study. This is why I am not keen on asking them for funding. And after several members expressed a desire to conduct a study that was a little more open-handed Wash U rejected the outcome of the report; the former Mayor tried to quash it, and former Councilmember Stephen Kraft tried to change it. So from my point of view, all of these actions colored the report. Furthermore, they kept trying to bundle her and Councilmember Cusick during the meeting they attended with members of Wash U's Government Affairs, which was somewhat awkward and disrespectful. So we have asked them to come to the table on a number of different things.*
- *I would like the autonomy of being able to say to the consultant here is the City's scope and Wash U can certainly tell you what they would like you to include. But to ignore us is infantile. And the reason I have reiterated the word disrespectful so often in my comments is because that's what she thinks this whole conversation has been about. We need to respect our partners and they need to have a reason to respect us. And it would behoove both parties to establish a respectful partnership that fosters reciprocal conversations. I want them at the table and think it would be foolish to keep moving along without bringing them to the table. Nevertheless, new day, new Council who understands that in spite of their previous actions we should keep inviting them because, at some point in time, they'll have to stop ignoring us and say yes.*

A. Councilmember Cusick:

- *I was a participant in the original study and agree 100 percent with everything expressed by Councilmember Carr. Asking Wash U to participate would be like putting the fox in charge of the hen house and this time we need to have a neutral study that truly illustrates what the impacts are.*

A. Councilmember Clay:

- *I have no disagreements with anything that's been said. Therefore, they should invite them to participate and if they want to help, fine; if they don't, fine. But the City should control all aspects of the study.*

Mr. Rose stated his prior comments were in no way meant to demean the work performed by the Task Force, simply to make Council aware that information from the Impact Study which is not available at this point, could be useful in making policy decisions.

As it relates to the next steps, he would like to get Council's concurrence on what he believes has been proposed.

- That an invitation be extended to Wash U to meet with the subcommittee and discuss what the City is trying to achieve and the role they could play; (*acquired knowledge and ability to supply the subcommittee and consultant with any documentation that might be needed.*)
- That a meeting be scheduled with Council and the consultant to discuss the City's expectations
- That development of the scope be advanced and performance of the study initiated.

Councilmember Carr asked Mr. Rose if he was referring to the Zoning Subcommittee? Mr. Rose stated that he was, and the reason he had made the suggestion was based on his belief that the proposal for an Impact Study had originated from that subcommittee.

A. Councilmember McMahon:

- *The Zoning Subcommittee was established to review the Code and determine whether it contained existing regulations or regulations that needed to be expanded or amended to protect the City's interest with respect to what it could do or needed to do, to help alleviate some of the negative impacts created by Wash U. But the reason the Impact Study bubbled up, was because the committee realized that some of those regulations addressed quality of life issues and that the study could possibly provide them with guidelines to help formulate and direct policies. However, after contacting the City Manager*

and learning that the study was geared towards obtaining an analysis of the net fiscal impact rather than impacts on the quality of life, the committee understood that they would have to dig into the Code and formulate these policies on their own. So even though the conversations about seats at the table and control of the study may have been going on at the same time, their task was not related to the Impact Study.

Q. If Council is in agreement that an invitation should be extended to representatives of Wash U, would it more appropriate to have that discussion at the full Council level?

A. Councilmember Hales:

- *I think it would be more appropriate.*

Q. Is there concurrence with the City Manager's summary of how to proceed?

A. (Concurrence is verbally acknowledged by all members of Council.)

Dr. Jones stated at this point, he would like to take off his facilitator hat and put on his I've been around here awhile hat. Because based on his perspective, judgment, and experience, the key person Council should have at the table is Henry Webber, who runs the business affairs of Wash U, and prides himself on being a superb urban planner.

Mr. Rose asked if it would be appropriate for staff to draft a letter from the Mayor to Wash U? Councilmember Carr asked if Council could get a copy of the letter to review before it is sent out? Mr. Rose stated they could.

A. Councilmember Hales:

- *Based on what I've heard today, there is an obvious lack of trust that has developed over the years between some members of Council and the University. And while I am optimistic about the opportunity to rebuild that relationship with Chancellor Martin, I think some of those differences will have to be communicated before either party will ever get to the point where that trust can be reestablished.*
- *Frankly, based on the level of people each member of this Council represents, they should be meeting with someone in Henry Webber's position.*

Dr. Jones stated as the Executive Vice Chancellor and Chief Administrative Officer, he is the one making the decisions on these matters.

Lunch Break – 11:45-12:30 p.m.

The afternoon session reconvened at 12:30 p.m. with the department directors joining the meeting. The following directors were present:

Human Resources Director – Yolanda Howze
Communications Director – Allison Bamberger
Economic Development Director – Libbey Tucker
Park, Recreation and Forestry Director – Darren Dunkle
Planning and Zoning Director – Cliff Cross
Interim Finance Director – Keith Cole
Police Chief – Larry Hampton
Fire Chief – William Hinson
Public Works Director – Sinan Alpalsan

E) Loop: Governance

Mr. Rose stated as it relates to governance of The Loop staff has taken a two-track approach.

1. The creation of a Community Improvement District. John is working with the individuals interested in creating this District that will be brought forward to Council for consideration upon completion.
2. The Loop Special Business District (LSBD), has been in place for many years, and their role as it relates to governance, includes some administrative tasks. In fact, the State Statute requires them to maintain that role.

Staff is requesting Council's confirmation of these two tracks and authorization to continue working with the group interested in creating the CID, as well as the LSBD, to ensure they remain in compliance with the State Statute as it relates to their administrative role.

A. Councilmember Carr:

- *It's difficult for me to separate the two issues because so many of the decisions being made also affect marketing.*
- *In roughly 2012, Council was presented with a proposal for a CID to mirror the CID currently being formed in the City of St. Louis, as well as a 353 Corporation to manage both CIDs. which would have granted very broad powers. The property owners were not keen on the structure of the proposal, so it disappeared off of Council's agenda, while they tried to put together a Community Improvement District that would more adequately reflect their needs for marketing, programming, public safety, and surface parking; which has long been an issue. Work on the CID continues today. And my belief is that if this area ever intends to have an Executive Director to take care of both the administrative and marketing functions, it would probably have to be done through a restructuring like the CID. No actions have been taken to remove the current Special Business District since participation and revenue are also received from business owners who do not own property in U City. However, right now, I don't think the LSBD is working, and it may be the people, rather than the policies which appear to be rather firm.*
- *There was an expenditure of \$8,000 that is basically unaccounted for. This money was supposed to be spent on marketing for the opening of the Trolley. But when Clayco stepped in and provided the marketing that money essentially disappeared down a rabbit hole.*
- *Next, they found out from the Executive Director's report that last year's free Trolley rides on Small Business Saturday were largely underwritten by the Trolley Company. Which, in her opinion, was a huge marketing misstep. It would have been a much smarter PR move to say the businesses here in U City-sponsored free Trolley rides instead of allowing the Trolley Company to take all of the credit.*
- *At about the same time they learned about the free Trolley rides, a fictitious name registration was made on behalf of the East Loop CID (L-CID), to conduct business under the name of The Delmar Loop. All of these things are happening, but the Board doesn't know what's going on, so it causes you to wonder why? Joe Edwards is involved in the Trolley Company, the L-CID, the TDD, and he's the Chair of the LSBD. My experience with Joe is that he may not be much on details, but he typically knows everything that's going on. So she can't imagine that Rachelle L'Ecuyer; who introduced herself at a meeting as the Executive Director of the Delmar Loop, would take the initiative to file this on her own without his knowledge. But as documented on this registration the Executive Director of the L-CID can be the Executive Director of the Delmar Loop. And the thing that might really pique your interest is that Mr. Edwards submitted a request to the EDRST for funds to erect a sign that reads, "The Delmar Loop"*
- *I am not particularly happy with the way the LSBD Board is operating in terms of their compliance with the Code and the Sunshine Law. And she is certainly dismayed that the Board and this Council were kept out of the loop about this fictitious name registration. At this point, the only two members of the Board she has advised are Mike Alter and Steve Stone, both of whom are property owners.*

