

STUDY SESSION
Community Cat – Trap, Neuter & Release
Municipal Parking Lot #4
VIA VIDEOCONFERENCE
December 14, 2020
5:30 p.m.

AGENDA

Requested by the City Manager

1. MEETING CALLED TO ORDER

At the Study 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 5:30 p.m.

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 and Zoning, Clifford Cross, and Director of Public Works, Sinan Alpaslan.

2. CHANGES TO REGULAR AGENDA

Councilmember Smotherson requested that;

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

Mr. Rose requested 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.

3. COMMUNITY CAT – TRAP, NEUTER & RELEASE DISCUSSION

Mr. Rose stated staff is recommending that a TNR Ordinance be placed on the January Agenda and is seeking the Mayor and Council's input on the Draft Ordinance.

Mr. Cross stated staff has received lots of input from citizens regarding the Trap, Neuter & Release Program (TNR). And to date, TNR has received some protections from staff; specifically, as it pertains to the City's Animal Ordinance related to the abandonment of animals. Therefore, this amendment intends to enhance the City's support of these TNR volunteers by providing documented assurances.

Mr. Cross stated that after researching other communities staff proposes to amend Chapter 210 by adding Article III (Community Cats), which contains the following definitions and terms:

- **Community cat** - A free-roaming cat who may be cared for by one or more residents of the immediate area who are known or unknown; a community cat may or may not be feral.

- **Community Caregiver** - A person who, in accordance with and pursuant to a process of Trap-Neuter-Return, provides care, including food, shelter, or medical care to a community cat, while not being considered the owner, harborer, controller, or keeper of a community cat.
- **Eartipping** - The removal of the distal one-quarter of a community cat's left ear, which is approximately 3/8-inch, or 1 cm, in an adult and proportionally smaller in a kitten.
- **Permitted Acts** - Actions permitted to address the Trap-Neuter-Return of Community Cats within the City.

Mr. Rose stated he has asked the Parks Commission to provide Council with a recommendation to address the email several members of Council received regarding the number of allowable pets per household. He stated the Commission is not scheduled to meet again, until the end of January.

Councilmember Cusick stated as a Community Caregiver of two TNR cats he is in favor of this program.

Councilmember Clay questioned whether citizens trap the cats and take them to get neutered? Mr. Cross stated that is correct.

Mr. Rose stated while he is uncertain whether the City's Animal Control Officer plays a role, his understanding is that TNR volunteers are the primary participants.

Mr. Cross stated although the Animal Control Officer helps coordinate the yearly neutering and spading event, he only assists TNR on an as-needed basis.

Mr. Mulligan stated the draft before Council defines Community Caregiver as a person who is not considered the owner, harborer, controller, or keeper of a Community Cat. And since the number of allowable pets per household is an open issue, Council may want to clarify whether or not the maximum number of cats designated in the original Ordinance as two, would also apply to Community Cats. He stated the clarifying language could be added to this draft or the initial Ordinance.

Mayor Crow stated to make sure Council does not solve one problem by creating another; his assumption is that staff will clarify that issue in the final document after it is reviewed by the Parks Commission.

Mr. Smotherson stated he will admit that despite the number of times Erin came before Council to talk about this subject he never gave it much thought. That is until he witnessed this program in action after discovering numerous Community Cats in his neighborhood. TNR was so effective that it got rid of the little mouse that visited his garage on an annual basis.

Councilmember Klein stated U City has the most TNR volunteers of any other municipality. So not only is she supportive of what they are doing but would like to recognize all of the efforts they have put forth in maintaining the City's feral cat population.

She noted that some municipalities make their residents register a colony of cats, and wondered if that was something that could be written into this Ordinance? Mr. Rose stated if there is a desire to add a registration for colonies of cats that is something staff could work on with the City Attorney.

Councilmember Hales asked Mr. Cross if he had received any concerns related to large colonies of feral cats? Mr. Rose stated he had not.

Mr. Cross stated he does not recall any complaints about colonies or anyone feeding large numbers of cats. Although occasionally, officers might get a call when excessive or leftover cat food creates a problem with rodents.

Councilmember Hales stated if that's the case, then this Ordinance should control the expansion of any colonies.

4. Municipal Parking Lot #4

Mr. Rose stated staff is seeking Council's input on the expansion of Parking Lot #4. He stated the City is in negotiations with two companies interested in leasing parking spaces; a hotel and a marijuana dispensary. Should those contracts be approved, he believes that the revenue from those leases would cover the cost of this project.

