

MEETING OF THE CITY COUNCIL

CITY HALL, Fifth Floor
6801 Delmar Blvd.
University City, Missouri 63130
Monday, May 9, 2022
6:30 p.m.

A. MEETING CALLED TO ORDER

At the Regular Session of the City Council of University City held on Monday, May 9, 2022, in the absence of Mayor Terry Crow, Mayor Pro Tem Bwayne Smotherson called the meeting to order at 6:30 p.m.

SWEARING IN OF:

Stacy Clay, Councilmember Ward Three

Mayor Pro Tem Smotherson recognized his wife, mother, sister, and the award-winning hall of fame photojournalist Wiley Price, who were all in attendance at tonight's meeting.

B. ROLL CALL

In addition to the Mayor Pro Tem, the following members of Council were present:

Councilmember Stacy Clay
Councilmember Aleta Klein
Councilmember Steven McMahon
Councilmember Jeffrey Hales
Councilmember Tim Cusick

Also in attendance were City Manager, Gregory Rose; City Attorney, John F. Mulligan, Jr., and Robert Heacock of ETC Institute.

C. APPROVAL OF AGENDA

Hearing no amendments, Councilmember Hales moved to approve the Agenda as presented. It was seconded by Councilmember McMahon and the motion carried unanimously.

D. PROCLAMATION

E. APPROVAL OF MINUTES

1. April 25, 2022, Regular Session Minutes was moved by Councilmember Klein, it was seconded by Councilmember Cusick, and the motion carried unanimously

F. APPOINTMENTS TO BOARDS AND COMMISSIONS

1. **Christopher Flood** is nominated for appointment to the Housing and Third Ward Revitalization Task Force by Councilmember Steve McMahon, it was seconded by Councilmember Hales, and the motion carried unanimously.
2. **Ariel Gardner** is nominated for appointment to the Housing and Third Ward Revitalization Task Force by Councilmember Aleta Klein, it was seconded by Councilmember Cusick, and the motion carried unanimously.
3. **Christina Dancy** is nominated for appointment to the Housing and Third Ward Revitalization Task Force by Councilmember Stacy Clay, it was seconded by Councilmember Hales, and the motion carried unanimously.
4. **Patricia McQueen** is nominated for appointment to the Housing and Third Ward Revitalization Task Force by Councilmember Bwayne Smotherson, it was seconded by Councilmember Cusick, and the motion carried unanimously.

5. **Bryon Price** is nominated for appointment as the Chair of the Housing and Third Ward Revitalization Task Force by Mayor Terry Crow, it was seconded by Councilmember Klein, and the motion carried unanimously. (Presented by the Mayor Pro Tem)
6. **Mayela Zambrono** is nominated for appointment to the Housing and Third Ward Revitalization Task Force by Mayor Terry Crow, it was seconded by Councilmember Cusick, and the motion carried unanimously. (Presented by the Mayor Pro Tem)
7. **Linda Peoples-Jones** is nominated for appointment to the Housing and Third Ward Revitalization Task Force by Mayor Terry Crow, it was seconded by Councilmember Clay, and the motion carried unanimously. (Presented by the Mayor Pro Tem)

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.

Steve Glickert, 7750 Blackberry, University City, MO

Mr. Glickert stated he is going to keep coming back to these meetings because he believes Mr. Rose has failed the community. Instead of utilizing the tools and resources that have been in place for decades, he has allowed hundreds of properties in the City's northeast quadrant to deteriorate because he failed to carry out his obligations. Mr. Glickert stated he has followed the ridiculous process spelled out by Councilmember McMahan to call the Hotline; the Department of Community Development; or his Alderman and/or the City Manager. And since Mr. Rose's responses to his emails have all consisted of BS; none of the other methods have resulted in any resolutions, and the violations just keep expanding, he is now forced to follow Councilmember McMahan's last suggestion; present his complaints to Council during their open public forum.

So tonight, instead of trying to convince residents that everything is peachy, he would challenge staff and this Council to take a drive along North Olive Street Road and witness the area for themselves. Maybe then, Mr. Rose could squeeze in the performance of his daily responsibilities to provide the zoning enforcement protections he was sworn to uphold, instead of spending an exorbitant amount of money on a marketing firm to make brochures. Mr. Glickert submitted a copy of Code 395.010 to the Clerk and said he would be back in two weeks to review all the ridiculous excuses Mr. Rose has provided over the last four years for why it is not being used.

I. PUBLIC HEARINGS

J. CONSENT AGENDA

K. CITY MANAGER'S REPORT

1. Employee Resident Satisfaction Survey Report Presentation – ETC Institute

Mr. Rose stated this presentation by Robert Heacock of the ETC Institute is intended to provide Council with findings from the Resident Satisfaction Survey which was designed to garner their opinions about services provided by the City.

