

MEETING OF THE CITY COUNCIL  
**VIA VIDEOCONFERENCE**  
**Monday, January 10, 2022**  
**6:30 p.m.**

**A. MEETING CALLED TO ORDER**

At the Regular Session of the City Council of University City held on Monday, January 10, 2022, via videoconference, 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 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., Public Works Director, Sinan Alpaslan, Director of Finance, Kevin Cole, and ACM/Interim Planning and Development Director, Brooke Smith.

**C. APPROVAL OF AGENDA**

Mayor Crow stated Mr. Rose has requested that Item J (3); Kempland Bridge Surface Transportation Program (STP) Application be moved from the Consent Agenda to the City Manager's Report.

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

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

**D. PROCLAMATIONS**

None

**E. APPROVAL OF MINUTES**

1. December 13, 2021, Study Session Draft Minutes – Public Safety Notification was moved by Councilmember Klein, it was seconded by Councilmember Clay, and the motion carried unanimously.
2. December 13, 2021, Regular Draft Minutes was moved by Councilmember Smotherson, it was seconded by Councilmember Hales, and the motion carried unanimously.
3. December 20, 2021, Special Session Draft Minutes was moved by Councilmember Hales, it was seconded by Councilmember Cusick, and the motion carried unanimously.

**F. APPOINTMENTS TO BOARDS AND COMMISSIONS**

1. Dennis Fuller is nominated for reappointment to the Traffic Commission by Councilmember Tim Cusick, seconded by Councilmember McMahon and the motion carried unanimously.
2. Jerrold Tiers is nominated for reappointment to the Traffic Commission by Councilmember Tim Cusick, it was seconded by Councilmember Klein and the motion carried unanimously.

3. Craig Hughes is nominated for reappointment to the Traffic Commission by Councilmember Tim Cusick, it was seconded by Councilmember Hales and the motion carried unanimously.

**G. SWEARING IN TO BOARDS AND COMMISSIONS**

1. A'isha Hedges was sworn into the Arts and Letters Commission on December 22, 2021, via Zoom
2. Marcie Dear was sworn into the Arts and Letters Commission on December 28, 2021, in the Clerk's office.
3. Sophia Allen was sworn into the Arts and Letters Commission on December 30, 2021, in the Clerk's office.

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

***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](mailto:councilcomments@ucitymo.org), or mailed to City Hall, 6801 Delmar Blvd.; Attention City Clerk. All 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 whether your comment is on an agenda or non-agenda item. If a name and address are not provided on your written comment it will not be recorded in the official record.*

Mayor Crow thanked everyone for their comments, which were provided to Council prior to the meeting. All comments meeting the aforementioned guidelines will be made a part of the record.

**I. PUBLIC HEARINGS**

1. Liquor License – Greenwood Restaurant – 1000 Sutter Ave.

Mayor Crow opened the Public Hearing at 6:38 p.m. Acknowledging that no public comments were received, the Mayor closed the hearing at 6:38 p.m.

**J. CONSENT AGENDA**

1. 2022 Legislative Platform
2. Truck Bed Replacements (3) Contract – Public Works
3. Kempland Bridge Surface Transportation Program (STP) Application; *(moved to City Manager's Report)*
4. Geotechnical Services Contract (Annex and Trinity Building Project)
5. HVAC Unit Replacement – SmartHouse Heating and Cooling (Community Ctr.)
6. Relocation Assistance Agreement – Aleksei Mironov (1190 Briscoe Place)
7. Relocation Assistance Agreement –Mike Murray/Olga Kronova (1177 Briscoe Place)

Councilmember Hales moved to approve Items 1, 2, 4, 5, 6, and 7 of the Consent Agenda, it was seconded by Councilmember Klein, and the motion carried unanimously.

**K. CITY MANAGER'S REPORT**

1. Kempland Bridge Surface Transportation Program (STP) Application

Mr. Rose stated staff is recommending that Council approve the submittal of a grant application for replacement of the Kempland Bridge to be incorporated into the City's Capital Improvement projects for Fiscal Years 2023-2025.

Mr. Alpaslan stated the information relative to this application was derived from the Missouri Department of Transportation's safety records and analysis prepared after their 2019 inspection. MoDOT conducts these inspections every other year, however, the results from their 2021 inspection have not been released to the City.

The Kempland Bridge is 34 years old with a lifespan of 50 years, so it still has a few maintenance cycles left.

