

MEETING OF THE CITY COUNCIL
VIA VIDEOCONFERENCE – ZOOM MEETINGS
Monday, December 14, 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, December 14, 2020, Mayor Terry Crow called the meeting to order at 6:30 p.m.

B. ROLL CALL

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

Councilmember Stacy Clay
Councilmember Aleta Klein
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.; Director of Planning & Zoning, Clifford Cross; Director of Finance, Keith Cole; Director of Public Works, Sinan Alpaslan, and Chief of Police, Larry Hampton.

C. APPROVAL OF AGENDA

Councilmember Smotherson moved that;

Item J (4) Under New Business; Resolution 2020-19, be discussed before **Item J (3)**; Resolution 2020-18; that

Item G (1) Under the Consent Agenda; 2021 Legislative Platform, be moved to the City Manager's Report, and that

Item H (2) Under the City Manager's Report; Funding Allocation – Traffic/Parking Studies, be removed from the Agenda.

The motion to amend the Agenda was seconded by Councilmember Clay and carried unanimously.

D. APPROVAL OF MINUTES

1. November 9, 2020, Regular Minutes were moved by Councilmember Smotherson, seconded by Councilmember Cusick and the motion carried unanimously.

E. APPOINTMENTS TO BOARDS & COMMISSIONS

1. Cherise Harris is nominated to the Arts and Letters Commission as a fill-in replacing Lawanda Hinton's unexpired term by Councilmember Bwayne Smotherson, it was seconded by Councilmember Klein, and the motion carried unanimously.

2. Jane Schaefer is nominated for reappointment to the Traffic Commission by Councilmember Tim Cusick, it was seconded by Councilmember Hales and the motion carried unanimously.

3. Wendy Harris is nominated for reappointment to the Loop Special Business District Board by Mayor Terry Crow, it was seconded by Councilmember Smotherson and the motion carried unanimously.

4. Mary Gorman is nominated to the Loop Special Business District Board as a fill-in, replacing Nakita Smith's unexpired term by Mayor Terry Crow, it was seconded by Councilmember Klein and the motion carried unanimously.

5. Mohammed Qadadeh is nominated to the Loop Special Business District Board, replacing Jen Rieger by Mayor Terry Crow, it was seconded by Councilmember Hales and the motion carried unanimously.

6. Dan Wald is nominated to the Loop Special Business District Board, replacing Ryan Patterson by Mayor Terry Crow, it was seconded by Councilmember Cusick and the motion carried unanimously.
7. Satish Kumar is nominated to the Loop Special Business District Board, replacing Ben Evans effective 1/2/2021 by Mayor Terry Crow, it was seconded by Councilmember Hales and the motion carried unanimously.

F. CITIZEN PARTICIPATION

Procedures for submitting comments for Citizen Participation and Public Hearings:

*ALL written comments must be received **no later than 12:00 p.m. the day of the meeting.** Comments may be sent via email to: councilcomments@ucitymo.org, or mailed to the City Hall – 6801 Delmar Blvd. – Attention City Clerk. Such comments will be provided to the City Council prior to the meeting. Comments will be made a part of the official record and made accessible to the public online following the meeting.*

*Please note, when submitting your comments, a **name and address must be provided.***

Also, note if your comment is on an agenda or non-agenda item. If a name and address are not provided, the provided comment will not be recorded in the official record

Mayor Crow noted that all written comments were provided for Council's review and will be made a part of this record.

He stated several citizens have contacted the City Manager and several members of Council requesting that the City establish a program to accept donations that can be used to assist residents with clothing, food, and other resources. However, while Council is privileged to serve a City that believes in helping its neighbors, it is also a comfort to know there are many not-for-profit and faith-based organizations with the infrastructure already in place to assist those in need. So, at this time Council does not see the benefit of utilizing City funds to create a new assistance program when there are multiple organizations equipped to accomplish this same goal. Mayor Crow stated residents have made outreach since the beginning of this pandemic and he would urge everyone to continue making those contributions to the City's organizations, as well as its businesses. The next time you place a to-go order for your family, why not think about adding an extra meal for the City's first responders.