A. Councilmember Cusick:

- *I concur with everything Councilmember Carr just said.*
- *The governing body of the LSBD that is supposed to be in charge of marketing, events, and the overall health of The Loop does not have a clear direction.*

They have not addressed the requirement to develop a Strategic Plan and there seems to be a real disconnect with what needs to happen in the U City portion of the Delmar Loop and what the LSBSD is actually doing.

A. Councilmember Clay:

- It seems like the Strategic Plan is the crucial element because without it there is not going to be any direction.*
- What role if any, does the City have in facilitating the execution of this plan?*

Mr. Rose stated prior to answering that question, he would like to provide an update on the budget for The Loop. Staff's belief is that the previously allocated EDRST funds have been reconciled, although, at this point, they have not been able to confirm the use of those funds. The monies received from property taxes and business licenses have not been reconciled. Keith Cole, the Acting Director of Finance, is currently in the process of gathering this information and his understanding is that it will be concluded soon. However, until some of the questions on the use of these funds have been answered, no funding has been released to the LSBSD.

Council allocated \$15,000 to the LSBSD Board for the creation of a Strategic Plan and it is their responsibility to go through the process of putting that plan together. They are also required to prepare an Annual Report to Council summarizing their activities related to that Strategic Plan. Now, having said that, the Mayor and Council still have the responsibility of maintaining oversight for the LSBSD. So if they have not moved forward with the creation of a Strategic Plan in what he would consider a reasonable period of time, he will come back to Council and ask for their guidance.

A. Councilmember Carr:

- This is why The Loop is so important to U City. In 2012 revenue from their sales produced 20 percent of the EDRST's revenue; this year her understanding is that their revenue is slightly over 17 percent. You can attribute that to any number of factors; the abundance of empty storefronts; less business being conducted, but the bottom line is that we are losing revenue, and the questions that must be asked are why, and how can we fix it?*
- As I understand it, any new expenditure requires the approval of Council, yet in a sense, money seems to have been transferred to the Trolley Company without that approval. Now you could probably carve it out as a marketing expense, but the fact is that this expenditure seems to have been pretty well hidden. Delmar is a street that was and probably still can be highly successful, that right now, she thinks it is in crisis. And unless we start to pay attention and give them the necessary guidance, we could see a further decline in revenue.*

A. Councilmember Cusick:

- I have attended all of the LSBSD Board meetings. They discussed the Strategic Plan in April; mentioned it in May, and said nothing about it in August. In fact, these meetings never include a report from the Treasurer or mention anything about what monies they have in the bank.*
- I think the City Manager notified the Board in April of the need to initiate this plan and to date, they have not made any progress towards its creation. So I believe it is time for Council to either compel them to get moving or provide them with more direction.*

Q. Other reactions from Council to the point just made by Councilmember Cusick?

A. Councilmember Smotherson:

- While this is not necessarily related to the point made by Councilmember Cusick, I do have a question. The term Delmar Loop has always been associated with the U City portion of the Loop, but are you now saying that the East and West portions of the Loop are included in that name?*

A. Councilmember Carr:

- This is day four and I still have not received an answer from Ms. L'Ecuyer on her question about what the term Delmar Loop comprises.*

Although at one point, Ms. L'Ecuyer did refer to the old Cicero building as the "Gateway to the Delmar Loop," which has always been known as the Delmar or U City Loop.

- *Essentially, they would like you to believe that the Delmar Loop runs from some part of U City all the way east into the City. But my point is that the L-CID can now use the name Delmar Loop to represent them, and she is uncertain whether it would be legal for the U City portion of The Loop to do the same.*

A. Councilmember Smotherson:

- *Is that something staff could look into in order to get a better understanding of exactly what that name is referring to?*

Mr. Mulligan stated his understanding is that the East Loop has registered the fictitious name of Delmar Loop so they can conduct business under that name and no other business, political subdivision or CID can use it. Legally it has no effect on the geographic boundaries.

A. Councilmember McMahon:

- *It sounds like what we have are, interconnected relationships between some of the players on the Board; problems with a cooperative marketing agreement that established the position of Executive Director to assist both entities with marketing, that is seemingly working to their detriment, and a situation where if the LSBSD Board ever said they wanted to be called the Delmar Loop, the L-CID could say you can't because that's our name.*

And if the LSBSD helped to fund this position, then we've really got a problem. Council and this administration have really got to stop and say, "What's going on here," because it doesn't smell right.

A. Councilmember Cusick:

- *Two-thirds of the Executive Director's salary is paid by the L-CID, and there does appear to be a conflict of interest. I think Council is the entity responsible for making sure we have a director that is beholding to U City and works to define exactly what the Delmar Loop is.*

A. Councilmember Hales:

- *I am not particularly comfortable with the idea that the East Loop CID has effectively appropriated the name Delmar Loop for themselves and believe they did not do the LSBSD any favors by taking such action. So I think we all would like to see these issues with the Board get straightened out.*

Mr. Mulligan stated he may have misspoken about using the name. Under the Chapter in which they registered this, the West Loop could also do business as the Delmar Loop because it does not establish any geographic boundaries. The L-CID did not incorporate the name; they just provided notice to the public. So his assumption is that if somebody else wanted to use the name, they could.

Councilmember Carr asked if the LSBSD could register the name? Mr. Mulligan stated although he would have to really look into it, his initial reaction is I suppose they can. But Council passed an Ordinance on the LSBSD regulating the name, and at this point, he is uncertain whether that would require Council's approval.

Councilmember Carr asked if there could be two registrations for the same name? Mr. Mulligan stated there could be since it's a five-year registration. The lead-in on this says, it's for the use of the public and gives no protection to the name being registered. The method by which they chose to register this does not preempt others from doing it because there is no provision in this chapter to keep another person or business entity from adopting or using the same name. However, he would have to look at the special business district law to inform Council if there are any implications for doing that. So, whether or not you would want the LSBSD to do business as the Delmar Loop, is another question.

