

MEETING OF THE CITY COUNCIL
VIA VIDEOCONFERENCE – ZOOM MEETINGS
Monday, May 10, 2021
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, May 10, 2021, Mayor Terry Crow called the meeting to order at 6:35 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 and Development, Clifford Cross; Director of Public Works, Sinan Alpaslan, and Director of Finance, Keith Cole.

C. APPROVAL OF AGENDA

Mayor Crow stated Mr. Rose has requested that Item H-3; Army Corps – River Des Peres Study – Update & Funding Request, be moved to the City Manager's Report.

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

D. PROCLAMATION

1. Arbor Day - A Proclamation in observation of a special day for the planting of trees in an effort to care for the environment.

E. APPROVAL OF MINUTES

1. April 26, 2021, Joint Study Session – Renaming Streets & Parks Task Force was moved by Councilmember Klein, it was seconded by Councilmember Smotherson, and the motion carried unanimously.
2. April 26, 2021, Regular Meeting was moved by Councilmember Smotherson, it was seconded by Councilmember Clay, and the motion carried unanimously.

F. SWEARING IN TO BOARDS & COMMISSIONS

1. John Roman was sworn into the Urban Forestry via Zoom on May 4th.
2. Bobette Patton was sworn into the Economic Development Retail Sales Tax Board via Zoom on May 4th.

G. 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 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 submitted comment will not be recorded in the official record.

Mayor Crow thanked citizens for taking the time to submit their written comments. All comments meeting the aforementioned guidelines have been made a part of this record.

He stated the hope is that in the near future staff will be able to work through some of the challenges associated with conducting these meetings in-person to establish the safest way to accomplish this task for all involved.

H. CONSENT AGENDA

1. Setting Public Hearing – Crown Center Senior Living – 353 Redevelopment Plan including Tax Abatement
2. Driving Range Utility Car – Contract Award
3. Army Corps – River Des Peres Study – Update & Funding Request (Reimbursable); *(Moved to City Manager's Report)*
4. Metropolitan St. Louis Sewer District Operations, Maintenance and Construction Improvements (OMCI) Tax Funding Request (Reimbursable) – Ratify Application

Councilmember Hales moved to approve Items 1, 2, and 4 of the Consent Agenda, it was seconded by Councilmember Smotherson, and the motion carried unanimously.

I. CITY MANAGER'S REPORT

1. St. Louis County Waste Reduction Grant

Mr. Rose stated staff is recommending that Council consider ending the Waste Reduction Grant with St. Louis County.

Mr. Alpaslan stated this grant was received in 2019 for the purpose of educating staff on identifying contaminants in recycling streams that reprocessing plants can no longer accept. He stated they later determined that the guidelines included hands-on training that required examining a resident's curbside cart for specific contaminants without their permission. After completing the educational portion of the grant, Mr. Alpaslan stated he discussed U City's concerns about the hands-on process with St. Louis County's Public Health Administrator. His belief was that for the program to be truly effective the guidelines should be carried out as established and suggested that U City discontinue the program and reapply if and when a grant became available that reflected the City's preference that allowed residents to opt-in or out of the inspection process.

Mr. Rose stated this grant was awarded before the pandemic to satisfy staff's objective of focusing on the educational aspects of the program. However, based on the environment that exists today, the administration believes that the actions, which also required staff to take punitive action against a resident, were too intrusive.

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

2. Conditional Use Permit– (PC21-06) Establish and Operate “Private School” at 8136 Groby Rd.

Mr. Rose stated staff is recommending that Council consider a Conditional Use Permit (CUP) to establish and operate a private school.

Mr. Cross stated private schools located within the Public Activity District are required, under Section 690 of the Zoning Code, to obtain a CUP prior to their establishment and operation.

And although the Applicant, Torah Prep, virtually mirrors the previous establishment at 8136 Groby Road; The McNair School, staff believed that to ensure consistency with the Ordinance, the Applicant should be required to obtain such approval.

He stated the Applicant appeared before the Plan Commission on May 6th, who conducted a Public Hearing, reviewed the evidence, and recommended approval. Mr. Cross stated the Commission received over 35 letters of support and permitted oral comments from residents in attendance. One concern addressed by the Commission was the school's impact on the community with respect to traffic. In this regard, both the Commission and staff concluded that the operation of Torah Prep would have no negative impact.

