

MEETING OF THE CITY COUNCIL
CITY HALL, Fifth Floor
6801 Delmar Blvd., University City, Missouri 63130
Monday, November 8, 2021
6:30 p.m.

On March 20, 2020, City Manager Gregory Rose declared a State of Emergency for the City of University City due to the COVID-19 Pandemic. Due to the ongoing efforts to limit the spread of the COVID-19 virus, those who are not fully vaccinated are asked to wear face coverings. To provide for social distancing during Council meetings in-person public attendance will be limited to the first 25 people.

Citizen may also observe the Meeting via Live Stream on YouTube:
<https://www.youtube.com/channel/UCyN1EJ-Q22918E9EZimWoQ>

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 Monday, November 8, 2021, 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.; Acting Director of Planning and Development, Brooke Smith; Public Works Director, Sinan Alpaslan.

C. APPROVAL OF AGENDA

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

D. PROCLAMATION

There were no proclamations.

E. APPROVAL OF MINUTES

1. October 25, 2021 – Joint Study Session Minutes – Storm Water Commission - US Army Corps of Engineers RE: River Des Peres, Councilmember McMahon moved to approve, it was seconded by Councilmember Klein, and the motion carried unanimously.

F. APPOINTMENTS to BOARDS AND COMMISSIONS

There were no appointments.

G. SWEARING IN TO BOARDS AND COMMISSIONS

There was no swearing ins.

Mayor reminded members of Council to review the list of needed appointments and to continue working to fill vacancies where needed.

H. CITIZEN PARTICIPATION (Total of 15 minutes allowed)

Request to Address the Council Forms are located on the ledge just inside the entrance. Please complete and place the form in the basket at the front of the room.

*Citizen may provide written comments ahead of the meeting; they 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. **A name and address must be provided**. Please 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 thanked citizens who provided comments ahead of the meeting, all of which have been provided to members of Council and will be made a part of this record. He then confirmed there were no request to speak from citizens present in Council Chambers.

I. PUBLIC HEARINGS

None

J. CONSENT AGENDA

1. Public Safety (Police) Vehicle Purchase
2. Golf Course Tree Removal Agreement

Councilmember Hales moved to approve the items on the Consent Agenda, it was seconded by Councilmember Cusick, and the motion carried unanimously.

K. CITY MANAGER'S REPORT

1. Conditional Use Permit Extension Request – PC 05665 – Church of Scientology (6901 Delmar Blvd)

Mr. Rose stated item K-1 is asking that you consider the extension of a Conditional Use Permit and ask Ms. Smith to present the request to Council.

Ms. Smith stated the Conditional Use Permit is for the Church of Scientology. The initial permit was approved in 2018 for a church office in the Public Activity District and included approval of additional height for the building. City Council granted a two-year extension in 2019. Due to COVID and other delays the Church was not able to undertake construction. Another extension request was submitted on September 23, 2021. The Church is asking for an additional eighteen months to complete the construction. There are no changes to the plan.

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

2. Leaf Collection Contract Award

Mr. Rose stated item K-2 is asking that you consider the award of a contract for leaf collection. The item was placed on the City Manager's report to highlight the increased cost of the contract. This reflects the pressure that we are realizing from increased staffing cost. Mr. Rose asked Mr. Alpaslan, the Public Works Director to provide additional comments.

Mr. Alpaslan stated that the expected cost is based on the past three years; which was about \$185.00 but costs are going up and now it is about \$209.00. This is still the low bid compared to the competitors. The cost increase trend across the industry is due to the COVID climate causing a shortage in skilled personnel. We are experiencing similar shortage internally, so this contract is to supplement our efforts. Staff believes it's still cost effective at this rate to enter into the agreement for the first year and then see what future years show in terms of awarding additional contracts for years two and three. Approval is recommended.