Councilmember Carr stated what she is concerned about is the LSBSD's possible exclusion from using the name; the problems that could create at some point in time, since Rachelle is representing herself as the Executive Director of the Delmar Loop, not the Executive Director of the LSBSD, and the fact that no one else was told about this decision.

Mr. Mulligan stated the purpose is to inform the public. So if a member of the public sees the name The Delmar Loop on some of their marketing materials or documents, they could look it up and find out that it is a fictitious name for the East Loop CID.

A. Councilmember Carr:

- *The newsletters include information from both the East and West CIDs, and the logo is essentially being used to represent both CIDs.*

A. Councilmember McMahon:

- *Where the conflict comes in, is when someone sees a Delmar Loop sign hanging somewhere that was made possible by an EDRST grant, that we won't get any credit for it once they determine the name is registered to the East Loop CID.*

A. Councilmember Cusick:

- *As a point of information, I emailed Mr. Rose that the LSBSD has not only assumed ownership of the Delmar Loop logo, but believe they have the authority to extend the name to other organizations. Wash U has a women's organization called Bare Necessities that sells Wash U merchandise, and apparently the Board gave them permission to use the Delmar Loop logo on some of the merchandise they sell in their shop.*

A. Councilmember Carr:

- *Since Dan Wald stopped being the Treasurer no financial reports are provided at meetings. At best, the current Treasurer will say "There is about \$150,000 in the account". Reports from other Boards and Commissions are quite a bit more informational. So it would be nice, even if it was only quarterly, to have a more substantive report made in their Board Meetings; which are supposed to be open to the public. However, at one point I had to remind them that this was an open meeting and that the door should remain open and not locked.*
- *The LSBSD was established in the '80s, but it did not seem to get out of hand until 2006.*

A. Councilmember Clay:

- *I understand that providing a financial report is simply a best practice for any organization, but is the Treasurer's Report something the LSBSD is required to provide?*

Mr. Rose stated he did not have the Code in front of him to provide information related to what is required, but as a part of the Annual Report Council could require that a Treasurer's Report be included.

Mr. Mulligan stated he does not recall seeing that as a requirement, but it is up to the LSBSD to determine how they want to conduct their meetings and what information they want to share.

Councilmember Clay asked whether, under the governing statute, Council had the authority to make adjustments when they are needed? Mr. Mulligan stated Council certainly has authority and considerable discretion over LSBSD's operations. For example, if you wanted to mandate that they provide a monthly Treasurer's Report, you could include it in the Ordinance under "*Duties and responsibilities*".

A. Councilmember Clay:

- *While I am not necessarily an advocate of this, it seems like Council has some outstanding issues that there are legislative remedies for.*

Q. Can I get a response from Council on how they would like to proceed with the two-track approach related to this topic that was provided by the City Manager?

Mr. Rose stated what he's heard from Council is that they want the LSBSD to move forward with the creation of a Strategic Plan.

And while it may not necessarily be for the LSBD, you would like a Treasurer's Report at the Council level, or at least included as a part of the Annual Plan they are currently putting together for last fiscal year. So, in my mind, the next step would be for the Mayor to provide the Chair of the LSBD with a letter making those formal requests.

Q. Is there a reaction from the Council?

A. *(Concurrence is verbally acknowledged by all members of Council.)*

F) Loop: Marketing

Councilmember Carr stated several years ago The Loop was running multiple events almost every quarter, like the Ice Carnival; Chalk the Loop, Art Fair, and a couple of other things. And this basically continued even when they decided to use volunteers to manage these events. But one of the reasons she has always been supportive of EDRST money for these events was based on their purpose; to draw as many people into the area and help support our businesses. But when Ms. L'Ecuyer was hired as the Executive Director things began to change.

Her one consistent event held the first Friday of every month is called "Get Looped," and is basically a promotion-based event. There is no information going out on the street, and other than the website, there is no advertising. Taco Tuesday was another promotion-based event where businesses gave out free tacos.

However, because the coordination and excitement that used to be generated by previous events were not present, most of the business owners knew nothing about this event. There just seems to be a lot of no's and promotional-based events, as opposed to real marketing proposals. Councilmember Carr stated two people that attended a recent marketing meeting provided her with the following information:

1. Ms. L'Ecuyer has hired a separate company to run all of her events at a cost of \$1,500 a year. Ms. L'Ecuyer makes roughly \$135,000 a year, and the portion of her salary that comes from our area is specifically earmarked for marketing and promotions.
2. When Ms. L'Ecuyer was asked about having a street fair she said it was too disruptive to close the street, too hard, and she wanted to start small. When she was asked if they could use the *Riverfront Times* or *The Grove* for advertising, she said it was too expensive. When she was asked if they could do direct marketing to residents, she said it's not very effective.

But when she talked to a small group of business and property owners they expressed a desire to return to some of their previous events on a quarterly basis. Some may view this as a conflict, but in my opinion, it's an enhancement. One or two businesses are doing very well, and there has been some repopulation in terms of new businesses coming in, but the reality is, The Loop is not thriving. My sister-in-law's business on Olive has had more events in her tiny little store than she has seen in The Loop all summer. And while it's certainly true that each one of these businesses in The Loop could do the same thing, it's kind of sad to know that someone is being paid to do their marketing and yet, there is little production.

My understanding from Mr. Rose is that what we want to do in terms of economic development is get more businesses to locate in The Loop. But if you don't have people being drawn to The Loop; if there is no excitement or buzz going on, then there's really no reason for any business owner to spend the kind of money they would have to spend to rent in The Loop, even if it is reduced. Councilmember Carr stated she is very concerned that with the number of successfully growing areas U City is losing its cache'; which is also reflected in our sales tax dollars.

A. Councilmember Cusick:

- *Another thing I've heard the Executive Director say is that we can't do events like Mardi Gras, Halloween, Pride Fest or St. Patrick's Day, because they are owned by other communities and she does not see the need to do things like this. But we can do all of these things.*
- *I think there is a lack of willingness on the part of the Executive Director; who we supposedly pay \$40,000 a year, to perform marketing for The Loop, and as a result, a couple of the business owners are trying to do some events on their own.*

A. Councilmember Smotherson:

- *Who does the Executive Director answer to, and does that need to be changed?*

Mr. Rose stated the Executive Director for the Delmar Loop is accountable to and takes her directions from the East Loop CID, but that's not to say that she won't pay attention to the LSBSD. Based on the structure that is in place the L-CID has its own separate organization that hires the Executive Director, who was contracted to perform specific services for the LSBSD.

Q. Is there any action the Council would like to see the administration explore?

Mr. Rose stated what he has heard is that at a minimum, Council would like the Strategic Plan to include events similar to The Loop in Motion and others, clearly identified within the plan.

A. Councilmember Carr:

- *I think it depends on whatever structure ultimately comes out of it. Right now it's the LSBSD, but I'm hearing that they would like to have four events a year to bring people to The Loop.*
- *I would say that fundamental to a change would be having an Executive Director for the West Loop who could cooperate and collaborate with the East Side. These Board members run small businesses and do this on a volunteer basis, and I'm not sure they even know what their charge is. So in my opinion, it's very Lucy-Goosey in terms of execution.*

A. Councilmember Cusick:

- *The Executive Director needs to be a professional with a degree of expertise and experience in coordinating events; not some employee from one of the businesses in the area.*

Mr. Rose asked whether Council wanted to be involved in the creation of the job description or if they were comfortable leaving it up to the LSBSD to make sure that the individual demonstrates the skills needed to be successful in the position?

