

**STUDY SESSION
REDISTRICTING AND TEXT AMENDMENTS**

CITY HALL, Fifth Floor
6801 Delmar Blvd.
University City, Missouri 63130
Monday, April 11, 2022
5:30 p.m.

AGENDA

1. MEETING CALLED TO ORDER

At the Study Session of the City Council of University City held on Monday, April 11, 2022, 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; Attorney, John F. Mulligan, Jr., and Acting Director of Planning and Development, John Wagner.

2. CHANGES TO REGULAR AGENDA

Mr. Rose stated he had two proposed changes; that Allieze Curry be added as Item G (2), to be sworn into the Senior Commission, and that Item K (1); Missouri City Clerks and Finance Officers Association (MOCCFOA), be moved to Item D (2).

Councilmember Smotherson stated he would like the record to reflect that Crescent Plumbing referred to in Items M (3) and M (4) is located in the 2nd Ward, rather than the 3rd Ward.

3. REDISTRICTING AND TEXT AMENDMENTS

Mr. Rose stated Dr. Wagner will provide Council with a presentation on the proposed redistricting and Text Amendments considered by the Planning and Zoning Commission.

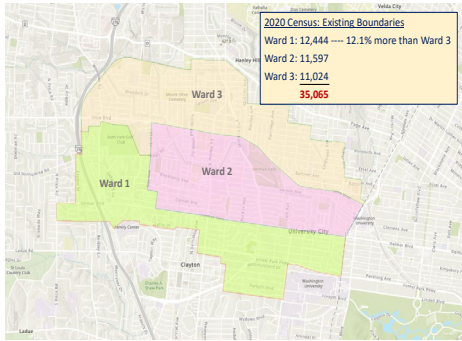
Dr. Wagner stated his hope was that there would be more choices, but as it turns out, this should be pretty straightforward.

2020 Census Results

The 2020 Census shows a total of 35,065 residents in U City:

- 1st Ward 12,444
- 2nd Ward 11,597
- 3rd Ward 11,024

With the 1st Ward consisting of 12.1% more residents than the 3rd Ward, there is a need to develop a Redistricting Plan that moves more people into the 3rd Ward.



According to the 2020 Census, there were 767 residents in the tract encompassing Old Bonhomme, which became the most logical place to make the needed adjustments.

Census Blocks

Using the Census Blocks the Commission was able to determine how many people in the Old Bonhomme area were in the 1st Ward.

- Blocks 5,000, 5,000, 5,001, 5,002, 5,003 reflects residents in the 3rd Ward
- The Blocks located below the red line reflect residents in the 1st Ward



Option 1 Redistricting Plan - Old Bonhomme

The area encompassing Old Bonhomme has:

- 245 Residents in the 3rd Ward, and
- 522 Residents in the 1st Ward

If the district boundary is drawn here, moving 522 residents into the 3rd Ward would generate a difference of 3.2% more residents in the 1st Ward, than in the 3rd Ward.

Geography		Total--
Block 1001, Block Group 1, Census Tract 2158 02, St. Louis County, Missouri	Ward 1	25
Block 5000, Block Group 5, Census Tract 2157, St. Louis County, Missouri	Ward 3	104
Block 5001, Block Group 5, Census Tract 2157, St. Louis County, Missouri		0
Block 5002, Block Group 5, Census Tract 2157, St. Louis County, Missouri		12
Block 5003, Block Group 5, Census Tract 2157, St. Louis County, Missouri		129
Block 5006, Block Group 5, Census Tract 2157, St. Louis County, Missouri	Ward 1	349
Block 5007, Block Group 5, Census Tract 2157, St. Louis County, Missouri		66
Block 5008, Block Group 5, Census Tract 2157, St. Louis County, Missouri		20
Block 5009, Block Group 5, Census Tract 2157, St. Louis County, Missouri		62
Block 5010, Block Group 5, Census Tract 2157, St. Louis County, Missouri		25
		245
		522