Mayor Crow thanked his colleagues for their support in all of the City's outreach efforts during these extremely challenging times.

G. CONSENT AGENDA

1. 2021 Legislative Platform; (*moved to City Manager's Report*)
2. Oxygen Generation System

Councilmember Clay moved to approve Item 2 of the Consent Agenda, it was seconded by Councilmember Hales, and the motion carried unanimously.

H. CITY MANAGER'S REPORT

1. 2021 Legislative Platform

Mr. Rose stated staff is recommending the approval of this item which establishes the City's priorities for the 2021 legislative session. If approved, a copy of this platform will be provided to the Federal and State Delegation, and the Missouri Municipal League.

Councilmember Clay asked how the City engages its State and Federal contingents to make them aware of this platform and the need to endorse these issues? Mr. Rose stated for 2021, he would recommend providing them with a copy of the Platform and the City's position on each priority. However, in the future, he would recommend conducting individual meetings with each delegation or hosting a dinner where the platform could be discussed in detail. Councilmember Clay stated he found the delegation breakfast hosted by the School Board to be extremely valuable.

He stated there has been a great deal of conversation about police accountability, which from his perspective, speaks to enacting accountability measures that have not previously been established.

So, as it relates to the City's priority to support legislation that enhances public safety, what are Council and this administration's position on accountability or any legislation that advocates for the implementation of new standards? Mr. Rose stated one project currently underway is the purchase of body cameras. He believes outfitting officers with cameras will be beneficial to both the officers and the public, in that they provide an unbiased account of the facts.

Mr. Rose stated he is extremely pleased to report that there have been very few complaints regarding the behavior of U City officers. And he would like to commend Chief Hampton and his Department on their professionalism.

Chief Hampton stated when he takes off his uniform he is a Black man who grew up in the streets of East St. Louis, Illinois, so he takes accountability very seriously, and understands the importance of being able to relate to the community he serves. That's one reason why his force is very active within the community. He stated he is appreciative of the authority that has been bestowed to him, his Commanders, and his officers, and his goal is to make sure his employees possess and demonstrate integrity.

Chief Hampton stated U City is one of only a handful of municipalities to have a Civil Service Board, which is a regulatory system put in place to investigate any problems associated with personnel.

Mr. Rose stated oftentimes when people talk about defunding the police, they are simply reimagining how policing can or should take place. That is the view this administration has taken, and he and Chief Hampton have already had discussions about how to effectively integrate some of the aspects of social service into policing. And while they both agree there is a role for these individuals to play, there is a need to make sure they are deliberate in their actions to avoid putting people in harm's way. He stated his hope is that in the next calendar year they will be able to present a solid proposal to Council.

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

2. 2020 Community Oriented Policing Services (COPS) Hiring Program Grant

Mr. Rose stated staff is recommending that Council consider a grant that will allow the City to hire two additional police officers.

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

Councilmember Smotherson stated if approved, what would the total number of officers be for the Department? Chief Hampton stated while the staffing allotment for this Department is 79, current staffing is at 73. He stated they limited their request to two officers because of the local match requirements. However, based on all the new development going on these officers would be extremely beneficial.

Councilmember Clay asked if the Department currently has six vacancies? Chief Hampton stated that is correct, but those vacancies also encompass two supervisory positions and two investigators.

Councilmember Clay stated while he is certainly in favor of approving this grant, he is concerned about the ability to recruit officers in this current environment. Chief Hampton stated U City's competitive salary and positive reinforcement exhibited by the Mayor and Council has ranked his Department in the top 20 municipalities. So even though they had to cancel their fall recruiting event; which is typically held twice a year, they are still accepting electronic applications and conducting oral board interviews.

Voice vote on Councilmember Smotherson's motion carried unanimously.

3. Funding Allocation – Traffic/Parking Studies; (Removed)

4. Site Plan Review for a proposed 9-unit garden apartment development in the “HR” – High-Density Residential District at the property commonly known as 6669 Washington Avenue

Mr. Rose stated staff is recommending approval of the Site Plan Review for a nine-unit garden apartment in the HR (High-Density) Residential District.