A. Councilmember Carr:

- *The packet LaRette printed for members of Council includes a job description for the Executive Director of the East Loop, which details pretty much what we are looking for. The salary is somewhat irrelevant because quite frankly, this work was previously done on a fulltime basis for about \$55,000 a year. Now, perhaps, we will have to help augment that salary since the LSBSD only gets about \$80,000. But in my opinion, the current relationship is failing to produce the results we need to see in order to change the trajectory of the success in this area. So the questions we need to ask ourselves is what we want to achieve out of this core commercial area, and what are we willing to invest to help the LSBSD get going in the right direction? I think this is critical; especially when you look at what's happening to retail establishments across the country.*

Mr. Mulligan stated to ensure that Council does not have bad information or opinions on this issue of the Delmar Loop registration, he would like to make some clarifications. After having an opportunity to review the State Statute, it talks about any person, general partnership, corporation or other business organization who engages in business under a fictitious name must register it, so the East Loop is a 353 Corporation. But I don't think the West Loop or the LSBSD falls under any of those categories. In fact, if you look at the second subsection of this chapter, it says, "A fictitious name shall not contain any word or phrase that indicates or implies that it is a governmental agency or that is seriously misleading". Therefore, I think it's highly questionable that a governmental entity; which is a political subdivision, could register a fictitious name, and he has never heard of a city or political subdivision doing business under a fictitious name.

So his opinion, at this point, would be that it could be very problematic if the LSBSD wanted to try and operate under the fictitious name of The Delmar Loop, even if Council gave its blessing under an Ordinance or some other authority.

Q. In terms of what Council would like to see happen, the next serious exploration is setting up a separate West Loop CID; as you've been referring to, and what the cost and consequences of doing that would entail.

Mr. Rose stated one of the central issues for The Loop seems to be how it should be marketed; is there a desire to market it as The Delmar Loop, or should there actually be two very distinctive areas? However, based on Council's desire for the LSBSD to have its own executive director, perhaps, it would be advisable to hold off on the issue of marketing until that individual is in place and given an opportunity to participate in discussing the pros and cons.

Councilmember Clay questioned whether the LSBSD would be responsible for hiring this executive director? Mr. Rose stated they would be. Councilmember Clay asked whether the LSBSD was in concurrence with Council about the need for their own executive director?

A. Councilmember McMahon:

- *Going back to the Joint Study Session meeting my recollection is that their sentiment was; we'd love to have our own executive director, but we can't afford it. So I think there was a consensus that if the funds were available they would rather have their own. But since that was not the case, the compromise would be to make a contribution in order to utilize the Executive Director for the East Loop CID. That also led to a conversation about the creation of a West Loop CID, because it would be one way of leveraging funds to pay for a fulltime position.*

Mr. Rose stated another option could be to have another joint meeting with the LSBSD so Council can hear their concerns and they can hear Council's concerns.

Q. Does the Council have any additional comments on those two alternatives?

A. Councilmember Carr:

- *I believe it's always better to talk than to avoid the situation. And if nothing else, at least we've put a check in that box.*
- *I am really hesitant at this point because in this case I think it is personality as opposed to position. But with all due respect to Mr. Edwards, who heads up the Loop TDD; the Trolley Company; the LSBSD, and the East Loop CID, all of this essentially follows his plan; which he's openly stated is the Wash U 2011 plan. And if you read the plan you'll see that it describes a very different Loop than we have envisioned or at least what she believes this Council has envisioned.*
- *The survival of this commercial district is very important to this City, and I think to do anything less than continue to try and make it successful is foolish.*

Q. Is everybody okay with a joint meeting being the next step?

A. (Concurrence is verbally acknowledged by all members of Council.)

5. Work Plan Review (Remove/Modify/Add): Mr. Rose

Mr. Rose stated the intent of this review is to revisit the previously adopted Work Plan and based on the directions he has received from Council make the necessary modifications. All amendments will be placed on a future agenda for Council's consideration.

Q. Is Council still in concurrence with the list of priorities?

- *Economic Development*
- *Public Safety*
- *Encourage High Quality Growth*
- *Prudent Fiscal Management*
- *Infrastructure*
- *Community Quality of Life Amenities*
- *Employees*

A. (Concurrence is verbally acknowledged by all members of Council.)

A) Economic Development

I-170/Olive TIF Development

- ❖ *Based on the conversations this morning, the Director of Communication's will develop a communication's strategy for this development.*
- ❖ *RFP process completed*
- ❖ *Council to receive presentations from firms identified by the EDRST Board in the upcoming Joint Study Session*

Economic Development Strategic Plan

- ❖ *RFP process completed*
- ❖ *Council to receive presentations from firms identified by the EDRST Board in the upcoming Joint Study Session*

Olive Blvd Master Plan

- ❖ *Recommendation to place this plan on hold*
- ❖ *It is anticipated that after completion of the Comprehensive Plan there will be an update to the original Olive Blvd Master Plan*

Downtown Parking Study

- ❖ *Study scheduled to be completed in September*
- ❖ *The first review will be conducted by the Traffic Commission in October and thereafter, forwarded to Council*

Mayor Crow: Can the study be distributed simultaneously to both the Commission and Council?

Mr. Rose: It can be.

Creation of a Marketing Plan

- ❖ *To be initiated after completion of the Economic Development Strategic Plan*

Creation of a Joint City/University planning team

- ❖ *Work is in progress and anticipated to be ongoing*

Economic Development Retail Sales Tax Fund

- ❖ *Program completed*

Create an Economic Development Program

- ❖ That addresses the needs for business retention, recruitment, and job creation.

Olive and North & South

- ❖ Pursuant to the Court's ruling in favor of the City's Motion for Summary Judgment indicating that the City is the rightful owner of this property, a portion of this litigation has been concluded
- ❖ The process to resolve some of the liens placed on the property is ongoing
- ❖ Staff to initiate discussions with the Mayor and Council to identify the type of development desired on this property

Olive and Midland Development

- ❖ Staff is in the process of obtaining RFP's and reviewing the types of developments being proposed

Hotel Feasibility Study

- ❖ RFP process concluded with responses from five applicants
- ❖ Responses and staff's recommendation to be forward to the Mayor and Council perhaps, as early as September

Economic Development:

