

MEETING OF THE CITY COUNCIL
CITY HALL, Fifth Floor
6801 Delmar Blvd.
University City, Missouri 63130

TUESDAY, March 10, 2020
6:30 p.m.

A. MEETING CALLED TO ORDER

At the Regular Session of the City Council of University City held on the fifth floor of City Hall, on Tuesday, March 10, 2020, Mayor Terry Crow called the meeting to order at 6:29 p.m. Mayor Crow introduced Linda Schaeffer, as the acting City Clerk while Ms. Reese is away at the training.

B. ROLL CALL

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

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

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

C. APPROVAL OF AGENDA

Mayor stated that during the study session, Mr. Rose has asked that items J (1) and J (3) be moved from the Consent Agenda to the City Manager's report. Mayor Crow also requested that he City Manager be allowed to speak regarding the Coronavirus.

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

Mayor Crow stated that he, City Manager Rose and the Fire Chief had participated on a conference call with the County Executive earlier in the day and thus far (9) people have been tested, 1 person came back presumptive positive, (6) have come back negative and (2) are still being processed. He asked that you please stay home if you're sick; otherwise wash your hands often. You will hear the City Manager and myself reminding you to wash your hands at every opportunity. If you're ill, please isolate yourself from others.

The hotline number to call for medical related questions is 314-615-2660.

Mr. Rose said he couldn't emphasize enough how important it is to wash your hands. He stated City staff is coordinating their efforts with St. Louis County and the State. Based on last weeks conference with the Governor; the state of Missouri will receive nine million dollars for supplies, which will include test kits. This is part of the roughly eight billion dollars that was approved at the federal level. As of last Friday, there were eight hundred test kits available, this is insufficient therefore more will be coming. If you believe you are infected with the Coronavirus, the authorities are asking that you go to any hospital where they will determine if you qualify for testing. If you're sick, please stay at home. It's extremely important that you are not near others until you are certain that you are no longer infected.

Mr. Rose stated the City's efforts as it relates to the Coronavirus include the following:

- A link to the Center for Disease Control (CDC) has been posted on the City's website. The CDC has a great deal of information on how to protect yourself. Of course, washing your hands is one way. Be sure to have hand sanitizer and it's best not to shake hands; it's better to use the elbow or fist bump.
- The Fire department is putting together a video to inform people of steps to take in order to protect themselves.
- The department of Public Health Services has mandated that the Fire department wear gowns, gloves, goggles and masks when responding to any respiratory distress call. This is to ensure the safety of both the first responder and the individual receiving care.
- Staff is evaluating some of the summertime operations; specifically, the Parks and Recreation Director, Darren Dunkle is contacting the CDC to get their recommendation regarding opening the swimming pool this summer. Mr. Rose stated that he would have a recommendation for the Council to consider based upon the information that we receive from the CDC here very soon.
- With regards to protecting our employees, the City has purchased UV Lights; which based on his understanding, helps to kill the virus on surfaces, and first responders, as well as those employees who work directly with the public, will have masks, gloves, and an abundance of hand sanitizers made available to them. Any employee who feels sick has been encouraged to stay at home, and provisions have also been made to allow most of our employees; excluding public safety officers, to work from home should the need arise.

Mr. Rose stated that an emergency hotline had been established, where members of the public can report any suspected cases of COVID-19; the number (314) 615-2660. Additional information can be found on various websites sponsored by U City, St. Louis County, and the CDC.

D. PROCLAMATIONS

E. APPROVAL OF MINUTES

1. January 13, 2020 – Study Session (Community Survey) Meeting Minutes were moved by Councilmember Smotherson, it was seconded by Councilmember Cusick.

Councilmember McMahon announced that he would like to abstain from casting a vote on all of the minutes since he had not been in attendance.

Voice vote on the motion to approve carried unanimously; with the exception of Councilmember McMahon.

2. February 24, 2020 – Study Session Meeting Minutes were moved by Councilmember Smotherson, it was seconded by Councilmember Hales and the motion carried unanimously; with the exception of Councilmember McMahon.

Mayor Crow announced that he would like to abstain from casting a vote on these minutes since he had not been in attendance.

3. February 24, 2020 – Regular Meeting Minutes were moved by Councilmember Cusick, it was seconded by Councilmember Carr and the motion carried unanimously; with the exception of Councilmember McMahon and Mayor Crow.

F. APPOINTMENTS TO BOARDS & COMMISSIONS

1. William Andrews III was sworn into the Historic Preservation Commission in the Clerk's office on March 5, 2020.

G. SWEARING IN TO BOARDS & COMMISSIONS

H. CITIZEN PARTICIPATION (Total of 15 minutes allowed)

Tammy Arnow, 529 Midvale Avenue, University City, MO

Ms. Arnow stated she is proud to represent the U City Swim Club and excited to share the vision she and her colleagues have, to increase racial equity in this City, as well as the region. Their vision is to make U City a leader in the region by providing affordable, high-quality, accessible swim instructions. Their goal is for all youth in this community to learn how to swim and have an opportunity to join the swim team. And hopefully, by next fall, they will be able to supplement the lessons offered at Centennial Commons by offering indoor lessons at the Natatorium.

