

MEETING OF THE CITY COUNCIL
CITY HALL, Fifth Floor
6801 Delmar Blvd.
University City, Missouri 63130
Monday, March 28, 2022
6:30 p.m.

A. MEETING CALLED TO ORDER

At the Regular Session of the City Council of University City held on Monday, March 28, 2022, 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 Finance, Keith Cole; Director of Public Works, Sinan Alpaslan; Mike Williams of Sikich, LLC, and Jessica Bueler, of the LSBDD.

Mayor Crow stated if anyone would like to speak on an Agenda item he would ask that they fill out a Request Form and put it in the basket located at the front of the room. Please indicate whether you are speaking on an Agenda or non-Agenda item, and when you come to the microphone provide your name, address, and limit your comments to 5 minutes.

C. APPROVAL OF AGENDA

Mayor Crow apologized for the elevator being out of service. He stated that as a result of this inconvenience, the City Manager made the following requests during tonight's Study Session: that Items I (1) and I (3); Public Hearings, remain open, and that Item L (2); Bill 9456, be removed.

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

D. PROCLAMATION

E. APPROVAL OF MINUTES

F. APPOINTMENTS TO BOARDS AND COMMISSIONS

1. Allieze Curry is nominated for appointment to the Senior Commission as fill in replacing Gloria Nickerson's expired term by Councilmember Aleta Klein, it was seconded by Councilmember Cusick, and the motion carried unanimously.
2. Joseph Mosby is nominated for appointment to the Board of Adjustments as a fill-in replacing Charles Marentette's unexpired term by Mayor Terry Crow, it was seconded by Councilmember Smotherson, and the motion carried unanimously.

G. SWEARING IN TO BOARDS AND COMMISSIONS

H. CITIZEN PARTICIPATION (Total of 15 minutes allowed)

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

*Citizens may also provide written comments ahead of the meeting, which must be received **no later than 12:00 p.m. on the day of the meeting.** Comments may be sent via email to: councilcomments@ucitymo.org, or mailed to City Hall at 6801 Delmar Blvd.; Attention City Clerk. **Please note that to be recorded in the official record, a name and address must be provided,** as well as whether your comment is related to an agenda or non-agenda item.*

Comments adhering to the aforementioned guidelines will be provided to City Council prior to the meeting and made a part of the official record. Public access will be made available online following the meeting.

Mayor Crow thanked everyone who took the time to provide their written comments.

Jared Brunk, 6740 Crest Avenue, U City, MO

Mr. Brunk stated in commemoration of Arbor Day's 150th Anniversary, he would ask Council to consider sponsoring an Arbor Day event at Heman Park on April 29th, to include the planting of fruit trees.

I. PUBLIC HEARINGS

1. Zoning Code Text Amendment to add "Automobile and light truck rental/rent-a-car services." As a Conditional Use in the LC – Limited Commercial District. (TXT 22-01) – Bamboo Acquisitions, LLC.

Mayor Crow opened the Public Hearing at 6:35 p.m.

Citizen Comments

Michelle Fishman, 8330 Stanford Avenue, U City, MO

Ms. Fishman stated her residence and business are both located within walking distance of 8130 Delmar. And since she, as well as her out-of-town guests frequently use Avis, she was happy to hear about the opportunity to have one located in her neighborhood. Ms. Fishman stated she thinks Avis will put new eyes on the surrounding businesses and potentially bring new business to the area.

Matt Bukhshtaber, 190 Carondelet Avenue, St. Louis, MO 63105

Mr. Bukhshtaber stated he was appearing on behalf of Rabbi Landa, who could not be in attendance. His letter states, *"To whom this may concern. I am the Regional Director of Chabad of Greater St. Louis, whose headquarters are located at 8124 Delmar; immediately to the east of the above-referenced property. We have been located at our Delmar location since 1995. I also hold a leadership position within the Jewish community in U City. I feel comfortable expressing support for the proposed Avis-Budget Project for the above-referenced property, and I feel confident that this also reflects the general sentiment within the community and the neighborhood. It seems the proposed use is entirely compatible, consistent with the character of the uses in the surrounding area in regards to aesthetics, traffic, noise, et cetera. We extend our best wishes to all involved for much success."*

Mr. Bukhshtaber stated when you look at the sustainability of communities throughout St. Louis and the country, he is proud to hear that a well-known brand like Avis is interested in coming to U City. And since Avis will be upgrading the existing structure, he believes this will be a great use for the site, and an asset for the community.

