

MEETING OF THE CITY COUNCIL  
VIA VIDEOCONFERENCE – ZOOM MEETINGS  
**Monday, June 22, 2020**  
**6:30 p.m.**

**A. MEETING CALLED TO ORDER**

At the Regular Session of the City Council of University City held via videoconference, on Monday, June 22, 2020, Mayor Terry Crow called the meeting to order at 6:33 p.m.

**B. ROLL CALL**

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

Councilmember Stacy Clay  
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.; Finance Director, Keith Cole, and Planning & Zoning Director, Clifford Cross.

**C. APPROVAL OF AGENDA**

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

**D. APPROVAL OF MINUTES**

1. June 8, 2020 – Regular Meeting Minutes were moved by Councilmember McMahon, it was seconded by Councilmember Cusick and the motion carried unanimously.

**E. APPOINTMENTS TO BOARDS & COMMISSIONS**

1. LaTrice Johnson is nominated for **re-appointment** to the Library Board by Councilmember Cusick. It was seconded by Councilmember McMahon and the motion carried unanimously.
2. Adam Staudt is nominated for re-appointment to the Green Practices Commission by Councilmember Cusick. It was seconded by Councilmember Hales and the motion carried unanimously.
3. John Solodar is nominated for re-appointment to the Green Practices Commission by Councilmember Cusick. It was seconded by Councilmember McMahon and the motion carried unanimously.
4. Deja Scott is nominated to the Senior Commission as a fill-in replacing Elain Henton's expired term (11/25/2019) by Councilmember Stacy Clay. It was seconded by Councilmember McMahon and the motion carried unanimously.
5. James Stutz is nominated for re-appointment to the Pension Board by Councilmember McMahon. It was seconded by Councilmember Hales and the motion carried unanimously.
6. Cindy Thierry is nominated for re-appointment to Arts and Letters by Councilmember Smotherson. It was seconded by Councilmember Hales and the motion carried unanimously.
7. John Tieman is nominated for re-appointment to Arts and Letters by Councilmember Smotherson. It was seconded by Councilmember Cusick and the motion carried unanimously.

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

Mayor Crow noted that no written comments had been submitted for this meeting.

**G. NEW BUSINESS  
RESOLUTIONS**

**1. Resolution 2020-4:** FY20 Carry Forward Budget - Committed Fund Reserves.

Mr. Rose stated these funds are being recommended for carry-forward as a result of projects funded in FY2020 that were not completed.

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

**2. Resolution 2020-5:** Adopt the FY21 Annual Operating Budget and Capital Improvement Plan.

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

Mr. Rose stated the budget was prepared using the worst-case scenario. However, new information received as of April 30th, now leads him to believe that the reductions in the City's revenue will not be as severe as anticipated and therefore, he is recommending the following Proposed Amendments:

Revenues

- An increase in Municipal Taxes; (page 12), from \$3,776,000 to \$4,690,000
- An increase in Capital Sales Tax; (page 12), from \$1,756,000 to \$2,050,000
- An increase in Local Use Tax; (page 13), from \$640,000 to \$853,000
- An increase in Parks Sales Tax; (page 13), from \$700,000 to \$845,000
- An increase in Fire Sales Tax; (page 14), from \$338,000 to \$440,000
- An increase in Economic Development Sales Tax; (page 14), from \$334,000 to \$457,000
- An increase in State Sales and Gas Taxes; (page 16), from \$711,000 to \$800,000
- An increase in County Road Tax; (page 17), from \$472,000 to \$623,000

The total adjustments being proposed for Revenue is \$2,031,000.

Expenditures

- An increase in vehicle maintenance for Fleet Operations; (page 58), by \$100,000
- An increase in vehicle insurance for Fleet Operations; (page 58), by \$25,000
- An increase in General Fund transfer for Fleet Operations; (page 58), by \$55,000
- Solid Waste Fund - a transfer of \$70,000 from Solid Waste Reserves to Fleet Maintenance
- Removal of one Tree Trimmer position under General Funds/Parks Operations; (page 33), currently a vacant position
  
- Removal of one Accountant position under Finance; (page 31), currently a vacant position
- Parks - an increase in aquatics part time; (page 60), by \$70,000
- Parks - an increase in Centennial Commons part time; (page 164), by \$60,000
- Golf Course - an increase in part time; (page 167), by \$85,000
- Fleet - the addition of \$23,000 for professional services; (page 58), to conduct an audit

The total adjustments being proposed for Expenditures is \$264,628

Mayor Crow questioned whether these proposals were included in Resolution 2020-5 or additions to the Resolution? Mr. Rose stated these amendments represent additions to the ones already included. Mayor Crow asked for a motion to amend the Resolution to include these proposed amendments.