Unlike the precast concrete structures developed after 2000, these sealed girder structures are much more difficult to maintain. The bridge was last painted in 2002, but today its deterioration consists of overcoating, painting, and the repair of sections that have experienced loss. Mr. Alpaslan stated the City has fourteen structures which all require regular maintenance. However, based on the cost of maintaining the Kempland Bridge; which is approximately \$40,000 for each repair, a shortage of personnel and his department's limited ability to access and analyze the bridge, staff has directed their attention to structures that are easier to maintain.

He stated while staff has classified the Kempland Bridge as functionally deficit, MoDOT's standards classified it as functionally obsolete. Functionally obsolete is founded on the load-carrying capacity of the structure; which can be a design factor, low waterway inadequacy; which determines waterway clearance and its flood stage, insufficient horizontal and vertical clearances, roadway alignment, as well as the level of service and essentiality for public use. So, the excessive bus traffic is probably something Kempland was not originally built for. With respect to its sufficiency rating, Kempland has been rated at 67%.

Mr. Alpaslan stated the Raymond Bridge; a pedestrian bridge, was removed on an emergency basis, and an alley bridge near Kingsland was closed due to deterioration because of staff's inability to access it; much like the Kempland Bridge. However, because of Kempland's critical connections an emergency closure would be detrimental to the City.

The estimated cost of replacing the bridge is \$500,000. But since this grant has a three-year cycle from 2023-2026, the City should not anticipate receiving a reimbursement before the Federal Fiscal Year of 2025.

Councilmember Hales posed the following questions to Mr. Alpaslan:

**Q. What is the difference between the level of required maintenance and costs between steel girder and precast concrete bridges?**

*A. Steel girder bridges are generally used for accessing tight areas that have a longer span because the steel provides more resistance in smaller geometries. So, while the Kempland Bridge does not have a tight clearance and steel is probably the best option because of its load capacity, the height of this structure is what hinders staff's ability to perform routine maintenance.*

*In terms of their life span and operability, both materials are good for their intended purposes if they can be adequately maintained. The advantage of precast is that it can be maintained from the top and last for a very long time. 80 percent of the City's structures are now precast; which is something he would always recommend.*

**Q. How many bridges within U City are built with steel girders and in need of deferred maintenance?**

*A. There is a small section at Kingsland and a short span at Robert's pedestrian bridge. The Pennsylvania Bridge may also be steel, but in this case, any issues are going to be associated with its hydraulic clearance. However, for the most part, all three structures are in pretty good shape.*

**Q. Is staff now making efforts to maintain these steel bridges in shorter intervals than every twenty years?**

*A. Yes. In terms of their ease of access, the other three bridges are in much better locations than Kempland.*

Councilmember Clay posed the following questions to Mr. Alpaslan:

**Q. Can the Kempland Bridge be accessed with confidence?**

*A. There are no problems in terms of structural deficiencies.*

**Q. Is it correct that the City's responsibility is to maintain these bridges, and the State's responsibility is to conduct inspections?**

*A. Correct. The State maintains oversight of all public infrastructures.*

Councilmember Cusick posed the following questions to Mr. Alpaslan:

**Q. Is the current hydraulic clearance sufficient at Kempland, and if so, will that clearance be maintained?**

*A. We already know that the openings are not sufficient.*

**Q. If the clearance is found to be insufficient, will the rebuild impact any aspects of the bridge or impede the potential flow of River Des Peres?**

*A. The most vigorous qualifications will be utilized during this process to ensure that any bridge requiring hydraulic clearance is not in a location where it will be overcome.*

*Modern techniques like replacing vertical sections with horizontal sections are now being used because they don't impact the clearance of a structure. These vigorous requirements were implemented when the Chamberlain Avenue Bridge was repaired and there was no reduction in its opening. This same process will be used on Kempland.*

Councilmember Smotherson asked if Kempland would be able to continue handling bus traffic after it is rebuilt? Mr. Alpaslan stated Kempland's current load bearing capacity is adequate for bus traffic, but additional criteria will be taken into consideration in the redesign to make sure it is suitable for this type of transit over the length of its life cycle.

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

**2. Liquor License – Greenwood Restaurant LLC (1000 Sutter Ave.)**

Mr. Rose stated staff is recommending that Council consider a Liquor License for Greenwood Restaurant. He then asked that any questions be directed to Mr. Cole.

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

**3. Site Plan Approval – All Nations Church (7860-7868 Olive Blvd.)**

Mr. Rose stated staff is recommending that Council consider a Site Plan for All Nations Church. He then asked that any questions be directed to Ms. Smith.