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

Councilmember Hales stated he would like to add that the Commission voted unanimously to approve the Applicant's request.

Voice vote on Councilmember Hales' motion to approve carried unanimously.

Councilmember Cusick stated he would like to welcome Torah Prep to the neighborhood.

3. Army Corps – River Des Peres Study – Update & Funding Request (Reimbursable)

Mr. Rose stated staff is recommending that Council consider approval of the final payment of \$325,000 to the Army Corps related to the River Des Peres Study, which will be reimbursed by MSD.

Mr. Alpaslan stated the payment will be used to fund the Corps' activities associated with completion of the Tentatively Selected Plan, design, and Final Report, which is estimated to be completed in early 2023.

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

Councilmember Cusick stated his understanding was that the payments would be in two installments of \$150,000 each? Mr. Rose stated while the payments were divided into two equal installments, the first payment of \$325,000, which has already been reimbursed, was made in February. Councilmember Cusick stated in light of the extensive questions raised by the Stormwater Commission, is it possible for staff to inform the Corps about the need to work closely with the Commission to hopefully alleviate some of their concerns?

Mr. Rose stated yes, the City could encourage the Corps to keep working with the Commission.

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

Mayor Crow stated he had omitted to call for a vote to approve the Agenda as amended.

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

J. NEW BUSINESS

Resolutions

1. Resolution 2021-7 - Fiscal Year 2020-2021 Budget Amendment #3.

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

Mr. Rose stated the increases and decreases for this third proposed budget amendment are outlined in staff's report.

Councilmember Clay asked Mr. Cole if he would provide an explanation of the \$250,000 increase for Item 6: Parks, Recreation & Forestry? Mr. Cole stated this is a transfer out from the General Fund to the Fleet Maintenance Fund to cover the cost of operations. Councilmember Clay asked if something had occurred to create the need for such a large transfer? Mr. Cole stated the increase represents the additional funds needed for daily expenditures during the last two months of the fiscal year, which averages about \$125,000. He stated \$69,000 is for personnel services and the remaining amount of \$56,000 will go towards contractual services, materials, and supplies.

Mr. Rose stated although there were no major service interruptions in Fleet Operations, there was a recent change to its operational component. Previously, expenditures were held in a fund with little to no oversight, which resulted in the expenditures being over-budgeted. Now, staff transfers the necessary funds to cover the operation's expenditures from the General Fund to Fleet. And periodically, the transfers will be higher or lower than anticipated based on the current price of gas, oil, or materials. He stated the ideal scenario would be for the Enterprise Fund to end up with a zero balance.

Councilmember Clay asked if the difference from prior years is based on how Fleet Operations is being accounted for from an organizational and budgetary perspective? Mr. Rose stated that is correct.

Mayor Crow asked if his assumption that the \$600,000 decrease in the Safer Grant was because the City had received less than anticipated? Mr. Rose stated that is correct. Staff believed it would receive 1.2 million dollars and instead received \$650,000 less than anticipated. He noted that next year, staff will budget for the receipt of \$250,000.

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

K. 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

L. COUNCIL COMMENTS

Councilmember Clay stated he would like to remind everyone that during the entire month of May, the City will be hosting a COVID Vaccination Clinic at the Community Center on Tuesdays and Thursdays from 8 a.m. to 4 p.m.

Mayor Crow stated the Fire Department and staff have put together a very impressive and well-organized clinic. He stated your wait time to get vaccinated is only as long as it takes you to fill out the paperwork.

Councilmember Smotherson stated since the City is at a critical stage in the Olive/1-70 Development, he would like to reemphasize the importance of making sure that the promises made to the 3rd Ward as part of this agreement, i.e., 10 million dollars, and employment for residents, are honored. So, as a vivid reminder of how one of those assurances can be achieved, he would like to read a letter from a woman who lives one block away from this development in the 3rd Ward.

"My firm is a 100 percent minority and woman-owned firm that has been certified as an MBE/WBE by the City of St. Louis Lambert Airport, the State of Missouri, and nationally certified as an MBE by the Mid-States Minority Supplier Development Council. My firm is certified as business consultants, technical writers, and general management. I am personally certified as a Construction Document Technologist by the Construction Specifications Institute, and I also have concentrated my more than ten years' work in the St. Louis area as a business consultant

on specifically developing and building minority and women-owned firms".