Black youth drown at five and a half times the rate of other nationalities, which is directly related to the fact that approximately 70 percent of African Americans do not have basic water safety skills. And historically, pools have been unwelcoming to many African American youths. But lessons can save lives, and the U City Swim Team believes that to work towards equity, they had to first, acknowledge these facts.

Ms. Arnow stated along with the privilege of utilizing the City's resources comes the responsibility of making it possible for all kids to learn to swim. So she hopes that this administration and Council will join them as committed partners in this community-building effort to make U City an even more attractive place to live.

Brittany Ferrell, 504 Kingsland Avenue, University City, MO

Ms. Ferrell stated in addition to saving lives and decreasing racial inequities, swimming builds confidence, promotes a healthy lifestyle, and it's fun. Currently, the Team is working to develop a legal partnership with the U City School District and they are extremely grateful for their support. Their next step is to form a committed partnership with the City to support this program by hopefully allowing the Swim Team to have access to Heman Park. She stated the ability to conduct this program outdoors will promote awareness, provide greater access to kids throughout the entire community, and allow swimmers and their families to enjoy U City's many resources.

So she would like to invite everyone to attend the Club's Spring Swim-A-Thon and Community Showcase at the Natatorium on April 23rd, from 5:45 p.m. to 7:15 p.m. Swimmers will be passing out invitations to everyone in attendance, as well as members of staff.

I. PUBLIC HEARINGS

J. CONSENT AGENDA – Vote Required

1. Capital Improvement Program – Bicycle Facilities Phase III – Shared Lane Markings Project; *(Moved to City Manager's Report)*
Project STP-5402(615) - Construction
2. Capital Improvement Program – Bicycle Facilities Phase III – Shared Lane Markings Project STP 5402(615) Grant Acceptance and Capital Improvement Program Reallocation of Funds
3. Emergency Operations Center at City Hall Annex – Remediation; *(Removed)*
4. Set Public Hearing on the Delcrest Plaza 353 Redevelopment Plan, Including Tax Abatement, for March 23, 2020, at 6:30 p.m.

Councilmember Cusick moved to approve Items Numbers 2 and 4 of the Consent Agenda, it was seconded by Councilmember Smotherson and the motion carried unanimously.

K. CITY MANAGER'S REPORT

1. Capital Improvement Program – Bicycle Facilities Phase III – Shared Lane Markings Project

Mr. Rose stated staff is recommending that Council approve the award of a contract to STP, LLC, d/b/a Traffic Control Company for \$79,110.85, to perform Phase III of the Bicycle Shared Lane Marking Project. He stated a question had been raised regarding the substantial difference between the lowest and highest bidder, therefore he would like to note that the highest bidder was a company unbeknownst to staff, and STP, LLC is a company staff has had experience with in the past.

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

2. Emergency Operations Center at City Hall Annex – Remediation

Mr. Rose stated staff is recommending that Council approve an award for remediation of the City Hall Annex for \$53,353. Per Councilmember Smotherson's request, this item was removed from the Consent Agenda and he is willing to respond to any questions he might have.

Councilmember Smotherson posed the following questions:

Q. Although his understanding is that a large portion of this cost will be paid for by the insurance company, his concern is whether this remediation could have an impact on the results of the Space Needs Study regarding the use of this facility or whether remediation is even necessary?

Q. Is there a chance that the Center will continue to flood after the remediation is complete?

Mr. Rose stated the only options currently available to conduct staff meetings are Council Chambers and an office on the second floor. So this recommendation is based on the desire to have an area that is more conducive to the size and facilitation of these meetings. Concerning the probability of repeated flooding, he would defer the question to the Director of Public Works.

Sinan Apaslan stated the flooding had been caused by an internal plumbing fault, which has now been repaired.

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

3. FY19 Release of Funds – LSBF Property Taxes, Business Licenses from General Fund Reserves.

Mr. Rose stated staff is recommending that Council consider a release of the FY19 funds from the General Fund Reserves to the LSBF for property taxes and business licenses.

Director of Finance, Keith Cole stated each fiscal year the City collects property taxes and business licenses on behalf of the LSBF. In FY19 the City collected \$43,764.59 in property taxes and \$29,170.58 for business licenses. And staff is recommending that these funds be transferred from the General Fund Reserves to the LSBF fund.

Mr. Rose stated this action is required because there was no carry-forward in the budget process. Funding will be aligned with the approved budget for FY2020.