Mr. Cross stated although this is a permitted use, Section 425.90 of the City's Zoning Ordinances and Codes requires that this type of development come before Council to identify any potential negative impacts it could have on the surrounding properties.

Council reviewed the initial concept of this plan in July of this year and identified two issues:

- Verification of ownership. Mr. Cross stated staff confirmed that the property is owned by Big Lou Properties and that the Applicant, Daniel Slavin, is the Company's representative.
- Does this vacant lot constitute parking for the neighboring development? Mr. Cross stated the proposed development site is located between various multi-family developments, which include a development located at 6675 Washington. Staff concluded there were no covenants or deeds that tied the proposed site and the development at 6675 Washington together.

Staff then looked at the impact this development would have on the neighborhood. Mr. Cross stated the Developer conducted a Traffic Study which was reviewed by the Traffic Commission and the City's third-party consulting engineer. Upon completion of their review the Commission concluded that the development would not create a detrimental impact on the neighborhood, and thereafter recommended that the Traffic Study and project be approved with the following conditions:

- That there be an access requirement for vehicle egress from the parking lot that incorporates a right-turn-only concept, and
- That the Developer be required to come back before the Commission for further review if any significant changes are made to the development.

Mr. Cross stated as noted on page 3 of his report, staff determined that all of the Site Plan Review procedures have been followed; that all of the Zoning Code requirements have been met, and that the plan conforms with neighborhood development patterns as well as with future land use designations set forth in the Comprehensive Plan.

Mr. Rose stated he would like Mr. Alpaslan to explain the City's rationale behind its impending request for funding to conduct a study of this area that will assist staff in assessing the needs associated with on-street parking.

Mr. Alpaslan stated staff has received a proposal to determine how to manage the parking requirements for the 6000 block of Washington, the adjacent block of 6800 Washington, and Kingsland. Several methods will be examined to address on-street parking demands and supply, including metered parking. Per the suggestion of the Traffic Engineer, the review will not be initiated until Wash U resumes its regular session on January 25th, to ensure the use and conditions are as accurate as possible.

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

I. UNFINISHED BUSINESS

1. **BILL 9415 – AN ORDINANCE AMENDING CHAPTER 505 OF THE MUNICIPAL CODE OF THE CITY OF UNIVERSITY CITY, MISSOURI RELATED TO REGULATIONS FOR RIGHT-OF-WAY MANAGEMENT.** Bill Number 9415 was read for the second and third time and became Ordinance Number 7136.

Councilmember Hales moved to approve, it was seconded by Councilmember Klein.

Roll Call Vote Was:

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

Nays: None.

J. NEW BUSINESS

RESOLUTIONS

1. Resolution 2020-16 - Market At Olive Preliminary Plan Concept.

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

2. Resolution 2020-17 -FY2020-2021 Budget Amendment #1.

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

3. Resolution 2020-19 – Rescinding the Reprimand of Byron Price
Requested by Mayor Pro Tem Smotherson and Councilmember Hales

Councilmember Clay moved to approve; it was seconded by Councilmember Klein.

Councilmember Hales asked that his comments be applied to both Resolutions. He stated a great deal of time has been spent working to correct some of the mistakes that were made in the past. And he would like to thank Councilmember Smotherson for co-sponsoring these Resolutions that in his mind, meet the criteria for two more issues that needed to be corrected. Both were unnecessary and represented a stain on the City.

Councilmember Hales stated he would also like to thank the Mayor, his remaining colleagues, and especially Mr. Rose, for the roles they played in changing the culture of this organization. No longer is it us versus them, but rather an organization that is equally treated and informed, with the ability to talk through its differences instead of excoriating one another. So, he hopes that these Resolutions will not only reflect on where this Council is today but become a legacy for future Councils to follow.

Voice vote on Councilmember Clay's motion carried unanimously.

4. Resolution 2020-18 –Rescinding the Censure of Terry Crow
Requested by Mayor Pro Tem Smotherson and Councilmember Hales

Mayor Crow stated he would yield his gavel to Mayor Pro Tem Smotherson, and recuse himself from any discussion or vote.