Jaimie Mansfield, 600 Emerson, Suite 210, Creve Coeur, MO 63141

Ms. Mansfield stated that as General Counsel for Bamboo Acquisitions, she is in front of Council tonight on the Text Amendment to allow this specific use; a light automobile and car rental service in an LC District.

Tied into that amendment is a Conditional Use Permit that should not be bifurcated when thinking about Avis' current location. She said while there have been numerous communications regarding Brentwood Blvd., which is notorious for commercial uses; it abuts residential communities as well as businesses of this nature. The same is also true of Clayton. So, picking this business up and placing it here in U City actually makes a lot of sense; especially when you look at the data and the City's Comprehensive Plan.

At its current location in Clayton, Avis' records indicate that the majority of its business is generated from the 63130 Zip Code, with 300 out of 380 rentals occurring during the past two months. So, relocating to U City in the LC District makes a lot of sense.

Ms. Mansfield stated Avis is willing to work with the Planning Commission to make good use of the existing building and ensure there will be less intrusive lighting on the adjoining residential properties. For all of these reasons, she would ask Council to keep an open mind and pass this as a Text Amendment for use in an LC District.

Mayor Crow announced that the Public Hearing would remain open until the next Council meeting.

2. Zoning Map Amendment to rezone 13 parcels of land along Olive Boulevard, west of McKnight Road, comprising approximately 8.18 acres of land, from "PA" Public Activity, "GC" General Commercial, and "HR" High-Density Residential to Planned Development Commercial District (PD-C). (REZ22-03) U. City LLC. *(Removed)*

Mayor Crow opened the Public Hearing at 6:44 p.m. Acknowledging that no written comments had been provided, the hearing was declared closed at 6:45 p.m.

3. Zoning Map Amendment to rezone 6.2 acres of land associated with 8630 Delmar Boulevard from Planned Development Mixed-Use District (PD-M) to Planned Development Mixed-Use (PD-M) District. (REZ22-04) Charles Deutsch and Company

Mayor Crow opened the Public Hearing at 6:45 p.m. Acknowledging that no written comments had been provided, he stated that the hearing would remain open until the next Council meeting.

J. CONSENT AGENDA

1. Consent to Deed of Trust and Bond Pledge by Winco Redevelopment Corporation for 6315 Maple.

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

K. CITY MANAGER'S REPORT

1. FY2021 Annual Comprehensive Financial Report (ACFR) and Report on Federal Awards Audit Reporting Presentation – Sikich LLC

Mr. Rose stated staff is asking that Council receive a presentation on the Annual Audit for Fiscal Year 2021.

Mr. Cole stated Mr. Mike Williams from the accounting firm of Sikich LLC, performed the Annual Audit, and will be presenting the results to Council this evening.

Mr. Williams stated he is a partner at Sikich LLC, previously known as Hochschild, Bloom. His company recently issued the reports related to the audit for the City's Fiscal Year ending June 30, 2021, and this is a summary of those reports.

ANNUAL COMPREHENSIVE FINANCIAL REPORT

SECTION I - INTRODUCTORY SECTION

This section contains the Letter of Transmittal, City's profile, financial controls, economic conditions, and outlook. The Certificate of Achievement illustrates that the City has complied with the Government Finance Officer's requirements for the presentation of its audit, which demonstrates the City's commitment to accountability and transparency.

Letter of Transmittal
Principal City Officials
Organization Chart
Certificate of Achievement for Excellence in Financial Reporting

SECTION II - FINANCIAL SECTION

The Independent Auditor's Report indicates that Sikich has audited the financial statements and reviewed management's responsibilities. It also contains the auditor's responsibility and opinion. *"In our opinion, the financial statements referred to above present fairly in all material respects."*

The Government-Wide Financial Analysis of the City illustrates:

- Governmental activities
- Business-type activities in total
- The statement of net position
- The City's assets, liabilities, and net position or equity

Overall, total assets have increased by about 5%, and liabilities have increased by 30,518,000; (related to the Olive TIF).