Strategic Project	Responsible Department	FY Implementation
<ul style="list-style-type: none"> • I-170/Olive TIF Development – Commercial, residential (neighborhood) mixed use development 	<ul style="list-style-type: none"> • Community Development • Planning and Development 	FY 20 - 22
<ul style="list-style-type: none"> • Economic Development Strategic Plan – Identify businesses that are the best fit for U City and provide a living wage for residents 	<ul style="list-style-type: none"> • Economic Development • City Manager 	FY 20
<ul style="list-style-type: none"> • Olive Blvd Master Plan – Study to gain consensus on traffic flows to take advantage of economic opportunities 	<ul style="list-style-type: none"> • Community Development • Planning and Development 	FY 20 – 21
<ul style="list-style-type: none"> • Downtown Parking Study – Manage parking to improve access and land uses 	<ul style="list-style-type: none"> • Community Development • Public Works 	FY 20
<ul style="list-style-type: none"> • Creation of a Marketing Plan – Identify tools/assets to tailor a strategy for recruiting business that are best for U City 	<ul style="list-style-type: none"> • City Manager / Community Development • Economic Development 	FY 21
<ul style="list-style-type: none"> • Creation of a joint City/University planning team – Identify areas of mutual interest to develop future partnerships 	<ul style="list-style-type: none"> • Economic Development • City Manager 	FY 20-21
<ul style="list-style-type: none"> • Economic Development Retail Sales Tax Fund – Create a function and criteria for use of funds collected • Establish an Economic Development Program – Create an economic development program that addresses the needs for business retention, recruitment, and job creation 	<ul style="list-style-type: none"> • City Manager • Economic Development 	FY 19 FY 20
<ul style="list-style-type: none"> • Olive and North & South Development – Identify the type of development desired at intersection and acquire property 	<ul style="list-style-type: none"> • City Manager and Attorney • Economic Development 	FY 20
<ul style="list-style-type: none"> • Olive and Midland Development – Identify the type of development desired at intersection 	<ul style="list-style-type: none"> • Economic Development / Community Planning and Development 	FY 20
<ul style="list-style-type: none"> • Hotel Feasibility Study 	<ul style="list-style-type: none"> • Economic Development / City Manager 	FY 20

Q. Are there any additional comments on the Economic Development projects?

Mr. Rose stated his intent is for the Director of Economic Development to create a plan highlighting an Economic Development Program for the City that will be presented during a Study Session to obtain Council's consensus on each aspect of the plan; i.e., the recruitment and retention of companies, marketing, et cetera. Mr. Rose stated his recommendation will be for the plan to be added to the Economic Develop Work Plan.

Councilmember Smotherson: What is the closing date for the Olive/Midland RFP? Mr. Rose: The end of September.

B) Public Safety

Police Facility

- ❖ *September 9th, Council Study Session on the Annex Facility Assessment & feasibility Study*
- ❖ *Initiation of the Space Needs Study*

Q. Councilmember Hales: Is the analysis of the Annex complete at this point?

A. Mr. Rose: It is near completion. Councilmember Hales: Can Council get the finished analysis in enough time to conduct a thorough review?

A. Mr. Rose: My hope is to work with Trivers to finalize the study and presentation next week and will be distributed to Council shortly thereafter. The focus of this study is whether the Annex can be utilized to house any of the City's operations.

Q. Councilmember Smotherson: Will the Sept 9th Study Session reveal what operation/operations should be housed in the Annex?

A. Mr. Rose: The answer to that question will be determined by the Space Needs Study, which is a separate project from the Annex Feasibility Study.

Councilmember Smotherson: Something I found confusing is the first subject line which reads, "*Police facility, construction of a new police station, and police substation*". I think that's misleading and would rather not hear or see anything about a police substation because I do not think it would be feasible in the 3rd Ward.

Mr. Rose: As it relates to a new police station or the number of stations needed, all of that will be determined by the Space Needs Study.

Q. Councilmember Smotherson: When will the Space Needs Study be completed?

Mr. Rose: No deadline has been established.

Q. Councilmember Cusick: What is the logic behind moving the implementation of the police facility to 2022?

A. Mr. Rose: 2022 simply provides us with enough time to conclude the analysis of the Annex and the Space Needs Study; which could take a longer period of time depending on how comprehensive Council wants it to be.

Q. Councilmember Carr: When will the Space Needs Study be initiated?

A. Mr. Rose: It is scheduled to start in Fiscal Year 2020.

Q. Councilmember Carr: Will the scope of the study be determined prior to its commencement?

Mr. Rose: Council will determine what the scope of the study should be prior to the issuance of the RFP for a consultant to conduct the study. The length of time it will take to conduct the study will be largely dependent on what Council believes the scope should be. All proposals received via the RFP, along with staff's recommendation, will be presented to Council for final approval.

Councilmember Clay: I would like to put my advocacy in early and request that the Space Needs Study be broad and comprehensive in order to understand all the dynamics and options available to us. The police station is a generational decision that I do not believe can be made in isolation without complete data.

Q. Councilmember Smotherson: Why do we need a consultant to tell us something that staff is capable of doing? They know and understand what these buildings are and what is necessary to conduct each operation.

A. Mr. Rose: Staff will have a role, which is to provide information about their operations, but I believe the discipline needed to determine the correct outcomes regarding what can fit within each of these buildings are engineers.

EMS Transport Evaluation

- ❖ *Completed*

Accreditation

- ❖ *The first visit from assessors and auditors has been completed and a second visit is scheduled to occur in November*
- ❖ *Tweaks were needed to some of the office space and the storage of files*
- ❖ *A final determination is expected to be rendered by the end of this year*

Public Safety

Strategic Project	Responsible Department	FY Implementation
Police Facility – Constructing a new police station	City Manager Public Works / Police Department	FY 21 - 22
Community Policing Strategy – Tailoring a strategy that enhances what works best for U City	Police Department	FY 20
Enhancing use of Technology – Using technology to enhance public safety efforts, i.e. cameras, drones, robotics, analytics, etc.	Fire / Police Department	FY 18 – 20
Fire Marshal – Recruit and train an individual to enforce the International Fire Code within the FD	Fire Department	FY 20
EMS Transport Evaluation – Conduct an analysis of cost and value for fire-based EMS transport	City Manager / Fire Department	FY 19
Accreditation – Police accreditation and certification (state) for improving police services	Police Department	FY 19 - 22

C. High Quality Growth

Visioning Process / Comprehensive Plan Update

- ❖ *The RFP has been reviewed by the Planning Commission; distributed to Council, and is scheduled to be issued on September 13th*

Redevelopment Plan

Councilmember Clay: I was contacted by a resident in RPA-1, who as a result of the buyout, is moving into the 3rd Ward. And while she fully understands that if the developer is unsuccessful in securing funds this development is not going to happen, she was curious to know whether the Relocation Assistance Program would, to some degree, be retroactive since she has to move now. We do have folks in RPA-1 that are currently making moves, and while the City Manager has done a good job of articulating the consequences associated with the ability/inability to secure these funds, he has also articulated the implementation of an Assistance Program. So I think even in the absence of certainty, and without any guarantees, we should start developing processes like this one so there is transparency and residents can see what the process will ultimately look like and whether it holds any value for them.

Infill Review board - Modify

- ❖ *Staff is currently working with Councilmember McMahon and members of the Board to develop roles and responsibilities*

Evaluation of Boards and Commissions

- ❖ *Evaluations are currently underway*

Q. Councilmember Smotherson: Could we possibly conduct expedited evaluations on some of our inactive Boards/Commissions? And specifically, I'm referring to the Human Relations Board.