Councilmember Klein moved to approve, seconded by Councilmember Clay.

Mayor Pro Tem Smotherson thanked Councilmember Hales for bringing these Resolutions forward.

Voice vote on Councilmember Klein's motion carried unanimously.

BILLS

Introduced by Councilmember Smotherson

1. **BILL 9416** – AN ORDINANCE AMENDING SECTION 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 8400 DELMAR BOULEVARD FROM GENERAL COMMERCIAL (“GC”) TO PLANNED DEVELOPMENT—MIXED USE DISTRICT (“PD-M”); AND ESTABLISHING PERMITTED LAND USES AND DEVELOPMENTS THEREIN; CONTAINING A SAVINGS CLAUSE AND PROVIDING A PENALTY. Bill Number 9416 was read for the first time.

Introduced by Councilmember McMahan

2. **BILL 9417** – AN ORDINANCE AMENDING SECTION 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 MULTIPLE PROPERTIES IN REDEVELOPMENT PROJECT AREA 1 FROM PUBLIC ACTIVITY (“PA”) AND INDUSTRIAL COMMERCIAL (“IC”) DISTRICTS 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 9417 was read for the first time.

Introduced by Councilmember Cusick

3. **BILL 9418** –AN ORDINANCE AMENDING SCHEDULE III OF THE TRAFFIC CODE, TO REVISE TRAFFIC REGULATION AS PROVIDED HEREIN. Bill Number 9418 was read for the first time.

K. COUNCIL REPORTS/BUSINESS

1. Boards and Commission appointments needed
2. Council liaison reports on Boards and Commissions
Councilmembers Hales and Cusick thanked Jeffrey Mishkin and Jane Schaefer for their many years of service on the Traffic Commission and congratulated Ms. Schaefer on her reappointment.

Councilmember Hales stated he is very optimistic about what's to come from the Plan Commission which is now fully staffed with an energetic and multifaceted group of individuals.

Councilmember Clay reported that the Library Board conducted a presentation on Place-Making which addressed how to design public spaces that accommodate the needs of your constituents. Based on their upcoming renovations, this was a timely topic that in his opinion, illustrates an admirable commitment to this project.

3. Boards, Commissions, and Task Force minutes
4. Other Discussions/Business
 - a) Proposed Ordinance Amendment related to new businesses along Olive Blvd.

Requested by Councilmembers Smotherson and Clay
DISCUSSION AND DIRECTION

Councilmember Smotherson stated he is seeking input on the introduction of an ordinance that would place a moratorium on certain businesses; which in this specific instance are dollar stores. Currently, there are five Dollar Stores located within a 3-mile radius along Olive Boulevard. He stated since everyone may not be aware of the problems associated with these stores; he would like to read a statement he found into the record. *"Dollar Stores are taking their toll on grocery stores and in many cases are reducing people's access to fresh fruit."* Further research suggests that they often target African American neighborhoods, saturating them with multiple outlets that make it nearly impossible for new grocers and other businesses to take root and grow.

Councilmember Smotherson stated his goal is to support their existing grocery stores like Pete's Market and Schnucks, to ensure they remain within the community.

Councilmember Clay echoed Councilmember Smotherson's concerns about the culmination of dollar stores within the community and their tendency to crowd-out full-service businesses. He stated this Ordinance takes a critical look at all of the businesses on Olive because just like dollar stores, beauty supply establishments are also in abundance. When you talk about growth and expansion, Olive is the future of U City, so he sincerely appreciates his colleagues support on this issue

Mayor Crow stated he would also like to add Aldi's to the mix of grocery stores he would like to see remain. He stated he appreciates the measured approach his colleagues have taken and is pleased to see their leadership on this issue. Mayor Crow stated new developments are in progress or under consideration in all three of the City's Wards, which is a compliment to Mr. Rose and his staff. So, he thinks it is appropriate to balance development opportunities to make sure they reflect the values of this community and meets its citizens' needs.

Mr. Rose stated if it is acceptable, he will work with staff to draft an ordinance that addresses the priorities outlined for review during a Study Session. He believes they should be able to put something together by the last meeting in January or the first meeting in February.