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

L. UNFINISHED BUSINESS

- 1. Bill 9446 – AN ORDINANCE APPROVING A FIRST SUPPLEMENTAL TRUST INDENTURE IN CONNECTION WITH THE TAX INCREMENT REVENUE NOTES (OLIVE BOULEVARD COMMERCIAL CORRIDOR AND RESIDENTIAL CONSERVATION REDEVELOPMENT PROJECT AREA 1), SERIES A AND B, OF THE CITY OF UNIVERSITY CITY, MISSOURI, AND APPROVING CERTAIN ACTIONS RELATING THERETO.** Bill Number 9446 was read for the second and third time.

Mr. Rose stated this item asks that Council consider an ordinance for the execution for a Supplemental Indenture to modify redemption provisions in the original Indenture and Notes. Mr. Rose asked City Attorney John Mulligan to present a proposed amendment to the ordinance and to highlight what the amendment would achieve.

Mr. Mulligan stated Bill 9446 was introduced on October 25, 2021. After its introduction, further discussions with the developer and owner of the Notes occurred regarding an amendment to the Bill. Specifically, the amendment would change the interest rate on the Tax Increment Revenue Notes that are not excluded from gross income for federal income tax purposes. From the greater of (x) the Prime Rate plus 2% or (y) 8% to a fixed rate of 8%. Essentially what is being removed is the greater of Prime Rate Plus 2%. This could result in a higher rate of interest than 8%, so this amendment caps it at 8% as opposed to going higher assuming the prime rate exceeds the 8% rate. If the Council is inclined to consider this amendment to the bill, he would recommend a motion be made as follows “amend Bill 9446 so as to change the interest rate on the Tax Increment Revenue Notes, not excluded from gross income for federal income tax purposes, from the greater of (x) the Prime Rate Plus 2% or (y) 8% to a fixed rate of 8% as set out in the amended Bill in the City Clerk’s files”.

Pursuant to the recommended motion made by Mr. Mulligan, Councilmember Cusick moved to amend Bill 9446, it was seconded by Councilmember Clay.

Q. Councilmember Smotherson asked if anything in this amendment would affect the ten million or five million in reference to RPA2 or RPA3 related to TIF Notes?

A. Mr. Rose stated that this amendment has no impact on the allotment.

Q. Councilmember Clay stated if we think about this in terms of a mortgage; people enter into a fixed rate, that will not go up in terms of the interest rate that they pay; they have the right to refinance at any time to potentially get a lower rate. It is fair to say the rate that would be paid to the developer won't go above 8%? The way it's currently configured; in a rising interest rate environment, like we have now, Prime could go past 8%, so we could be at 8% Prime Rate plus 2, so it would be at 10%, and we would be paying more. So, we will not pay more than 8% but we are sacrificing the right to refinance?

A. Mr. Mulligan stated that was correct for a ten-year period, this goes through 2031. It depends on what the Prime Rate is. Currently the interest rate can't go above 10; if Prime were 8%, plus the 2 that would be the maximum of 10%. This amendment caps it at 8% but you give up the right to redeem for the ten-year period.

Councilmember Clay stated we will have a fixed upside and an unknown downside; in current environment, rates are in fact rising. We don't know what the future will hold but right now rates are rising.

Roll Call Vote Was:

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

Nays: None.

Councilmember McMahon moved to approve Bill 9446 as amended, 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.

M. NEW BUSINESS

Bills

Introduced by Councilmember Hales

1. **Bill 9448** – AN ORDINANCE APPROVING THE SECOND AMENDED FINAL DEVELOPMENT PLAN FOR THE PROPOSED DEVELOPMENT TO CROWN CENTER FOR SENIOR LIVING LOCATED AT 8348 – 8350 DELCREST DRIVE IN THE PD-M PLANNED DEVELOPMENT MIXED-USE ZONING DISTRICT. Bill Number 9448 was read for the first.

N. COUNCIL REPORTS/BUSINESS

1. Boards and Commission appointments needed

Councilmember Smotherson reminded everyone about the Returning Artist Reception on Wednesday at 7:00 p.m. at the high school's library. The artist is Danny DuMaine

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

O. CITIZEN PARTICIPATON (continue if needed)

P. COUNCIL COMMENTS

Mayor Crow stated the Halloween festivities in the Loop went very well and he is looking forward to having more street fair activities in the Loop to get more people out to visit our businesses.