Councilmember Smotherson moved to amend the Resolution, it was seconded by Councilmember Cusick.

Councilmember Smotherson questioned whether there was a requirement to make the public aware of these new amendments by including them in the packet distributed 24-hours prior to the meeting? Mr. Rose stated his understanding is that the amendment process is not a requirement of the Sunshine Law and that once this discussion is opened; he is free to make recommendations for Council's consideration and approval.

City Attorney, John Mulligan stated the only requirement under the Sunshine Law is that a tentative Agenda be provided. And since this Resolution was placed on the Agenda, the public has been apprised of the impending discussion. Specific amendments to the Resolution do not have to be included in the packet and their disclosure prior to the meeting is not a requirement.

Mayor Crow asked Mr. Rose if most and perhaps, all of these changes had not already been provided to Council at a previous meeting? Mr. Rose stated although he cannot recall if each item was highlighted, he did indicate that there were going to be several amendments. All of this information was distributed before tonight's meeting so that he could respond to any questions Council might have.

Councilmember Smotherson stated he had three amendments that he would like to put on the record, which have been discussed with the City Manager. And while both of them had agreed to present them during a Study Session with the goal of applying them to next year's budget, he was uncertain whether they should be acknowledged in the course of this discussion?

Mayor Crow stated his understanding is that Councilmember Smotherson's recommendations embody issues he would like to see discussed during a Study Session sometime in the third quarter. However, if these are truly amendments to the current budget they should be presented today. And if that is the case, then his only comment would be to remind members of Council that typically when making an amendment; especially when it entails a request for funds, that member should be able to explain where the money to fund that recommendation is coming from.

Councilmember Smotherson stated his understanding is that a portion of that Study Session would be dedicated to looking at how funds could be allocated to support his recommendations.

Mr. Rose stated he believes that Councilmember Smotherson wants the record to reflect staff's intent to add his recommendation for the following programs; the Senior Program, the Explorer's Program, and the Youth Employment Program to the Study Session calendar for Council's consideration.

Mayor Crow stated these are all worthy programs for Council's consideration. So, if this is not an amendment to the budget, he would be committed to ensuring that a Study Session is established to discuss these issues.

Councilmember Smotherson acknowledged that these were not amendments to the current budget.

Mayor Crow called for a vote on the proposed amendments.

Voice vote on the motion carried unanimously.

Mayor Crow stated Resolution 2020-5, as amended, is now before Council and called for a vote.

Voice vote on the motion to approve Resolution 2020-5, as amended, carried unanimously.

### **3. Resolution 2020-6:** Certified election results from the June 2, 2020, Municipal Election

Councilmember McMahan moved to approve, it was seconded by Councilmember Cusick, and the motion carried unanimously.

**H. COUNCIL REPORTS/BUSINESS**

1. Boards and Commission appointments needed
2. Council liaison reports on Boards and Commissions  
Councilmember Smotherson stated he would like to remind his colleagues that the Arts & Letters Commission is in need of four members.
3. Boards, Commissions, and Task Force minutes
4. Other Discussions/Business  
Mayor Crow noted several upcoming events:
  - In his opinion, the City's Conflict of Interest Policy does not adequately address some of his concerns regarding members who are being appointed/reappointed to various Commissions. Therefore, he has asked the City Manager to determine the appropriate venue for Council to discuss these concerns.
  - To assist with the appointment of Council liaisons, the Mayor and Ms. Reese will be distributing a list of Commissions to each member of Council. Members will be asked to rank each Commission by their level of interest and return the completed document to either the Mayor or Ms. Reese.
  - The election of a Mayor Pro Tem will be placed on the Agenda for the next Council meeting.

**I. COUNCIL COMMENTS**

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

**J. ADJOURN SINE DIE**

Mayor Crow adjourned the meeting sine die at 7:04 p.m. and reconvened with new members of City Council at 7:06 pm.