Summary of Revenue and Expenses

Total Revenue	\$41,000,000
General Fund Total Assets	\$22,376,000
Total Fund Balance	\$18,422,000
Unassigned Fund Balance	\$12,629,000

- ❖ *There is an increase in total revenues of 4.7%, associated with CARES Act receipts, the TIF, and changes in MoDOT's street/bridge project. There is also a significant increase in expenses for planning and development of approximately \$41,000,000.*
- ❖ *Portions of the Fund Balance are restricted or assigned and non-spendable; this is detailed in the Fund Balance section.*
- ❖ *An overall increase in the General Fund balance of about \$1,637,000.*
- ❖ *Decrease in the Public Safety Sales Tax by about \$92,000, which still had a fund balance of approximately 1.3 million dollars at the end of the year.*
- ❖ *The Olive/I-170 TIF Fund has a balance of about 3.8 million dollars.*

Statement of Business-Type Activities

Parking Garage	- \$23,000
Golf Course	+\$350,000
Solid Waste	- \$851,000

- ❖ *Activities funded by charges for services.*

Recommendation: We recommend the City enhance its internal control procedures over financial reporting so that it is able to produce financial statements in accordance with GAAP without requiring significant audit adjustments. These internal control procedures should include reconciliation of significant financial statement amounts to subsidiary records and sufficient supervisory review of those reconciliations, prior to the audit, in order to determine proper adjustments to the City's financial statements.

Auditor's Comments

These comments do not represent significant deficiencies or material weaknesses:

1. Adjustment of journal entries
2. The tracking of grants
3. Review of receivables for specific accounts
4. Additional review of golf receipts
5. Credit card verifications
6. Approvals related to time-off
7. Documentation of Policy and Procedures Manual
8. Routine monthly closings related to Solid Waste receivables
9. Reconciliation of liability accounts
10. Allocation of internal service fund documentation

Mayor Crow thanked Mr. Williams for his presentation.

2. Interfund Borrowing from General Fund to Solid Waste Fund in the amount of \$1 million.

Mr. Rose stated staff is recommending that Council consider approving a loan from the General Fund to the Solid Waste Fund in the amount of 1 million dollars. He stated the cost of the City's recycling program appears to be exceeding any revenues received; therefore, adjustments will need to be made in the future.

Mr. Rose stated he has asked Mr. Alpasian to prepare a Study Session to provide Council with more details on the fund's deficit, along with a review of the Rate Study conducted two and a half years ago. He stated he believes that the transfer or loan in this amount will enable the City to subsidize the fund to a point where no immediate actions will be necessary.

Councilmember Clay asked Mr. Rose when the Study Session would be scheduled? Mr. Rose stated that he did not have a date at this point.

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

3. Special Event Permit (SUP) – 2022 Loop Roadshow

Mr. Rose stated staff is recommending that Council consider the approval of a Special Event Permit for the 2022 Loop Roadshow to be held on April 30th and May 28th, as outlined in the application. He stated that Mr. Alpaslan and Ms. Jessica Bueler will present this item.

Mr. Alpaslan stated the application is for a total of eight events to be held throughout the season, ending in late October. These events consist of countless activities in The Loop, requiring street closures between the intersections of Leland and Limit Avenues. It will also utilize amplified sounds and mobile stages. This application is requesting Council's approval of the first two events.

Ms. Bueler stated the purpose of these events is to host monthly family-friendly festivals on the last Saturday of the month, designed to create opportunities to attract customers to The Loop's restaurants, retail shops, and services.

Restaurant Focused Event

- Saturday, April 30th through Saturday, May 7th
 - 60 vendors
 - Tents disseminating Passports; restaurant specials/coupons
- ❖ *Each time a patron redeems a coupon they will be automatically entered into a drawing for a chance to win a prize*

Retail Focused Event

- Saturday, May 28th

Road Closures

- Leland/Delmar and Delmar/Limit from 5:00 a.m. to 8:00 p.m.
- Set-up begins at 8:00 a.m.
- Event begins each day at 11:00 a.m. and ends at 7:00 p.m.

Ms. Bueler stated the LSBDD has developed a comprehensive marketing package to create new events and generate new customers. One element of this marketing will focus on TV commercials featuring Loop businesses.