Option 1 Redistricting Totals

11,922 in the 1st Ward
11,597 in the 2nd Ward
11,546 in the 3rd Ward



Option 2 Redistricting Plan - North Old Bonhomme

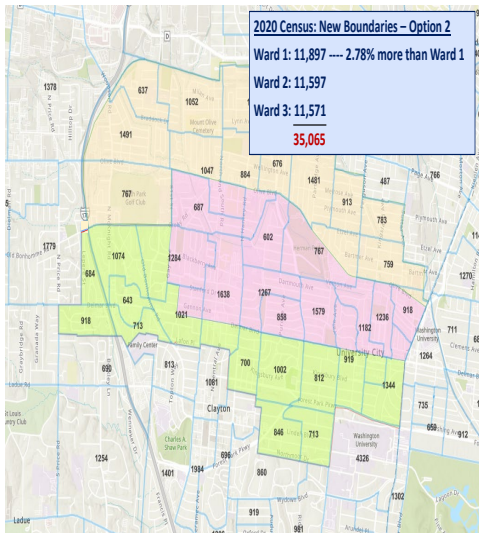
The area encompassing north of Old Bonhomme has:

- 25 Residents in the 1st Ward.

If the district boundary is drawn entirely north of Old Bonhomme, moving 25 residents, it would generate a difference of 2.78% more residents than in the 1st Ward.

Option 2 Redistricting Totals

- 11,897 in the 1st Ward
- 11,597 in the 2nd Ward
- 11,571 in the 3rd Ward



Dr. Wagner stated since North Old Bonhomme appears to represent one neighborhood; the most logical option would be Option 1, which brings the percent difference down to 3.2%.

Councilmember Clay asked if his understanding that the current 3rd Ward boundary that stops at Mayflower would migrate south under Option 1, to Old Bonhomme, was correct? Dr. Wagner stated that is correct. A portion of Mayflower is on the red horizontal line, so the lots on the southern half are in the 1st Ward, and the lots on the top half are in the 3rd Ward. Everything across the bottom up to where it says "1, 001," would then be in the 3rd Ward.

Mayor Crow stated this seems like an appropriate course of action unless his colleagues in the 1st Ward believe there is a nuance or community of interest that would be dissected with this plan.

Councilmember Clay stated he thinks it is important to point out to the folks who may be impacted by this redistricting that it does not materially change anything, except for their councilperson.

Councilmember Smotherson asked if residents would be notified by the City about this change or if he and Councilmember Clay could be provided with a list to contact them? Mr. Rose stated if this is an acceptable recommendation, then the next step would be moving it to the Council level for consideration. Thereafter, staff would follow Council's guidance on how residents should be notified.

Mr. Mulligan informed Councilmember Smotherson that the State law requires that before A Redistricting Ordinance is passed it must be published for a minimum of three weeks in a daily newspaper.

Mayor Crow stated it could also be posted on the City's website.

Councilmember Clay stated he would be an advocate of the City making these notifications and allowing himself and Councilmember Smotherson to follow up individually.

Dr. Wagner stated on December 15, 2021, the Planning Commission recommended making the following amendments to the Zoning Ordinance:

Text Amendments to the Zoning Ordinance

1. The first set of amendments involves changes to the requirements for notification to property owners, residents, and businesses for proposed amendments to the official zoning map, applications for conditional use permits, and exceptions to these requirements; §400.3230, §400.3240, and §400.3250, respectively.

The proposed amendments expand the notification requirements to include residents and business owners that occupy a home or business but do not own the property.

2. The second set of amendments involves changes in language from “disabled” to the more commonly accepted term “people with disabilities.” This change would be made to various sections of the Zoning Ordinance.

Dr. Wagner stated State law requires that Public Hearing Notices be sent to residents 185 feet from the edge of the actual property or properties being rezoned. However, staff’s policy extends the radius to 300 feet.

He stated one concern is how readily this policy could be implemented. Currently, a couple of hundred letters takes about two or three hours because they can identify a specific property or a group of properties off of St. Louis County’s website by typing in the radius, generating a list of property owners, and printing out labels from a PDF format. However, should this amendment become a requirement rather than a policy, and staff is required to send a Public Hearing Notice to everybody living in an apartment complex, it would take a couple of days to come up with a list; even if it was mailed out as “To The Occupant,” or some similar verbiage. So, if this becomes a requirement and it is not fully complied with, then somebody could file a challenge to the Ordinance. It’s a great idea but it could be a sticky wicket in terms of implementation.