Mr. Heacock said the ETC Institute has surveyed more than three million people in 49 states.

Purpose

- To objectively assess citizen satisfaction with the delivery of City services
- To compare the City's performance with residents regionally and nationally
- To help determine priorities for the community

Methodology

Survey Description

- First Community Survey conducted for the City by ETC Institute
- Includes many of the questions asked in other communities to provide accurate comparisons

Method of Administration

- By mail and online to a random sample of households in the City
- Each survey took approximately 15-20 minutes to complete

Sample Size

- Goal: 600 surveys
- Actual: 600 surveys
- Margin of Error: +/-3.9% at the 95% level of confidence

Location of Survey Respondents

- Efforts were made to make sure the entire City was represented, factoring in demographic areas to make sure the survey could be replicated in the future

Bottom Line Up Front

Residents Have Positive Perception

- 80% rated the overall quality of life in the City as "excellent" or "good"
- 78% rated the overall quality of services provided by the City as "excellent" or "good"

Satisfaction with City Services is Higher in U City than Other Communities

- U City rated above or the same as the U.S. average in 38 of the 48 (65%) areas that were assessed
- U City rated above or the same as the Plains Region average in 39 of the 48 (58%) areas that were assessed
- ❖ *Satisfaction with the overall quality of services provided by the City rated 20% above the U.S. average and 26% above the Plains Region average*

Priorities for Improvement

- Overall maintenance of City streets
- Overall enforcement of City codes and ordinances for buildings, and overall property maintenance

Perceptions of the City

Key to color-coded scale presented to Council: **Black = Excellent; Blue = Good; Grey = Neutral; Pink = Below Average; Red = Poor;** (In some categories "Below Average" & "Poor" are combined)

Quality of Life:	24%	56%	15%	5%	
Quality of Services:	16%	62%	16%	5%	2%
City Image:	15%	49%	23%	11%	
City Appearance:	14%	49%	24%	11%	
Recreational Opportunities:	15%	48%	28%	6%	

Safety:	14%	46%	23%	13%	1%
Quality of Special Events/Cultural:	15%	45%	31%	7%	
Quantity of Special Events/Cultural:	13%	42%	35%	9%	
Value for Tax Dollars/Fees:	10%	43%	27%	15%	5%
Quality of New Commercial Dev:	12%	37%	32%	14%	5%
Planning/Managing of Redevelopment:	10%	37%	35%	13%	
Quality of New Residential Dev:	9%	36%	39%	13%	5%
Quality of Plan Review & Permit Services:	8%	30%	45%	12%	6%

❖ *ETC measured the percentage of respondents by using a 5-point scale where 5 means excellent and 1 means poor; (don't know responses were excluded).*

Mr. Heacock stated despite your efforts, it can be really hard to address the folks who fall into the 7% "Below Average" or "Poor" ratings. Instead, he would suggest having conversations about the areas in gray or neutral, which means they have no experience in the area or they do not have enough information about it. When trying to move the needle on any of these items, communication is the key.

Level of Satisfaction with Major Services Provided

Public Safety Services:	39%	48%	10%		
Parks/Recreation Programs/Facilities:	28%	50%	17%		
Traffic & Congestion Management:	19%	57%	17%	5%	
Customer Service from City Employees:	26%	46%	20%	7%	
Effectiveness of Communication:	21%	47%	23%	9%	
Building/Facility Maintenance:	17%	49%	29%	5%	
Code/Ordinance Enforcement:	15%	39%	29%	14%	
Maintenance of Streets:	14%	34%	27%	19%	7%

- The City is doing an excellent job providing Public Safety Services
- Satisfaction in the overall maintenance of streets increased 5.7% from 2019 and continues to be a priority for investment
- Overall, most areas are satisfied with the enforcement of codes, but most of the community gave neutral ratings on average for buildings, housing, and property maintenance. This area increased 8.2% since 2019

Feeling of Safety in Various Situations

Walking alone in neighborhood during the day:	74%
Walking alone in The Loop during the day:	52%
As a pedestrian crossing street:	30%
Walking alone in neighborhood after dark:	33%
Walking alone in The Loop after dark:	12%

❖ *Examine and assess the adequacy of streetlights in The Loop and surrounding residential areas with the Police Department.*

Benchmarks: U City vs. Regional and National Average

Public Safety Services:	87%
Parks/Recreation Programs/Facilities:	77.5%
Traffic & Congestion Management:	76.2%
Customer Service from City Employees:	71.9%

Effectiveness of Communication:	67.4%
Building/Facility Maintenance:	65.9%
Code/Ordinance Enforcement:	54.4%
Maintenance of Streets:	48%

❖ *U City is doing well when compared to other cities; (The Plain States/Midwest), and nationally.*

Priorities for Investment

ETC looked at the questions in terms of how important residents felt each category was.