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

**4. Conditional Use Permit (CUP) – MNG 2005 Inc. (8322 Olive Blvd.)**

Mr. Rose stated staff is recommending that Council consider an Application for a Conditional Use Permit for MNG 2005, Inc. The proposed use is for the storage of landlord materials in a multi-tenant commercial building. Questions should be directed to Ms. Smith.

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

**5. Creative Entourage Contract – Prop F Public Information and Communications Campaign**

Mr. Rose stated staff is recommending that Council consider a contract with Creative Entourage to develop public information for Prop F. If approved, Creative Entourage will assist staff with its intent to educate residents about the pros and cons of the quarter-cent sales tax initiative. Creative Entourage's proposal includes surveying residents with pertinent questions about the tax, responding to those questions, and communicating the facts via community outreach, brochures, and videos.

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

Councilmember Smotherson posed the following questions to Mr. Rose:

**Q. Can you explain the term temporary as it relates to this tax?**

A. *Temporary in this context means that since the tax does not have a sunset, it would remain in perpetuity.*

**Q. I don't see the need to spend \$45,000 to hire a company based on staff's ability to answer any questions, and the fact that in the third or fourth quarter of this year Costco and QuikTrip may be open for business giving the City the kick it needs to offset what can be achieved from this quarter-cent sales tax increase.**

A. *The purpose of this information campaign is not to persuade residents to vote for the tax, it's to educate them about the pros and cons, and create a FAQ brochure to be distributed to residents.*

Councilmember Smotherson stated he could be amenable to this request if the intent is to be informative and not persuasive.

Councilmember Clay posed the following questions:

**Q. The question of information versus advocacy is one that is always appropriate for a governmental entity when it is looking to raise funds or increase taxes. So, can you talk about the things a City can do, and the things they are prohibited from doing?**

A. Mr. Mulligan stated while there is a State statute that addresses this question, it has been declared unconstitutional by the Cole County Circuit Court, and an appeal is now pending before the Missouri Supreme Court. So, if the Cole County position is affirmed by the Supreme Court the City would be free to advocate or oppose any ballot proposition. However, because that decision is on appeal the City must operate under the existing statute which states that you cannot advocate for a proposition. Therefore, the City may provide information to voters regarding the pros, cons, projected revenues, current fire service expenditures, and so on.

Mr. Mulligan stated he would notify the City Manager and Council as soon as a decision has been reached in this case.

A. Mr. Rose stated what he is asking Council for at this point is authorization to conduct an information campaign. Any intent to switch from this position will be brought back before Council for consideration.

**Q. If outreach would consist of meetings, invitations to all residents, mailers, opportunities to ask questions, and to have those questions answered?**

A. Mr. Rose stated that is correct, although, at this point, he does not have a definitive answer about whether outreach will be conducted in-person or virtually. He stated his goal is to reduce the cost of this contract if possible, so starting with a survey should help staff determine exactly how much information and communications will be needed.

**Q. If the dollar amount of this contract was based on the services Creative is asked to render?**

A. Mr. Rose stated that is correct. If the City utilizes all of the services outlined in the contract the cost would be approximately \$41,000.

**Q. If it was correct that the City's internal communications capacity was diminished based on the absence of a Director of Communications?**

A. Mr. Rose stated that is correct.

Mayor Crow stated sometimes Council forgets that it has access to a lot of information that residents don't have or don't pay attention to. So, the idea of a survey seems like a good way of determining exactly what their concerns are. He stated while he would also like to keep the cost of this project down to a minimum; and thinks the City Manager will convey that message to the consultant, at this point, staffing is pretty thin, resulting in a lot of employees having to perform tasks in multiple positions.

Voice vote on Councilmember Cusick's motion to approve carried unanimously, with the exception of Councilmember Smotherson.

**L. UNFINISHED BUSINESS**

**M. NEW BUSINESS**

*Resolutions*  
*Bills*

**N. 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

**O. CITIZEN PARTICIPATION** (continued if needed)

**P. COUNCIL COMMENTS**

**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 close the Regular Session and go into a Closed Session, it was seconded by Councilmember McMahon.

Roll Call Vote Was:

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

**Nays:** None.

**R. ADJOURNMENT**

Mayor Crow thanked everyone in attendance and closed the regular City Council meeting at 7:18 p.m. to go into a Closed Session on the second floor. The Closed Session reconvened in an Open Session at 8:08 p.m. and adjourned at 8:08 p.m.