Councilmember Hales stated while reading some of the City's recent social media posts he encountered numerous questions along the lines of; "This is what you're focused on?" "What are you all doing?" "How often do you all vote together?" And as he deliberated over these comments, his thoughts went back to the many years he used to watch these meetings and landed on Study Sessions and the role they play in Council's ability to make determinations about major policy decisions. So, he hopes his comments will be of some benefit to the citizens that are watching this meeting, as well as those who may still have lingering questions.

Councilmember Hales stated in 2011, only five Study Sessions were conducted; in 2014, there were four; in 2015 there were five, and in 2016 there were eight; although three of those sessions were only conducted to discuss selecting a replacement for a seat that had been vacated. But, when you contrast that to the fact that the first year of Mr. Rose's employment he held eighteen Study Sessions where tons of information and policy issues were reviewed and discussed before the regular meetings, it should be pretty easy to understand why this Council has reached a point where far more often than not, it is on the same page regarding policies that impact the City. He stated that practice continues today; there seems to be a one-hour Study Session on important aspects of the City's operations before every Council meeting. In addition, Council's Agenda packets are incredibly detailed. So, in his opinion, this definitely attributes to why Council has been able to work so well together, although much of the credit for this success should go to the City Manager.

M. EXECUTIVE SESSION

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

Roll Call Vote Was:

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

Nays: None.

N. ADJOURNMENT

Mayor Crow thanked everyone for their participation and closed the Regular Session of Council at 7:06 p.m. to go into a Closed Session. The Closed Session reconvened in an open session at 7:58 p.m.

LaRette Reese
City Clerk

From: [David Stokes](#)
To: [Council Comments Shared](#)
Subject: Pershing Avenue
Date: Monday, May 10, 2021 12:03:02 AM

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

Dear Honorable Members of the University City Council:

I am writing in response to the proposal to begin changing names of University City streets as part of a program of historical revisionism. Parts of this proposal by the commission may be understandable and worth consideration, but my purpose today is to enthusiastically and passionately oppose any renaming of Pershing Avenue.

The idea that University City should rename Pershing Ave. is preposterous and absurd. General John J. Pershing was an American hero. As a native Missourian, Pershing rose to become the second-highest ranking military officer in our nation's history (second only to George Washington). He had a long and eventful military record of service in the American West, Cuba, the Philippine Islands, Mexico, and, finally, Western Europe during World War 1, where he was the principal commander of American military forces.

The suggestion that we should rename Pershing Avenue is based on the fact that he led an army that discriminated against African-American soldiers, which it, of course, did during that period (and before it, and after it). It is always tricky to judge people of the past by the standards of today, but it is an especially absurd idea that we should end our association with General Pershing. If we tried to judge Pershing's history by modern standards, he would readily pass such a test.

As a young officer out of West Point, Pershing began his Army service as an officer in the 10th Cavalry, one of the original African-American regiments in the post-Civil War army. Pershing served with the 10th Cavalry for several years before he was assigned to West Point, where his experience with the 10th Cavalry and pride in commanding the African-American troops was used against him by detractors at West Point. When the Spanish-American War broke out, Pershing requested reassignment to the 10th Cavalry, which he received. He again proudly led the African American troops during combat in Cuba, including the unit's participation in the famous charge up San Juan Hill.

Throughout his military career, Pershing continuously expressed pride in his service with the 10th cavalry and unconditional admiration for the African American troops who served in that regiment and others. It was not Gen. Pershing's decision to segregate the United States Military. It had been that way long before him. It continued that way after him until after World War II, when another Missourian, President Harry Truman, decisively ordered the ending of segregation in the armed forces. Civilians control our military policies in a democracy, and the idea that we should rename Pershing Avenue because of long-held policies he was not responsible for is abject lunacy.

It is indisputable that Gen. Pershing's treatment of, attitude toward, respect for, and – most importantly – pride in our nation's African-American soldiers is a commendable part of his life's story. Attempts to alter history by renaming our buildings or streets named in his honor are a blatantly inaccurate depiction of our shared history and should be loudly rejected.

Sincerely,

David Stokes

7220 Greenway Ave.

University City, MO 63130