Dr. Wagner stated the second amendment is also not so clear-cut. Mr. Mulligan reminded the Commission during its meeting of the need to adhere to State law, since “*people with disabilities*” now includes people with developmental disabilities. So, based on that understanding, Mr. Mulligan offered to draft some language that could be presented to Council.

Councilmember Cusick questioned whether “*disabled*” should be changed to “*people with disabilities*” throughout the entire Code?

Mr. Rose stated since there are already several areas within the Code that staff needs to update, this item could be included.

Mr. Mulligan stated while disabled or handicapped is not typically prevalent in Zoning Ordinances; he would be willing to bet that they appear in other areas.

That said, he believes the initial focus of this amendment was the term “*group home for the physically and mentally handicapped*,” which tracks the State Statute. That Statute basically states group homes for the physically or mentally handicapped individual should be treated like any other residence, as long as it does not exceed eight unrelated individuals and two house parents.

The City’s Code states group homes for the handicapped; small and then large; meaning above the numbers just mentioned. And one of the issues raised if that language was changed to “*disability*,” is whether it would somehow change the scope of who may occupy these residences. Mr. Mulligan stated his thinking is that if you wanted to change the language from “*handicapped*” to “*disabled*” or “*people with disabilities*,” then you would have to add a sentence in the Code that states, “That for purposes of the interpretation and enforcement of this Ordinance these terms mean the same as a group home for the handicapped under State law,” to make certain that you are not creating new categories of individuals.

Mayor Crow asked if the Planning Commission strongly believed that renters needed to have the same notice as property owners?

Councilmember Hales stated the Commission talked about the challenges associated with the logistics of this amendment, as Dr. Wagner mentioned. And one of the questions that came out of that discussion was if we could implement such a change, would it be a benefit to the City in terms of identifying properties that may house illegal occupants?

Mayor Crow asked if the Planning Commission was still committed to this amendment even after learning about the legal ramifications that such a requirement could have on the City? He stated at some point, Council will have to balance these requests with the exposure and hurdles the City might face as a result of their implementation.

Mr. Mulligan stated both of these changes were initiated by the Planning Commission. With respect to the notice, although they discussed that it could be done administratively; the consensus of the Commission was that it becomes an Ordinance rather than an administrative policy, to circumvent any administrative discretion.

Concerning the State law requirement of 185 feet Dr. Wagner mentioned, the purpose is to allow owners to protest zoning changes. And if the requisite number of owners signs the petition it would then require a supermajority of Council to approve any changes. Mr. Mulligan stated ownership is pretty easy, but when it comes to occupants, it could be challenging to determine who is occupying every property since occupancy permit records are not always accurate.

Dr. Wagner stated as noted earlier, the Census reported that 245 people lived in the 1st Ward. But after his staff double-checked that information with the City's Occupancy Permits the total increased to 291 residents. He stated it took them approximately four hours to review all of the records.

Mayor Crow stated although he understands the rationale behind the change in terminology, in the law of ordinances, the general practice is that terms of art are routinely followed because they have been defined by experts working at the highest levels of government. So he has several concerns about what these amendments would add to the City.

- Would they cause U City to be on the cutting-edge of this terminology?
- Are other cities moving along these lines?
- Would their implementation be in conflict with the State Statute?

Dr. Wagner stated while he can check to see what other cities are doing, he does not believe there has been a blanket change across communities. He stated he thinks Commissioner Holly's intent was to bring the Ordinance up to date with what she described as "*modern terminology*".

Mr. Rose stated after Dr. Wagner conducts his research on other cities, he intends to revisit both amendments with the Planning Commission and share any new information with them.

4. ADJOURNMENT

Mayor Crow thanked Dr. Wagner for his presentation and adjourned the Study Session at 6:05 p.m.

LaRette Reese,
City Clerk, MRCC