<u>Category of Service</u>	<u>Level of Priority</u>	<u>Ranking by Importance</u>
Overall maintenance of City streets:	Very High Priority	1
Enforcement of Codes & Ordinances	High Priority	2
Communication with Citizens	Medium Priority	5
Parks, Recreational Programs & Facilities	Medium Priority	4
Public Safety Services	Medium Priority	2
Maintenance of Buildings	Medium Priority	8
Customer Service	Medium Priority	6
Traffic & Congestion	Medium Priority	7

Communication

Frequently Used Methods

ROARS Newsletter:	29%
NextDoor:	17%
Parks/Recreation Guide:	8%
City Website:	6%
Facebook:	5%
Civic Plus:	--
Instagram:	--
Twitter:	--

Most Effective Methods

ROARS Newsletter:	34%
NextDoor:	22%
Parks/Recreation Guide:	19%
City Website:	19%
Facebook:	6%
Civic Plus:	5%
Instagram:	--
Twitter:	--

Two Most Preferred Methods

ROARS Newsletter:	52.2%
NextDoor:	48%
Parks/Recreation Guide:	20.3%
City Website:	16.8%
Facebook:	9.2%
Civic Plus:	4.1%
Instagram:	2.3%
Twitter:	2.3%

Summary

- Overall, residents have a very positive perception of the City
- Over 80% are satisfied with the overall quality of life
- Satisfaction with services is higher in U City than other cities
- Priorities for improvement remain to be the maintenance of City streets and enforcement of codes/ordinances

Councilmember Clay posed the following questions:

Q. Can you provide a breakdown of the people who responded by wards?

A. Some of that information has been provided to the City Manager, but if additional information is needed I can certainly provide it after the meeting.

Q. Are your suggestions related to safety in The Loop included in this presentation?

A. There is an interrelationship between some of the questions that might lead to initiatives that will help move the needle. So, based on the answers regarding feeling safe when walking at night, I suggested assessing the streetlights in The Loop and surrounding neighborhoods.

Councilmember Hales asked Mr. Heacock if he recalled whether the question linked to residents' dissatisfaction with code enforcement was related to the general concept of enforcement or the City's efforts? Mr. Heacock stated although he does not have the exact question in front of him tonight, he believes it was related to the City's efforts.

Councilmember Hales stated that based on the calls and emails he receives, the City's efforts concerning code enforcement fall in the range of 50/50. Some are unhappy about the lack of code enforcement and others think it's too much. So, moving forward, this might be an interesting topic to explore in more detail. Nevertheless, he appreciates the information provided by these surveys and hopes they will continue in the future.

Mr. Heacock stated an additional question could be added to the next survey to flush that area out a little more. But, he would also point out that regardless of the topic; there will always be at least one person who is dissatisfied with everything.

Councilmember Cusick asked Mr. Heacock if he had a breakdown of how many of the 600 respondents came from each ward? Mr. Heacock stated that information is included in the report. But even though he cannot say whether it was exactly 200 surveys sent to each ward, the goal was to make sure the entire City was represented.

Councilmember Clay asked Mr. Rose what staff's next steps would be as it relates to this report? Mr. Rose stated first, they will make sure that the information is posted on the City's website for the public to review. The Proposed FY2023 Annual Operating Budget and Capital Improvement Program were developed based on this information. So, the next thing Council will see is a heavy emphasis on street maintenance and strengthening the City's code enforcement efforts.

He stated the purpose of this survey is to provide Council and staff with a broad perspective of how residents feel about the services they receive. And in his opinion, offering everyone an opportunity to provide input is so important, that he will continue to recommend these surveys in the future.

Mayor Pro Tem Smotherson thanked Mr. Heacock for his presentation.

L. UNFINISHED BUSINESS

1. **Bill 9460** - AN ORDINANCE AMENDING SECTION 400.070 OF THE MUNICIPAL CODE OF THE CITY OF UNIVERSITY CITY, MISSOURI, RELATING TO THE OFFICIAL ZONING MAP, BY AMENDING SAID MAP SO AS TO CHANGE THE CLASSIFICATION OF PROPERTY AT 1170-1194 BRISCOE PLACE AND 8612-8640 OLIVE BOULEVARD ASSOCIATED WITH THE MARKET AT OLIVE: PHASE 2 DEVELOPMENT, FROM "PA" PUBLIC ACTIVITY, "GC" GENERAL COMMERCIAL AND "HR" HIGH-DENSITY RESIDENTIAL TO "PD" PLANNED DEVELOPMENT COMMERCIAL DISTRICT ("PD-C"). Bill Number 9457 was read for the second and third time.