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

Councilmember Carr asked whether the LSBF's account for 2019 had been reconciled? Mr. Cole stated that it had. Councilmember Carr asked if it was correct to assume that the approval of this item would also imply that Council is approving its 2020 budget? Mr. Rose stated that would be a correct assumption. As a part of the process Council gave the LSBF authorization to move forward with their Strategic Plan, which was the only modification to their approved budget. Mr. Rose stated he would also note, that the City created a new bank account for the LSBF, which is where these funds will be transferred into.

Councilmember Cusick stated this morning Ms. Tucker provided Council with a budget for the upcoming year, so is the \$72,935.17 being transferred here the same amount identified in Ms. Tucker's budget? Mr. Rose stated staff is moving forward with their budget for FY2021, so that is the preparation underway at this point. But on average, the LSBF receives about \$80,000 annually from the two items previously identified. Councilmember Cusick asked if their budget for the next Fiscal Year would be \$72,935.17 or \$80,000? Mr. Rose stated he is at a slight disadvantage because he has not seen their budget, so he would ask Ms. Tucker if she could answer that question.

Libbey Tucker, Director of Economic Development stated the revenue in the budget she presented was based on historical trends and data, so \$72,935.17 was her projection for FY21.

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

L. UNFINISHED BUSINESS

1. **BILL 9398 Amended** - AN ORDINANCE AMENDING SECTIONS 120.940 AND 120.950 OF MUNICIPAL CODE OF THE CITY OF UNIVERSITY CITY, RELATING TO THE UNIVERSITY CITY LOOP SPECIAL BUSINESS DISTRICT ADVISORY COMMISSION, BY AMENDING SUBSECTION A.1 OF SECTION 120.940, RELATING TO MEMBERSHIP, AND BY AMENDING SUBSECTION A.2 OF SECTION 120.950, RELATING TO BYLAWS. Bill Number 9398 Amended was read for the second and third time.

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

Roll Call Vote Was:

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

Nays: None.

M. NEW BUSINESS RESOLUTIONS

BILLS

Introduced by Councilmember Hales

1. **BILL 9402** –AN ORDINANCE AMENDING SCHEDULE III OF THE TRAFFIC CODE, TO REVISE TRAFFIC REGULATION AS PROVIDED HEREIN (Williams Ave.) Bill Number 9402 was read for the first time.

Introduced by Councilmember Smotherson

2. **BILL 9403** – AN ORDINANCE AMENDING CHAPTER 120 OF THE MUNICIPAL CODE OF THE CITY OF UNIVERSITY CITY, RELATING TO COMMISSIONS, AUTHORITIES, BOARDS, AND COMMITTEES, BY ENACTING THEREIN A NEW ARTICLE TO BE KNOWN AS "ARTICLE XXIII COMMISSION ON STORMWATER ISSUES" AND A NEW SECTION TO BE KNOWN AS "SECTION 120.1080. COMMISSION ON STORMWATER ISSUES ESTABLISHED – COMPOSITION, DUTIES, OFFICERS, AND RULES. Bill Number 9403 was read for the first time.

N. COUNCIL REPORTS/BUSINESS

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

O. CITIZEN PARTICIPATION (continued if needed)

P. COUNCIL COMMENTS

Councilmember Smotherson asked Mr. Rose if Council would be consulted on any of the determinations presented by the Swim Team involving Heman Park? Mr. Rose stated he believes that the Parks and Recreation Director is working with the Swim Team, and he has asked Mr. Dunkle to present this request to the Parks & Recreation Commission for their review and recommendation to Council.

Councilmember Smotherson stated he and his family were in the Loop on Saturday, February the 29th to hear his son who was performing at Blueberry Hill, and was totally impressed by the number of people supporting The Loop. Fitz's had a 45-minute wait; Salt & Smoke was packed, and Three Kings had a rather long wait. So he hopes that the City will somehow find a way to fill some of those vacant storefronts because the Loop is still alive.

Mayor Crow stated if anyone wants to see the video of their son, Rose; a very proud parent has it with her tonight.

A special thanks to those who voted today and a reminder that U City has a special election coming up in April.

Mayor Crow reminded everyone to be mindful and remember to partake in all of the precautionary measures prescribed to help combat COVID-19. And he would also encourage everyone to send a thank-you out to all of the medical personnel who are braving this epidemic to help others.

- Q.** Motion to go into a Closed Session according to Missouri Revised Statutes 610.021 (1) Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives or attorneys.

Councilmember McMahon moved to go into a Closed Session, it was seconded by Councilmember Hales.

Roll Call Vote Was:

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

Nays: None.

R. ADJOURNMENT

Mayor Crow thanked the Swim Team for coming out and closed the regular City Council meeting at 7:03 p.m. to go into a Closed Session on the second floor. The Closed Session reconvened in an open session at 8:00 p.m.

LaRette Reese
City Clerk