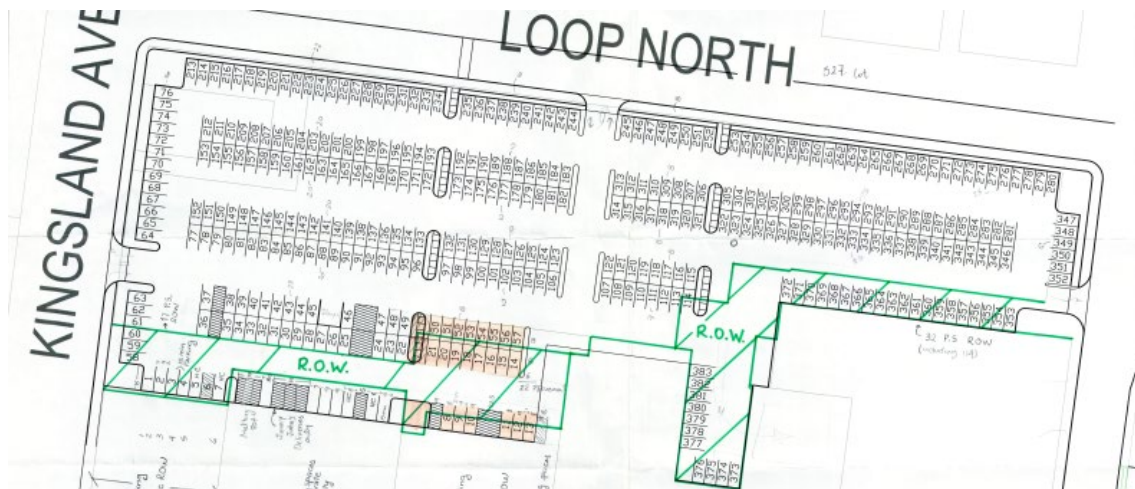
Mr. Alpaslan provided the following overview:

General Information

- Lot #4 is the largest parking lot in The Delmar Loop
- \$800,000 spent on 2014 Public Improvement Project to resurface/restripe and meet ADA requirements created 5 additional spaces
- Total of 388 existing parking spaces, minus;
 - 20 spaces assigned for use under a lease agreement (in effect until 2025) 8 a.m. through 6 p.m., Monday - Friday
 - 18 spaces are on private property and for private use by commercial properties on Delmar, resulting in 350 existing public parking spaces

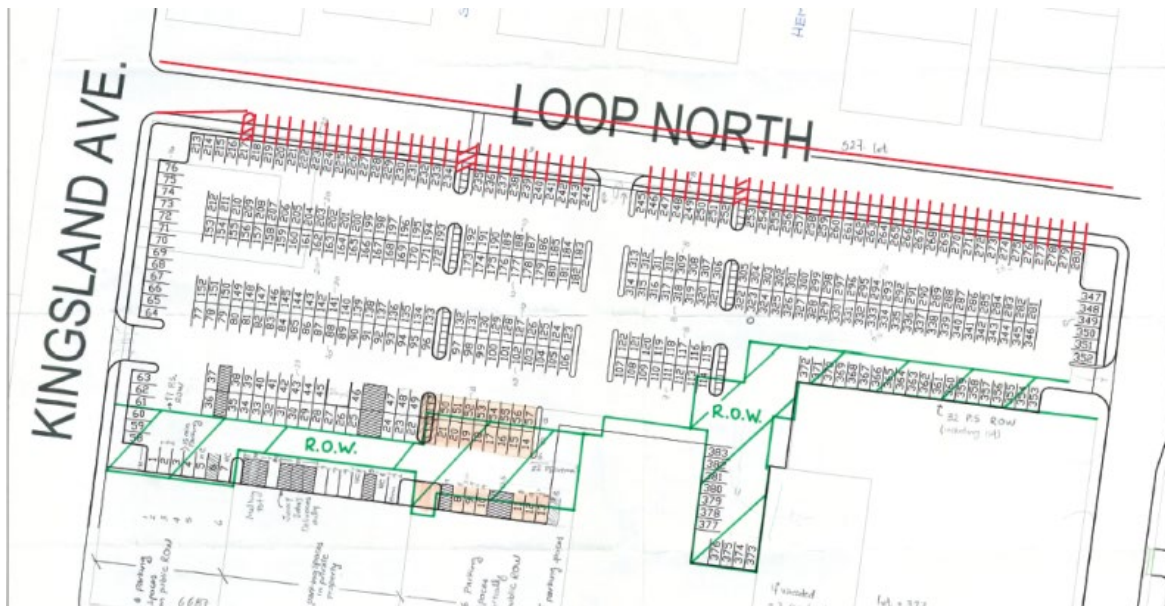
Existing Layout

- Green lines depict rights-of-way; (eliminated in the proposed layout)



Proposed Layout

- Consolidation of two lots
- One additional row of 63 parking spaces
- Widening of Loop North to accommodate two-way traffic
- Removal of intersection and access at Heman and Loop North to provide two access points
- Elimination of northern sidewalk



Cost Estimate (Expenditures & Revenue)