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

Roll Call Vote Was:

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

Nays: None.

M. NEW BUSINESS

Resolutions

Resolutions

1. **Resolution 2022-4** - Preliminary Development Plan for Market at Olive Phase II development.

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

Bills

Introduced by Councilmember Cusick

1. **Bill 9464** – AN ORDINANCE FIXING THE COMPENSATION TO BE PAID TO CITY OFFICIALS AND EMPLOYEES AS ENUMERATED HEREIN FROM AND AFTER PASSAGE, AND REPEALING ORDINANCE NO. 7170. Bill Number 9464 was read for the first time.

Introduced by Councilmember McMahon

2. **Bill 9465** –AN ORDINANCE APPROVING A FINAL PLAT FOR A MAJOR SUBDIVISION OF A TRACT OF LAND TO BE KNOWN AS "711 KINGSLAND AVENUE". Bill Number 9465 was read for the first time

THE MEETING WAS RECONVENED WITH NEW MEMBERS OF COUNCIL

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)

P. COUNCIL COMMENTS

Councilmember Clay stated he is proud to see that the 3rd Ward Housing Revitalization Task Force has been impaneled because it represents a significant moment for the 3rd Ward as well as the entire community. This Council believed it was important for those who would be significantly impacted by the Costco development to not only have a voice as to how those

dollars should be spent but allotted 10 million dollars of those funds for the purpose of serving the 3rd Ward. He stated each member of Council had the opportunity to make selections for this committee and the fact that it is largely comprised of 3rd Ward residents truly speaks to their genuine commitment to reshape the destiny of this City.

Mayor Pro Tem Smotherson announced that his mother had written a book entitled, *Unapologetically Me*, that she will be reading excerpts from at 10 a.m. on June 11th at the Sutter-Meyer House. So, in honor of this accomplishment, and her birthday; which is May 13th, he would like to read his contributions to her book into the record.

"It's really hard for me to pour out my feelings for my mother because it is something I just am not used to doing, but I'll try because she asked. She is the person that named me Bwayne. My mother is my source of reason and calm. My mother did not get honors and degrees until later but has always been smart and resourceful. She knows how to talk to people and knows the right approach to a problem. My mother is my speechwriter if I get into a jam or a rut, and my editor who corrects my mistakes. My mother is why I know now that a shirt looks better than a tee shirt. My mother is why I love vanilla ice cream, shortbread cookies, sweet potato pies, pound cake, the dark meat of a chicken, grits with butter, and more things than I should say. What I am telling you is that I knew she loved me. She would say it every once in a while, but I always knew it. Just like I always knew she was with me even though she wasn't there. Let me explain.

I can vividly remember that my mother did not attend a lot of the things that I did between sports and music, and I knew why. My mother was working eight, ten, and twelve hours a day taking care of her family. To this day I have never been bothered about that. I have never felt neglected or ignored because I always knew she cared about me, supported me, and loved me. I knew that by the clothes I wore and how the Vaseline made my face shine. I knew that when she would allow me to play the drums in the house. That feeling of her being with me began in elementary school when my mother would show up at school and catch me doing things I wasn't supposed to be doing, or when I didn't wear my sweater at recess as I was told. I never understood how she always caught me.

I do feel that I was not prepared for life like my friends were and completely lost at college. And I bring that up because I have never blamed my mother for it and understood later why that was.

Finally, because of her love, honor, and reputation, I have worked to be a better person and regret a period in my life that did not reflect well. So, what does my mother mean to me? My mother simply means love."

Councilmember Cusick moved to adjourn the Regular Session, seconded by Councilmember Hales, and the motion carried unanimously.

Q. ADJOURNMENT

Mayor Pro Tem Smotherson expressed post Mother's Day wishes to every mother and thanked everyone for their attendance. The Regular Session was adjourned at 7:19 p.m.

LaRette Reese
City Clerk, MRCC

Section 385.010 Abandonment of Vehicle or Storage of Inoperable Vehicle in Open Prohibited.

- A. No person shall abandon or permit the abandonment on public or private property within the City any motor vehicle owned by him/her, under his/her control or in his/her possession at the time of abandonment, nor, except as provided herein, cause any abandoned vehicle or motor vehicle in a state of substantial disrepair to be stored in the open.
- B. Nothing in this Section shall apply to a vehicle which is completely enclosed within a locked building or locked fenced area and not visible from adjacent public or private property, nor to any vehicle upon the property of a business licensed as salvage, swap, junk dealer, towing or storage facility so long as the business is operated in compliance with its business license and the property is in compliance with applicable zoning ordinances.