Mayor Crow: I don't know that there has been a groundswell of support; particularly from Council, that says we even need to have a long conversation about this Commission. So if we are not appointing people to this Commission and they are inactive, I would like to bring closure to its existence, sooner rather than later.

A. Mr. Rose: If that is the direction of Council then I will work with the City Attorney to prepare the documentation needed for Council to officially sunset this Commission.

Q. Councilmember Carr: Is there anyone on the Human Relations Board that is even interested in reactivating their meetings?

Councilmember Smotherson: Not at all.

Councilmember Carr: Then I concur with the Mayor.

Evaluate Zoning Code

- ❖ *To be initiated after completion of the Comprehensive Plan*

Code Enforcement Analysis

- ❖ Proactive approach and processes currently in progress
- ❖ New cars for inspectors
- ❖ New approach to rental/occupancy inspections

- ❖ New software to enhance inspection/re-inspection process
- ❖ Future Study Session to present changes to Council

Q. Councilmember Hales: What do some of these zoning changes encompass?

- A. Mr. Cross: These are two of the proposed changes:
- A prescriptive zoning approach, like Form-Based Zoning, that creates additional buffers based on the building designs and layouts to make incompatible uses less incompatible. Today, U City has a traditional Euclidean zoning classification which means you separate different land uses; housing in one place, shops in another, and factories in yet, another.
 - To create a more user-friendly Zoning Ordinance that can be enforced consistently. The current Code has been so infiltrated with supplemental regulations they have become hard to interpret and consistently enforce.

Q. Councilmember Hales: Is there a rough timeline for when these changes will be completed?

- A. Mr. Cross: It's a fairly quick change in terms of policy, but the key is how we set up scheduling and the new software system. So we could have it completed by the Spring of 2020.

Q. Councilmember Hales: Since the pieces are starting to fall in place, can we communicate some of these changes to our residents?

- A. Mr. Rose: Staff will be putting together a report for Council's review and that information can ultimately, be communicated to the public.

Q. Councilmember Carr: Will the new approach to rental/occupancy inspections include both single and multi-family?

- A. Mr. Cross: Yes, it will address rental properties across the board. The one difference is that instead of making inspections on a specific unit each time there is a new tenant, a Rental License will be tied into the process to ensure that the entire complex is safe. An inspection will occur every time that license has to be renewed.

Q. Councilmember Carr: Do we currently have a Rental License?

- A. Mr. Cross: One of my suggestions will be that we implement this license and that all landlords be required to have them.

Q. Councilmember Carr: Will Airbnb(s) be handled in a similar manner?

- A. Mr. Cross: We are looking at a couple of ways to approach Airbnb(s) but ultimately, they will be incorporated into the Zoning Ordinance.

Q. Councilmember Carr: There is a desirability to control density for single-family residences, but will there be any changes for rentals?

- A. Mr. Cross: The City of Berkeley has some case law currently pending on this issue which talks about a 30 percent rental allowance for certain areas. So we are kind of in a holding pattern until after a ruling has been made.

Q. Councilmember Clay: Are you looking at a scenario in which you can expedite the process to address the issues related to vacancies?

A. Mr. Cross: This issue touches on why there is a need to update our software. While the City does have a Vacant Building Registration, one of the weaknesses of its software is that it does not automatically notify staff when the one year registration period has expired. So there are some policies in place to address nuisance properties that over the years have not been put into practice, and we are working to reinstate them. If owners are noncompliant after being put on notice of the need to address issues within a certain timeframe, the City will seek a Demolition Order. We are going to work to hold absentee landlords more accountable by streamlining our violation process. But the focus will be more on property remediation as opposed to individual citations.

Q. Councilmember Smotherson: Once an owner is put on notice, how long will the entire process take?

A. Mr. Rose: That process, which is dictated by State Statutes, will be a part of the Study Session presentation.

Q. Councilmember Hales: Are there any short-term changes that would make this process a little better for our inspectors?

A. Mr. Cross: No, not at this time. Honestly, it's about being more diligent. We have a new housing inspector whose focus will be on exterior maintenance; tablets have been installed in the new vehicles, so both of these changes should really make a difference.

Parkview Gardens Plan Implementation

- ❖ *Since the Comprehensive Plan will address some of these issues and there are lingering questions related to whether this plan should be implemented, the recommendation is to place this plan on hold*
- ❖ *Staff will continue to work with consultants to evaluate prior plans to see how they fit into the 20-year vision.*

Q. Is there a consensus by Council to place this plan on hold?

A. *(Concurrence is verbally acknowledged by all members of Council.)*

Housing Program

- ❖ *A report on this program will be presented to Council via a Study Session*
- ❖ *The position of Zoning Administrator which is currently being performed by the Director of Planning & Development will be revisited*

Encourage High Quality Growth:

Strategic Project	Responsible Department	FY Implementation
Visioning Process / Comprehensive Plan Update – What does the community want the city to look like in the future?	City Manager / Community Development Planning and Development	FY 20 - 21
Redevelopment Plan – Implementation plan for residential component of I170 / Olive TIF	Community Planning and Development	FY 21 - 22
Architectural Infill Review Board – Create an architectural review board to replace/enhance the existing-Modify-Infill Review board	Community Planning and Development	FY 20
Evaluation of Boards and Commissions – Determine their effectiveness, efficiency and need	City Clerk / City Manager	FY 20 - 21
Evaluate Zoning Code – Determine their effectiveness of current codes	Community Planning and Development	FY 21
Code Enforcement Analysis – Evaluate housing inspection effectiveness, priorities and processes	Community Planning and Development	FY 20
Housing Program – Create a housing program tailored to fit University City	Planning and Development	FY 20
Parkview Gardens Plan Implementation – Evaluate the zoning and other implementation actions	Community Development	FY19

D) Fiscal Management

5-year Financial Forecasting

- ❖ *Staffing needs within the Finance Department have created some challenges. Currently, there are two unfilled positions*

Popular Annual Financial Report

- ❖ *Recommendation to remove this report from the Work Plan*

Pension Plan Analysis

- ❖ *If the present goal to maintain the plans at a minimum of 80 percent funded to evaluate the amount of contribution that should be recommended on an annual basis is acceptable to Council, the analysis will be considered completed and removed from the Work Plan*

Annual 5 year CIP

Internal Service Fund Review

- ❖ *Depending on the service levels found after the initial evaluation the assistance of a consultant may be required to help staff conduct a more detailed examination.*

Solid Waste Rate Analysis

- ❖ *Study completed*
- ❖ *No rate increase recommended for this Fiscal Year*
- ❖ *Within the next 30 days, Council will be asked to consider the creation of a Solid Waste Rate Study Task Force to identify what level the rates should be to fit the City's specific needs*

Q. Councilmember Hales: Would St. Louis County be open to adding the City's yearly trash bills on the property taxes for single-family residential homes to help address some of our collection issues?