- Total Estimated Cost \$325,000
 - \$250,000 Construction
 - \$30,000 Design
 - \$15,000 Surveying and Lot Consolidation
 - \$30,000 Miscellaneous; (existing Ameren lighting, construction contingencies, County-owned intersection at Kingsland, and possible relocation of sewer underneath the sidewalk)
- Number of spaces created: 63 minus 25 existing parallel spaces equals a net of 38 spaces
- Initial investment per space created is less than \$10,000

Revenue

- TruHotel Development Agreement for 17 spaces and other potential development projects
- 9 spaces needed for Loop Trolley located on Loop North will add to the overall number of parking spaces

Councilmember Cusick asked if there would always be 18 non-revenue generating private spaces? Mr. Alpaslan stated that there would be. Councilmember Cusick asked if the 20 spaces under the lease agreement were located in Lot #4? Mr. Alpaslan stated although he is uncertain whether this caveat applies to this lease, per the City Code, all spaces are available for public use, with the exception that they must be made available for one hour of restricted parking Monday through Saturday.

Councilmember Cusick asked Mr. Alpaslan if he could elaborate on the proposed plan's design related to the sections designated as rights-of-way? Mr. Alpaslan stated some of the sections overlap parking spaces because when the lot was developed the rights-of-way were not matched up to the driving aisles. That's why his recommendation is to eliminate the rights-of-way where Heman and Enright Avenues previously existed by consolidating the two lots. Councilmember Cusick asked who was responsible for maintaining the 18 spaces located on private property? Mr. Alpaslan stated the owners were charged for the maintenance of these spaces when the City executed this project in 2015 and they continue to maintain them today.

Councilmember Cusick stated he believes that there will come a day when The Loop will be thriving again and this lot will be full, so he would like to see this project come to fruition.

Councilmember Clay asked how much revenue the City anticipated generating from each new parking space? Mr. Rose stated staff is looking at two sources of revenue: the marijuana dispensary and the TruHotel. So, once both projects have been approved, his recommendation is to use the revenue from their parking agreements to cover this and any future expansions. Mr. Rose stated that while his belief is that each agreement is for \$100 per space, he would refer to Mr. Mulligan.

Mr. Mulligan stated that is correct. Council approved a monthly rate of \$100 per space for the dispensary, and the same holds true in the preliminary agreement for the hotel.

Councilmember Smotherson asked when the dispensary would be fully operational and in need of these spaces? Mr. Rose stated while it is difficult to determine what the market will indicate; he believes the way the contract is structured is that payment will commence once they start utilizing the spaces.

Mr. Mulligan stated Council should note that these 10 spaces will be shared with the public-at-large and are not exclusively designated for the dispensary. With respect to the hotel, current discussions indicate that they will begin utilizing their spaces after an Occupancy Permit has been issued for the hotel and office.

Mr. Rose asked Mr. Cross if he had received a construction schedule for the hotel? Mr. Cross stated that he had not. However, in this case, issuance of the Occupancy Permit is contingent upon the acquisition of these additional parking spaces.

He stated January 1, is the target date for the dispensary, and to date, they have obtained all of their permits.

Councilmember Smotherson stated he still has some concerns about the location of the leased spaces for the dispensary which requires customers to walk across Delmar.

Mayor Crow stated that even though the extra spaces are needed to meet the City's parking requirements, his assumption is that most of their customers will park either in front or in the back of the dispensary.

Mayor Crow questioned whether there was a benefit to having two-way rather than one-way traffic on Loop North and Leland? Because if there isn't, he would like to see the City take a more aggressive approach and create additional parking.

Mr. Rose stated at this point, staff was simply trying to meet the requirements needed to accommodate both developments. However, they can certainly go back and take a more aggressive look to determine if more parking can be achieved by eliminating that one lane. Mayor Crow stated he does not want to revisit this in two or three years. So, if it's feasible he believes the City would get more bang for its bucks by doing the whole thing at one time.

Mr. Rose asked Mr. Alpaslan if he was aware of any constraints associated with the Mayor's suggestion? Mr. Alpaslan stated the only restriction that may exist is the signalized intersections. But there might be ways to circumvent some of these limitations.

Councilmember Cusick stated he has always been an advocate of eliminating Loop North and blocking off the intersecting streets since residents can gain access from the north end of those streets. He also thought there had been an initial study performed in 2015 which looked at that possibility and identified the number of spaces such an action would add to the lot.

Mr. Alpaslan informed Councilmember Cusick that he was aware of the study that he believes was developed for a private proposal.

Mr. Rose stated based on Council's input, staff will take another look at the structure to determine if it can be maximized, even if that includes no traffic on Loop North.

Councilmember Hales stated he wondered if Loop North could be constructed as a one-way up to the signal on Kingsland, and at the very least, installs parallel parking on the north. But whatever the case may be, he would agree that there is no need to maintain two lanes.

5. ADJOURNMENT

Mayor Crow thanked everyone for their participation and closed the Study Session at 6:17 p.m.

LaRette Reese
City Clerk