TV Schedule April 25 & May 2

M-F 6-7am	Fox 2 News @ 6a.m.
M-F 7-9am	Fox 2 News @ 7a.m
M-F 9-10am	Fox 2 News @ 9am
M-F 10-11am	Rachael Ray
M-F 5-7pm	Fox 2 Early News
M-F 9-10pm	Fox 2 News 9 pm
Sat 7-9am	7am News
Sun 7-9am	7 am News

Councilmember Smotherson posed the following questions to Ms. Bueler:

Q. Where will the mobile stage be located?

A. The stage is outlined in the application and will be located in front of the Tivoli parking lot.

Q. Who is in charge of selecting the entertainment?

A. The LSBDD Board of Directors.

Councilmember Cusick stated he is excited about this idea and hopes that they will be very successful. He then posed the following questions to Ms. Bueler:

Q. What happens to the cars that might be parked on Delmar prior to the start of these events?

A. The LSBDD will be working with the Police and Street departments, business owners, and apartment complexes to make sure that any parked vehicles are removed before the event. Last year when Delmar was closed there was only one incident involving a parked car which they simply worked around.

Q. Is the LSBDD working in conjunction with the organizations in charge of sponsoring the Memorial Day Run to make this a joint venture? The run is scheduled for Monday, May 30th, and they will be closing down portions of Delmar as well.

A. That crossover idea has not come up at any of the meetings, but it's a fantastic suggestion that she will bring to the Board's attention.

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

L. UNFINISHED BUSINESS

1. **Bill 9455** – AN ORDINANCE APPROVING A FINAL PLAT FOR A MINOR SUBDIVISION OF A TRACT OF LAND AT 6518 ETZEL AVENUE. Bill Number 9455 was read for the second and third time.

Councilmember Cusick 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.

2. **Bill 9456** - AN ORDINANCE AMENDING SECTION 400.450 OF THE MUNICIPAL CODE OF THE CITY OF UNIVERSITY CITY, RELATING TO CONDITIONAL USES IN THE "LC" LIMITED COMMERCIAL ZONING DISTRICT, BY ADDING "AUTOMOBILE AND LIGHT TRUCK RENTAL/RENT-A-CAR SERVICES" AS A CONDITIONAL USE. *(Removed)*

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 (continue if needed)

Aren Ginsberg, 430 West Point Court, U City, MO

Ms. Ginsberg stated she wished to speak in support of the City's Firefighter/Paramedics and Proposition F, just in case anyone is taking Tom Sullivan seriously. Mr. Sullivan claims to be U City's watchdog but when ambulance accountability was lost, he didn't bark. He has disparaged the District's Superintendent, threatened the Library and friends of the Library with lawsuits, and now he's targeting the City's Firefighter/Paramedics.

Ms. Ginsberg stated she understands that convincing Tom to care about other people is a lost cause, so she would like to share some important facts that Prop F opponents are deliberately ignoring.

- Many residents within U City do not have access to adequate healthcare and in dire circumstances depend on their Firefighter/Paramedics
- Since 2012 the Police and Firefighter Pensions have struggled to maintain an 80% funding level
- In 2015 the prior administration's solution was to cut public safety and outsource EMS to a private, for-profit company. The City's level of care diminished from two paramedics per ambulance to one
- The City's Mutual Aid with surrounding communities was lost and U City forfeited approximately \$700,000 a year in revenue while its ambulances gathered dust
- According to the most recent Missouri Ethics Commission Report dated March 27th, significant donations have been received from Gregory Pace; the citizen who wrote the outsourcing contract with Gateway, Stephen Kraft, Shelley Welsch; who also suspended five U City Firefighters in 2014, and Tom Sullivan

These individuals were all willing to sacrifice the City's public safety then and they are trying to do it again.

Thank goodness the City's new administration restored the Fire House-based EMS before COVID hit.

Ms. Ginsberg stated the proposed quarter-cent sales tax means that both students and visitors to U City will finally contribute more to the services this City provides. And she believes that keeping the best Firefighters and Paramedics in this community is worth one-quarter of a penny.

P. COUNCIL COMMENTS

Mayor Crow stated there seemed to be an off-handed remark by the General Counsel for Bamboo Acquisitions which indicated that the owner of the business had walked the neighborhood and met several residents in support of the Text Amendment. However, as a resident of Ward 1, he would like to have more information describing what measures were taken, and if they included all citizens so that Council has a clear understanding of exactly what their outreach entailed.

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

Nays: None.

R. ADJOURNMENT

Mayor Crow thanked everyone for their attendance and closed the regular City Council meeting at 7:30 p.m. to go into a Closed Session on the second floor. The Closed Session reconvened in an open session at 8:23 p.m.

Respectfully Submitted,

LaRette Reese,
City Clerk