A. Mr. Rose: John and I will be meeting with the County Collector and that is a question they can raise with him.

Mr. Mulligan: My understanding is that Mr. Cole has talked to the County and they have refused to put a refuse collection special tax bill on the annual real estate tax bills. But we can certainly inquire further.

A. Mr. Cole: St. Louis County will add outstanding bills for the removal of weeds to a residential tax bill.

Q. Councilmember Hales: Is that in the form of a lien?

A. Mr. Cole: Yes.

Councilmember Hales: I was not thinking in terms of a lien for the refuse collection.

Mr. Mulligan: The fee St. Louis County imposes for MSD sewer lateral repairs is authorized by a State Statute, whereas there is no such statutory authority for refuse; with the exception of trash removal in a nuisance type situation. There is also a statute that specifically requires the Collector to put various liens on real estate tax bills.

Q. Councilmember Smotherson: Now that the City has reestablished its own EMS, have we developed a billing and collection process?

A. Chief Hinson: We use Medi-Cal out of Oklahoma to perform our billing services. But a part of our annual reporting process includes ESO software which links us to other departments and hospitals that makes it easier to collect a patient's information.

Mayor Crow: My assumption is since we've had a five-year break in this billing and collections process and will be basically starting from scratch, that it won't be as difficult to obtain a report and monitor the number of people we've transported; payments received, and outstanding payments, on a regular basis.

Chief Hinson: Medi-Cal sets a 30-60-90 payment window, and after that, it is sent to Finance, along with a detailed report of the uncollected payments and the payments received. Recently, a group of EMS professionals put a legislative program together that allows taxing entities to be compensated for some of the losses occurred through the Medicaid program. It's called the GEMT (Government Emergency Medical Transport) Program. Their preliminary analysis determined that U City could collect an additional 4 to \$800,000 a year by utilizing this program.

Evaluate Purchasing Cards

- ❖ *The City's banking facility will be utilized to help staff evaluate the feasibility*

Annual Operating Budget

(New) Review of Liquor License - Added Ordinance & C-Store Sale of Liquor

(New) Creation of MWBE Program
Contracting/purchasing

(New) Fiscal Economic Impact Study

Prudent Fiscal Management

Strategic Project	Responsible Department	FY Implementation
5-year Financial Forecasting – Annually develop a 5 year revenue and expenditure estimate forecast	Finance	FY 20 - 21
Popular Annual Financial Report – Provide a summary of key financial indicators for city employees and residents	Finance	FY 19
Pension Plan Analysis – Review funding levels to determine long-term sustainability	Finance	FY 19
Annual 5 year CIP – Develop CIP that meets citizen needs	City Manager / Finance	FY 20
Internal Service Fund Review – Review costs and revenue to ensure funds are balanced. Evaluate and Improve Fleet Operations	Finance / Public Works	FY 20
Solid Waste Rate Analysis – Create a solid waste advisory committee to evaluate the rate analysis report	City Manager / Public Works / Finance	FY 20 - 21
Evaluate Purchasing Cards – Determine the feasibility of using purchasing cards	Finance	FY 20
Annual Operating Budget – Develop a balanced budget	City Manager / Finance	FY 20

E) Infrastructure

Ten-year CIP

- ❖ *The City's Bond debt will be retired in FY20*
- ❖ *The Space Needs Study must be completed prior to the conclusion of this CIP*

Q. Councilmember Carr: What types of things will staff be considering for a bond issue?

A. Mr. Rose: The police station, streets, and all of the major infrastructure and facility improvements included in the Capital Improvement Program.

Councilmember Carr: One reason the last bond issue for streets failed was because of the short lifespan of streets, relative to the lifespan of the financing. I would hope that when we issue a bond it does not exceed the lifetime of the project being financed.

Mr. Rose: Staff will be sensitive to how the economy is changing and only move forward on items they think will be affordable.

Councilmember Carr: Some of our bridges factor into stormwater because they are too small to accommodate the flow of the water, so some of them may need to be rebuilt.

Mr. Rose: That is an item that could go into the Capital Improvement Program, as well as a bond initiative.

ADA Transition Plan

- ❖ *Plan completed and ready for Council's review*

Space Needs Study

Storm Water Master Plan

- ❖ *Sinan and the City Manager have a scheduled meeting with the Corps of Engineers and MSD to get their insight on hopefully moving forward with a study of the City's channel*

Q. Councilmember Cusick: Is there a way that members of the Storm Water Task Force could be invited to listen in at this meeting with the Corps of Engineers and MSD?

A. Mr. Rose: It's really just a meeting to focus on the study, which at this point, is more at the staff level. We could certainly invite them to attend one of their meetings.

Sanitary Sewer Lateral Program

- ❖ *Phase I of the restructuring process to place caps on the amount of funding made available for repairs has been completed*
- ❖ *Phase II, to determine whether the City should utilize more of an insurance company approach where homeowners do the work; staff confirms that the work complies with City standards, and then a check is written, will be brought before Council in the near future*

Q. Councilmember Clay: Did the City go forward with the insurance program associated with sewer lateral repairs, and if so, what has been the response?

Mr. Alpaslan: We have received this information from the National League of Cities and the program is ready to be presented to Council for consideration. The cost is roughly \$80.00 a year and covers up to \$8,000 in repairs. About 80 percent of the applications received fall within this price range.

Waste Water Storage Tank

- ❖ *Phase I completed*
- ❖ *The City has an agreement with MSD to place the tanks underground*
- ❖ *MSD is going through the process of identifying what their system will look like and once that phase is completed it will be brought before the Mayor and Council for consideration*

Sustainability Master Plan

Q. Councilmember Clay: Do we have an estimated time for when we will find out about the results of the borings taken at Heman Park?

A. Mr. Dunkle: They have completed the borings and it will take six to nine months for them to complete their review.

Infrastructure

Strategic Project	Responsible Department	FY Implementation
Ten-year CIP – Identify the capital needs of the city for 10 years	Economic Development / Finance / Public Works	FY 20-21
ADA Transition Plan – Ensure compliance with ADA requirements over a 10-year period	Public Works	FY 20
Space Needs Study – Identify the city’s available workspace and forecast current and future needs	Public Works	FY 20
Storm Water Master Plan – Identify and prioritize the needs for storm water management, flood mitigation, and long-term prevention	Public Works / Community Development	FY 20 - 21
Sanitary Sewer Lateral Program – Analyze current program administration for improvements	Public Works	FY 19
Waste Water Storage Tank Project by MSD – Evaluate community impact	City Manager / Public Works	FY 19 – 20
Sustainability Master Plan – Identify the needs, opportunities and priorities	Public Works	FY 20

F) Community Quality of Life Amenities

Technical Training for Public

- ❖ *Details to follow at a later date*

Community Event Planning

- ❖ *Per the request of Council, Mr. Dunkle is conducting an evaluation of Fair U City*
- ❖ *Staff will attempt to incorporate their events with events sponsored by the LSBD*

Councilmember Smotherson: I would love for the Director to consider using the Arts & Letters Commission; specifically the Starlight Concert Group who could be very helpful.