Section 385.020 Leaving Wrecked, Non-Operating, Etc., Vehicle On Street.

No person shall leave on any street or highway within the City any partially dismantled, non operating, wrecked or junked motor vehicle or any motor vehicle not displaying a permanent license plate or set of plates indicating current registration by one of the States or territories.

Section 385.030 Owner or Occupant of Premises Not To Permit Unlicensed, Abandoned or Inoperable Vehicles To Remain Therein.

- A. No person in charge or control of any property within the City, whether as owner, tenant, occupant, lessee, agent or otherwise, shall allow any vehicle without having thereon displayed a current State license plate or a historic motor vehicle license plate, as by law provided, or any abandoned vehicle or any vehicle in such a state of disrepair that it is unsightly or incapable of being moved under its own power to remain on such property longer than seven (7) days.
- B. However, no person in charge or control of any property within the City, whether as owner, tenant, occupant, lessee, agent or otherwise, shall allow any vehicle without having thereon displayed a current State license plate or a historic motor vehicle license plate, as by law provided, or any abandoned vehicle or any vehicle in such a state of disrepair that it is unsightly or incapable of being moved under its own power to remain on any unpaved surface in front of the front building line of such property longer than twenty-four (24) hours. Such vehicle shall be required to be removed or be stored in a garage after twenty-four (24) hours.

Section 385.040 Duty To Notify Police of Abandoned Vehicles.

Any person in charge or control of any property within the City, whether as owner, tenant, occupant, lessee, agent or otherwise, who finds an abandoned vehicle or any partially dismantled, non-operating, wrecked or junked motor vehicle left on such property without his/her knowledge, acquiescence or consent, where the owner of the vehicle has failed or refused to remove the same or the owner of the vehicle is unknown, shall promptly notify the Police of the year, model and make of such vehicle and, if known or ascertainable, the registration, license, serial number and ownership thereof with such further and additional information as the Police may request.

Section 385.050 Responsibility For Disposition.

- A. Where any motor vehicle, as is referred to in Section 385.030, is in such condition that it is no longer self-propelled, then the person in charge or control, whether as owner, tenant, occupant, lessee, agent or otherwise, of property on which such motor vehicle is situated shall remove and dispose of such motor vehicle through a private contractor by private means.
- B. Where the person in charge or control of the property, whether as owner, tenant, occupant, lessee, agent or otherwise, after ten (10) days of having been given written notice has failed to remove such motor vehicle, then the Police are authorized to arrange for prompt removal on behalf of the City; but such action by the Police shall not provide a defense or excuse to the person in charge or control of such property for failure to comply with this Chapter.
- C. The person in charge or control of such property shall pay and be jointly and severally liable for all costs incurred by the City in effecting such removal. In the event that payment is not made on demand, such costs shall be assessed against property on which such motor vehicle was located, as provided by law in the case of special assessments, and such costs

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are to be collected by the Collector of taxes assessed against the property; and such costs shall, like taxes, be a first (1st) lien on the property affected thereby, until paid.

Section 385.060 Access To Property To Remove.

Any person in charge or control, whether as owner, tenant, occupant, lessee, agent or otherwise, of property on which an abandoned vehicle or a partially dismantled, non-operating, wrecked or junked motor vehicle shall be situated who fails to remove such motor vehicle in accordance with the request made by the Police shall not deny access to such property by any duly authorized agent of the City for the purpose of examining or removing such vehicle.

Section 385.070 Removal of Vehicle in Emergency.

Where the existence of a motor vehicle on public property, private property or on a street or highway shall be an immediate hazard and thereby constitute a nuisance requiring prompt abatement, the Police may without notice, if notice is infeasible, cause the same to be removed and the Police shall thereupon notify the owner or owners of such motor vehicle if known, by certified mail, of the location thereof and of the right of such owner to secure return of possession of the motor vehicle upon payment of the cost of removal and storage. Nothing herein shall be construed to provide the owner with a defense against any Sections of this Chapter.

Section 385.080 Exemptions.

- A. Nothing in this Chapter shall be deemed to prohibit the storage of abandoned vehicles in disrepair in designated tow-away areas approved by resolution of the Council.
- B. Nothing in this Chapter shall be deemed to prohibit the storage of motor vehicles not displaying a permanent license plate or set of plates indicating current registration by one of the United States by a motor vehicle dealer registered as such by the Department of Revenue of the State.