LaRette Reese,  
City Clerk

## LaRette Reese

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**From:** David Harris <djharris11@sbcglobal.net>  
**Sent:** Saturday, January 8, 2022 7:25 PM  
**To:** Council Comments Shared  
**Subject:** For Council Meeting 1-10-22 - Following Up My Sales Tax Increase Comments and Questions from 12-13-21 Meeting - Also Agenda Item K.4

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

On December 14, 2021 at 6:19pm, I emailed each Council member and City Manager Rose following up my December 12 public comments and questions about the sales tax increase that are now part of the December 13 Council meeting minutes and following up the December 13 meeting discussion about the sales tax increase.

I have not received a response to my December 12 comments or my December 14 email message. Therefore, I am submitting my December 14 email message as a public comment for the January 10, 2022 Council meeting.

Maybe if Creative Entourage is hired for a "Prop F Public Information and Communications Campaign" pursuant to Agenda Item K.4 to "assist staff with informing our residents . . . surveying residents to determine questions about the tax and responding to the questions" someone can get back to me.

Here is my December 14 email message.

Thank you for the discussion of Bill 9450 at the December 13, 2021 Council Meeting, especially Bwayne Smotherson's insightful questions and comments.

From the discussion, I learned:

- (A) The funds from the sales tax increase are primarily to reduce the unfunded pension liability of \$8.5 million.
- (B) The pension liability is a cost of operations that can be paid from the sales tax.
- (C) A decision about another ambulance is several years away but Council agrees with City Manager Rose that the funds are needed now for (A).
- (D) The current "slight deficit" in ambulance operations is about \$200,000 per year.

From the Special Study Session on September 18, 2021, I also learned (E) the sales tax increase is projected to generate about \$525,000 per year.

What is still not clear, and was not discussed, are:

(1) If (A) [The funds from the sales tax increase are primarily to reduce the unfunded pension liability of \$8.5 million], why is the tax need considered "short-term" and what was meant by the emphasis at the Study Session, on Pages E-2-1 and E-2-2 of the Agenda Packet, "for the unfunded liability [the current property] taxes generate enough to cover the amount needed on an annual basis. It is outlined as a short-term fix because we don't believe this tax will be needed in long term . . . So, in the short term, the Fire Sales Tax will be used to shore up the balance until the property taxes can cover the entire amount."

(2) Some of the tax increase will be needed to cover the "slight" operating deficit. That leaves about \$300,000 per year unless the deficit changes. How many years at \$300,000 per year are needed to "shore up the balance?" Covering the entire balance will take almost 30 years.

(3) What is the cause of the operating deficit? Is it uncollected accounts or something else?

(4) How much of the sales tax increase is needed to cover the anticipated public safety costs from the Olive-170 Project of about \$400,000 per year?

(5) How much will the proposed increase make the sales tax in U. City, including the sales tax in extra taxing areas such as the Loop and the Olive-170 Project?

I appreciate a response from somebody about (1) - (5).

David J. Harris  
8039 Gannon Avenue  
University City, MO 63130  
314-795-3465



**From:** Tom Sullivan <tsullivan@sullivanadvco.com>  
**Sent:** Monday, January 10, 2022 11:40 AM  
**To:** Council Comments Shared  
**Subject:** Council Comments, January 10, 2022

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



COMMENTS TO THE CITY COUNCIL  
FROM TOM SULLIVAN, 751 SYRACUSE, UCITY, MO 63130  
JANUARY 10, 2022

I have several things to mention.

There is progress being made on the street lights that were out but many still remain.

- ▶ A street light at Eastgate and North Drive is flickering, almost like a strobe light. There is also a street light out on North Drive.
- ▶ There is a street light out on Ferguson, just south of Bartmer. It has been out for a couple of months.
- ▶ There are about a half-dozen overhead lights out on Olive, between Pennsylvania and North & South.
- ▶ There are numerous "streetscape" lights out on Olive -- across from Schnucks, at Midland, at Hanley and at North & South.
- ▶ There are several sidewalk lights out in the walkways that go through Parking Lot No. 4.

There is a telephone wire hanging down from the overhead wires in the alley behind 750 Kingsland and 758 Kingsland. Anytime wires are hanging down like this they should be given some attention -- meaning the phone company should get involved in this case. This does not appear to be a danger but could be a problem if the wire got caught up in a dumpster being emptied next to where it hangs down.

Just recently in the neighborhood there were three very loud gunshots fired in rapid succession around 10:30 at night. Anyone sleeping would have been woke up. Several police cars came and were looking around. Apparently, no one was shot.

The Ackert Park playground is being redone and once again trees were cut down. This is in addition to the trees that were cut down when there were renovations for the walkway through the park. I do not know why trees have to be cut down with every renovation. This happened with Lewis Park also.

Thank you for considering my comments.