Resident Satisfaction Survey

- ❖ *Anticipated to be completed by late September or early October*

Streaming of City Council Meetings

- ❖ *Project completed*

Q. Councilmember McMahon: I know we are currently streaming meetings through a YouTube channel, but have there been any discussions about upgrading to add more functionality?

A. Mr. Rose: Staff can look into that.

Councilmember Clay: Boarddocs facilitates virtual sharing and I don't know if you can do that separate from a program like this one.

(New) Establish Parks Service Levels

Determine the level of service at which we should maintain our parks. Explore the concept of play, learn and how an apparatus purchased in the future would promote play and learn.

Q. Councilmember Hales: Would it be possible for the forester to take a look at the trees on Pershing which could use some trimming? And when it comes to mowing, it appears as though our folks don't have weed eaters, which would make the areas look a lot better.

A. Mr. Rose: I'm sure Sinan will convey that information to his staff to ensure they do a thorough job.

Community Quality of Life Amenities

Strategic Project	Responsible Department	FY Implementation
<ul style="list-style-type: none"> • Technical Training for Public – Library-based training for video editing, robotics, coding, etc. 	Library	FY 19
<ul style="list-style-type: none"> • Community Event Planning – Planning events that build and support a sense of community 	Parks and Recreation and Forestry	FY 19 - 20
<ul style="list-style-type: none"> • Resident Satisfaction Survey – Determine the resident’s satisfaction with services provided 	Communications / City Manager	FY 20
<ul style="list-style-type: none"> • Streaming of City Council Meetings – Provide residents with the opportunity to view the City Council meetings 	Communications / City Manager	FY 19
<ul style="list-style-type: none"> • Establish Parks Service Levels – Determine the level of service at which we should maintain our parks. Explore the concept of play and learn and how apparatus purchased in the future would promote play and learn 	Parks, Recreation and Forestry	FY 20
<ul style="list-style-type: none"> • Citizen Survey 	Communications / City Manager	FY 20
<ul style="list-style-type: none"> • Webcasting of Council Meetings 	Communications / City Manager	FY 19

G) City Organization

Compensation and Classification Study

- ❖ *Study Completed*
- ❖ *Staff evaluating compaction on a case-by-case basis*
- ❖ *Employee Survey*

Employee Survey

Organizational Values

- ❖ *"Because I Care" is a temporary value currently being evaluated to determine whether it should be retained or modified, prior to being brought before Council for consideration*

Q. Councilmember Smotherson: How competitive is the City's healthcare program?

A. Ms. Howze: Benefits were included as a part of the Comp and Class Study, and while it is hard to compare, they determined that the City was very competitive. The contribution levels are 75 percent for families and 85 percent for individuals.

Q. Councilmember Smotherson: Is that across the board?

A. Ms. Howze: Yes.

Performance Measurements

Employee Survey

“Gainsharing” Program

Councilmember Cusick: I think this is a very good program and now that the implementation date has been moved to FY21, I want to make sure that it stays on the table.

Mr. Rose: I think they are very important. I'm recommending FY21 since the priority at this point, is making sure that we provide excellent service internally, by addressing some of the challenges with Fleet Operations. This is a major project that I wanted Ms. Howze to have enough time to complete, but if we can, we will get to it this fiscal year.

Staffing Needs Assessment

Communication Strategy

Communication Plans

Space Needs Study

(New) Review of Fleet Operations

Safety Program

- ❖ *Development of program completed*

Employee Onboarding Program

- ❖ *Staff is looking at a different software and structure that will be brought before Council*

Q. Councilmember Clay: I would be interested in seeing something related to how success is defined in our various departments, like Forestry, Solid Waste, et cetera? What should Council be paying attention to in terms of metrics of success?

A. Mr. Rose: My initial analysis was that we were definitely crawling as an organization. And my recommendation and commitment to Council was to change the organization by using a good to great concept where you have to crawl, walk, and then start to run. The first step was to put a structure in place that allowed us to take care of our basic responsibilities more efficiently. The next step was to make sure we were getting direction from the Mayor and Council, and we were able to report on the major projects that were going on; i.e., the Work Plan.

Following that, we need to establish performance measurements; which will be a very comprehensive project that will include information from Council as to their expectations of how you want us to perform. That information will be translated into an actual document illustrating how much we are doing and how quickly we are able to complete those tasks. At this point though, we are really focusing on getting the basics right.

Q. Councilmember Clay: To me, the Work Plan speaks to specific projects, not the success of a department. But my assumption was that there is something being used now to evaluate programs like Solid Waste. So what do you anticipate the timeline being in order to establish these performance measurements?

Mr. Rose: A conversation I had with the Mayor recently, touched on the fact that I could not answer a basic question; *"How is the organization performing with respect to day-to-day activities"*? So I understand that I do need to be in a position to respond to that question and will likely start working on this in FY21.

Councilmember Clay: I would like to see that articulated in the Work Plan, even if it is pushed out to '21 because I think the ability to assess the organization and the individual departments is critical to the work that Council does.

Councilmember Hales: I measure a great degree of success by how many complaints I don't get about the various departments. This process is so valuable for me because we get to hear from the various directors about where they are; where they need to get to, and approximately how long that is going to take. And the next year; or sometimes even before then, we can see the progress that's been made. But I don't know that there is an equation for it.

Councilmember Clay: I certainly agree that complaints are one metric, but as an employee, I would want to be evaluated on something more objective. I think we need to operate in a space where we're looking objectively at performance because I think it benefits employees. They should know what they are being held accountable for so that it's not based on our opinions or how we feel.

Ms. Howze: Annual evaluations are conducted on every employee, and my belief is that a portion of the budget document contains some of the metrics you're speaking of. Each year every department must list their goals and objectives for the upcoming year, and that progress is delineated in the subsequent budget. There is room for improvement, but we do have some of that in place currently.

Mr. Rose: Recently I distributed the Economic Development Report that I will start sending to Council on a quarterly basis. It provides quantitative information that lets you know how each area is performing. From my perspective, it's about having the right metrics in place because we want to make sure that the information we provide to Council has value.

6. Next Steps

- Collect the information received here today to update the Work Plan
- Provide the updated Work Plan to Council for consideration
- Implement a mini-retreat sometime in January to provide updates on the Work Plan, the City's finances, and any issues of immediate concern

Mayor Crow thanked the directors of each department for taking time out of their weekend schedule to be here, and Ms. Reese, for putting all of this together. He stated it is always a pleasure to have Dr. Jones with us, not only as a facilitator but as a good friend and supporter of this community.

Mr. Rose stated he would be remiss if he did not also recognize his secretary, Ms. Schaeffer, who assisted in putting all of this together.

ROLL CALL VOTE TO GO INTO A CLOSED SESSION according to RSMo 910.021
Legal: (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 Smotherson moved to go into a Closed Session; it was seconded by Councilmember Carr.

Roll Call Vote Was:

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

Nays: None.

7. Adjournment

Mayor Crow closed the special session of City Council at 3:33 p.m. to go into a Closed Session on the second floor. The Closed Session reconvened in an open session at 4:35 p.m.

LaRette Reese
City Clerk