Q. 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 adjourn the Regular Session, it was seconded by Councilmember Clay, and the motion carried unanimously.

R. ADJOURNMENT

Mayor Crow adjourned the Regular Session at 6:46 p.m.

LaRette Reese
City Clerk

From: Tom Sullivan <tsullivan@sullivanadvco.com>
Sent: Monday, November 8, 2021 11:47 AM
To: Council Comments Shared
Subject: Council Comments, November 8, 2021

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

**Comments of Tom Sullivan
University City Council Meeting
November 8, 2021**

To the Council:

I have comments relating to a subject not on the meeting agenda.

University City has achieved the dubious distinction of being **No. 9** on the list of America's cities with the widest income gaps. (See below.) This was just announced yesterday by **24/7 Wall Street**, an organization based in New York City that runs a financial news and opinion company. It published the top 50 cities in the country it calculates as having the highest degree of income inequality.

24/7 WALL STREET

SPECIAL REPORT

America's Cities With Widest Income Gaps

Samuel Clapham



University City (CC BY 2.0) by Chris Yunker

9. University City, Missouri

> **Gini index:** 0.578

> **Avg. household income, top 20%:** \$351,188 — 1 highest of 1,775 cities

> **Avg. household income, bottom 20%:** \$10,283 — lowest of 1,775 cities

> **Share of all income in University City that went**

This comes after a report last month by the **Show-Me Institute** that found the **University City School District** ranks on the bottom end academically among school districts in Missouri. It was ranked **453** of **516** school districts and given a **1.4/4.0** grade point average.

The school district's low **ACT** scores caused it to be ranked **415** of **434** participating districts -- almost made it to the absolute bottom. Its graduation rate was **432** of **446** school districts that were ranked.

Great Schools ranks schools across the country and its rating for **University City High School** fluctuates between the worst and second-worst. It gives its lowest score to the high school - - **1/10** -- for "College readiness." The high school is doing badly in a critical area in which it needs to do much better.

In 2018 a report by **ProPublica** found that Black students in the University City School District were academically **3.8 grades** behind white students. The report also found that **43%** of teachers in the district were chronically absent. That no doubt contributes to the poor academic performance.

The school district has also been among the worst in the St. Louis area on state test scores. A few years back the district ranked **47** out of **50** districts.

When University City has a school district that does so poorly -- especially in educating its African-American students that make up more than **80%** of the student body -- it no doubt contributes to the extreme income inequality in the city.

School district Superintendent **Sharonica Hardin-Bartley** likes to play the social inequity card as an excuse. Yet there are school districts in the area that do a good job of educating *all* their students -- regardless of race or income level. University City just isn't one of them.

The terrible schools and income equality seem not to bother anyone in University City. Not the Mayor, not the City Council and not even the University City School District Board.

Mayor Terry Crow could not be a better symbol of the inequality and hypocrisy to be found in University City. The millionaire mayor, who now lives in the "Plantation House" -- the mansion on Delmar with the huge white pillars across from Lewis Park -- supported the **Costco** development.

The Costco project is causing the bulldozing of African American neighborhoods, causing low-income families to be kicked out of their apartments and dozens of small businesses to be kicked out of the city -- including restaurants of diverse nationalities. Some are owned by immigrants.

As you know, University City taxpayers will provide tens of millions for the development to help pave the way for Costco, a corporation that does about **\$200 billion** a year in sales. That doesn't exactly reek with equality.

Yet the Mayor and City Council supported a task force earlier this year to consider renaming streets named for people who might not have practiced equality and inclusion and might not have been welcoming to all -- whatever that is supposed to mean.

The city that ranks ninth in the country among cities with the widest income gaps, and has a school district failing badly to educate its Black students, doesn't want to have streets named after people who did not practice equity and inclusion! It can hardly get more hypocritical than that.

Congratulations on the City finishing No. 9 on the wide income gap list. If 24/7 Wall Street ever ranks cities by their hypocrisy, I am sure University City would rank even higher.

Thank you for considering my comments.

TOM SULLIVAN -- 751 SYRACUSE AVENUE -- U.CITY, MO 63130 -- 314-727-2242