Councilmember Smotherson stated his belief is that one store within a mile and a half radius is enough, so his focus has been on the Dollar Tree Store located next to Goodwill. However, he would love to get anyone's input on this issue because other states have adopted a 2-mile radius.

L. COUNCIL COMMENTS

Councilmember Smotherson stated he would like to thank everyone; especially the Police and Mr. Rose, for their support in making the December 5th COVID testing event a huge success. He stated the staff at Affinity Health also expressed their appreciation for the assistance provided by this City's Police Department, which is often not present at other community sites.

Councilmember Hales thanked Chief Hampton for making Captain Lemons available to attend their neighborhood meeting. And since this is probably the last meeting of this year, he would like to thank the City Manager and his staff for their dedication and service throughout these challenging times. Happy holidays, happy Hanukah, and merry Christmas to everyone.

Mayor Crow stated there are an awful lot of things going on outside of this community that impacts all of us; 300,000 COVID deaths in the United States; the resignation of our Attorney General, and confirmation by the Electoral College that Joe Biden is our new President. This has truly been a challenging year and he has no doubt that his colleagues and the citizens of U City deeply appreciate the sacrifices Mr. Rose and his staff have made to keep everything up and running. He hopes everyone will have a happy and blessed holiday season; remembering to be kind to themselves, their neighbors, families, and friends. Council looks forward to seeing all of you again in 2021.

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

M. ADJOURNMENT

Mayor Crow adjourned the Regular City Council meeting at 7:31 p.m.

LaRette Reese
City Clerk

TO: University City Council
FROM: Patricia McQueen, 1132 George Street, University City, MO 63130, Third Ward of University City
SUBJECT: Resolution 2020-18 and Resolution 2020-19
DATE: December 14, 2020

Dear Mayor Terry Crow and all City Council Officials of University City, Missouri,

I, Patricia McQueen, resident of 1132 George Street in the Third Ward of University City, Missouri, support the two Resolutions to rescind the prior censure of Terry Crow and Byron Price.

On January 11, 2015, I made a statement on the censure of then Councilman Terry Crow stating 4 reasons why the censure was abhorring and inappropriate. The timing of the censure was also abhorring and inappropriate because it was done during Christmas week in 2015. I even called it a “King Herod” move. The previous administration’s actions foreshadowed what our nation has gone through in the last few years, thus the censures were made on the negative judgement of an individual and the person’s supplicants and supporters.

After reviewing the emails evidence and state government rulings, there is no way that the emails should have been judged as confidential. In my January 11, 2015 statement letter under reasons 2, 3, 4, and 5, I presented my arguments that the censure was bogus.

I went back and read the transcripts of the City Council proceedings surrounding the censure of then-Councilman Byron Price in year 2011. I worked with Councilman Price on repairing my street which was long overdue. I observed at City Council meetings. It was abhorring, inappropriate, if not racist, on the move to censure Councilman Price. His body language in making his argument did not warrant a censure. He was not being threatening. The council persons who voted for the censure should have checked their implicit (if not explicit) bias.

The two resolutions remind me how far we have come and still need to observant of injustice acts. Both Terry Crow and Byron Price has served as faithful government servants to University City. I hope the entire University City Council vote in support of Resolution 2020-18 and Resolution 2020-19. I thank Mayor Pro-tem Bwayne Smotherson and Councilmember Jeff Hales on requesting submission of the two resolutions.

Sincerely,

Patricia McQueen

LaRette Reese

From: Tom Sullivan <tsullivan@sullivanadv.net>
Sent: Monday, December 14, 2020 11:30 AM
To: Council Comments Shared
Subject: Council Comments, Dec. 14, 2020

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Tom Sullivan
751 Syracuse Avenue
University City, MO 63130
Council Comments
December 14, 2020

For some time there has been a water leak on the north side of Enright, between Interdrive and Limit. There is a sewer inlet where the water is mostly going but there is ponding on the street and it will be a dangerous situation should the weather get real cold. This has been brought to the attention of City Manager Gregory Rose. He had it investigated and said the source of the leak cannot be found. I think the water company needs to be told to try a little harder.