**Virtual Swearing in of:**

Councilmember Ward One	Jeff Hales
Councilmember Ward Two	Aleta Klein
Councilmember Ward Three	Bwayne Smotherson

MEETING OF THE CITY COUNCIL  
WITH ALL NEW MEMBERS  
VIA VIDEOCONFERENCE – ZOOM MEETINGS  
**Monday, June 22, 2020**  
**7:06 p.m.**

**A. MEETING CALLED TO ORDER**

Mayor Crow congratulated Councilmembers Klein, Hales, and Smotherson on their successful campaigns, and reconvened the Regular Session of the City Council of University City held via videoconference, at 7:06 p.m.

**B. ROLL CALL**

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

Councilmember Aleta Klein  
Councilmember Steven McMahon  
Councilmember Jeffrey Hales  
Councilmember Tim Cusick  
Councilmember Bwayne Smotherson  
Councilmember Stacy Clay

Also, in attendance were City Manager, Gregory Rose; City Attorney and John F. Mulligan, Jr.; Finance Director, Keith Cole, and Planning & Zoning Director, Clifford Cross.

**C. PUBLIC HEARINGS**

1. 2021 Community Development Block Grant (CDBG) Allocation.

Mayor Crow opened the Public Hearing at 7:07 p.m., and upon confirmation that no written comments had been received; the hearing was closed at 7:07 p.m.

**D. NEW BUSINESS**

*BILLS*

*Introduced by Councilmember Smotherson*

1. **BILL 9407** - AN ORDINANCE AMENDING CHAPTER 400.070 OF THE MUNICIPAL CODE OF THE CITY OF UNIVERSITY CITY, MISSOURI, RELATING TO THE OFFICIAL ZONING MAP, BY AMENDING SAID MAP SO AS TO CHANGE THE CLASSIFICATION OF PROPERTY AT 711 KINGSLAND AVENUE FROM PUBLIC ACTIVITY ('PA') TO PLANNED DEVELOPMENT-COMMERCIAL ("PD-C") DISTRICT, AND ESTABLISHING PERMITTED LAND USES AND DEVELOPMENTS THEREIN; CONTAINING A SAVINGS CLAUSE AND PROVIDING A PENALTY. Bill Number 9407 was read for the first time.

*Introduced by Councilmember Clay*

2. **BILL 9408**– AN ORDINANCE FIXING THE COMPENSATION TO BE PAID TO CITY OFFICIALS AND EMPLOYEES AS ENUMERATED HEREIN FROM AND AFTER ITS PASSAGE, AND REPEALING ORDINANCE NO. 7120. Bill Number 9408 was read for the first time.

**E. COUNCIL COMMENTS**

Councilmember Hales welcomed Councilmember Klein to City Council. And to the folks in the 1st Ward who have been asking for improvements on North and South, sometime between Friday and Monday morning it was repaved.

Councilmember Cusick welcomed his colleague from the 2nd Ward to City Council.

Councilmember Smotherson welcomed Councilmember Klein to Council and thanked the 3rd Ward residents who voted for him. He stated he is looking forward to the endless possibilities he and his colleagues can work together to fulfill. So, he is going to be more resolute during his second term with the hope that his colleagues will have the satisfaction of laying claim to this success by the end of their first term.

Councilmember Clay stated he would like to welcome Councilmember Klein to what he has found to be the most intense and rewarding volunteer position he has ever encountered. This is a tremendous group of people to work with. And while they don't always agree, their disagreements, exchanges, and conversations are always productive because everyone's ultimate goal is to move U City forward.

Councilmember McMahon welcomed Councilmember Klein to his world; a Closed Session at her very first meeting as a member of Council. He stated Councilmember Klein's focus on City government began with an issue that impacted her family and it's wonderful to see how that passion has grown to encompass public service.

Mayor Crow asked Councilmember Klein if she had any comments she would like to make?

Councilmember Klein stated while this is certainly a different experience than being on the other side of the dais, she is excited, humbled, grateful, and honored for the opportunity to work with members of this Council. Councilmember Klein thanked everyone who came out to vote on June 2nd; especially residents of the 2nd Ward who have entrusted her to represent them. So, she looks forward to; and would encourage, their input and ongoing dialogue.

Councilmember Smotherson stated he thinks new chairs in Council's chamber would be a great welcome gift for Councilmember Klein.

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

Roll Call Vote Was:

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

**Nays:** None.

- F.** 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.

**G. ADJOURNMENT**

Mayor Crow thanked everyone for their participation and adjourned the Regular Session of the City Council meeting at 7:15 p.m. to go into a Closed Session on the second floor. The Closed Session reconvened in an open session at 8:36 p.m.

LaRette Reese  
City Clerk