

MEETING OF THE CITY COUNCIL
CITY HALL
Fifth Floor, 6801 Delmar Blvd.
University City, Missouri 63130
Monday, June 13, 2022
6:30 p.m.

A. MEETING CALLED TO ORDER

At the Regular Session of the City Council of University City held on Monday, June 13, 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; (*excused*)
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.

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

E. APPROVAL OF MINUTES

1. May 23, 2022, Study Session Minutes (Parking Lot #4 and Pension Board Criteria), was moved by Ms. Klein, it was seconded by Councilmember Cusick, and the motion carried unanimously.
2. May 23, 2022, Regular Session Minutes was moved by Councilmember McMahon, it was seconded by Councilmember Cusick, and the motion carried unanimously.

F. APPOINTMENTS TO BOARDS AND COMMISSIONS

1. Michael Forte is nominated to the Pension Board as a fill-in replacing Frank Reedy's vacated seat by Councilmember Aleta Klein, it was seconded by Councilmember Cusick, and the motion carried unanimously.
2. Richard Sorkin is nominated for re-appointment to the Land Clearance Redevelopment Authority (LCRA) by Mayor Terry Crow, it was seconded by Councilmember Hales and the motion carried unanimously.

G. SWEARING IN TO BOARDS AND COMMISSIONS

1. The following members of the Housing and Third Ward Revitalization Task Force were sworn in at the start of their first meeting on June 6, 2022, at Heman Park Community Center:
Christopher Flood, Susan Murray, Ariel Gardner, Craig Hughes, Christina Dancy, Patricia McQueen, Byron Price, Mayela Zambrano, and Linda Jones.

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.

Genies Jordan, 8350 Delcrest Drive, Apt. 1005, U City, Missouri

Ms. Jordan stated she has heard several comments from people interested in purchasing some of the luxury apartments now under construction and using them as Airbnbs. However, based on the violence these rentals have caused in the City of St. Louis she is concerned about the problems it might create for seniors in her building if it is allowed to happen with these new developments. Ms. Jordan stated overflow parking is already starting to be a problem. And even though she is not sure what the City can do to prevent this from happening, she hopes that by bringing it to Council's attention this concern can be discussed with the owners of the properties on Delcrest and Delmar prior to any sales.

I. PUBLIC HEARINGS

1. Comprehensive Sign Plan – Market at Olive Phase I

(Mayor Crow opened the Public Hearing at 6:34 p.m. After acknowledging that there were no requests to speak, Mayor Crow closed the hearing at 6:35 p.m.)

2. Fiscal Year 2022-2023 (FY23) Proposed Operating Budget

(Mayor Crow opened the Public Hearing at 6:35 p.m. After acknowledging that there were no requests to speak, Mayor Crow closed the hearing at 6:35 p.m.)

J. CONSENT AGENDA

1. Sealing and Striping Contract

2. Ratification - Missouri Department of Transportation (MoDOT) – Traffic Enforcement Grant

Councilmember Hales moved to approve Items 1 and 2 of the Consent Agenda, it was seconded by Councilmember McMahon.

Councilmember Smotherson asked if staff had any plans to erect a sign for the trail at Fogarty Park? Mr. Rose stated although he is unsure whether a specific time has been scheduled to erect the sign, he is aware that one will be installed. Councilmember Smotherson asked if he could be made aware of the date and time.

Voice vote on Councilmember Hale's motion carried unanimously.

Mr. Rose stated the FY23 Annual Operating Budget and FY23-27 Capital Improvement Program will be presented at the next meeting, and thereafter, Council will be asked to decide on whether or not both items should be approved.

K. CITY MANAGER'S REPORT

1. Market at Olive Development - Update

Mr. Rose stated Larry Chapman, the CEO of Seneca; a partner in this project will provide Council with an update on the development.

Mr. Chapman stated he and his partners participated in the funding of Costco on March 9, 2021, purchased U City, LLC from NOVUS on November 9, 2021, and have been actively working on the project since that time.

Their number one objective was to purchase all of the properties that had not been acquired, and in that regard, they have made good progress.

He stated over the past year they have managed to acquire all of the properties on the south side of Olive with the exception of Mayflower, and 34 of the 37 homes on the north side.

Mr. Chapman provided Council with an image of the Site Plan depicting the following:

- Anchor A = Costco
- Anchor B = Unknown large retailer
- Parcel J = Unknown large retailer
- Buildings G, O, I, and N = Pending Construction

He stated one thing prospective tenants want to be assured of is that they will be moving into a completed development; which means that Seneca needs to be able to provide them with a guaranteed schedule for when the development will be completed. But unfortunately, the three parcels on the north side that have not been acquired have prevented them from making that determination.

To date, Seneca has paid more than market value for all of the homes they've purchased, often found and purchased homes for owners, and funded the difference for owners wanting to upgrade from their current home. In the case of the two parcels on Elmore and the one on Orchard, the only issue is money because they all would rather live somewhere else. One in Hazelwood or Florissant; one out of town with family, and one who wants to downsize. This owner actually found a condo they liked, Seneca purchased the condo for them the next day, and then they walked away in an attempt to renegotiate the price.

Mr. Chapman stated their goal has always been to be fair but paying too much really does matter; especially since they have not acquired the Mayflower properties which they hope to have completed later this summer. Most of these owners have attorneys who are watching everything that Seneca does because every purchase is a matter of public record. And if they find out that we've paid three or four times what a property is worth, they are going to want the same thing. And that will kill this project.

At this point, the concern is that if too much time goes by all of their prospective tenants will lose interest. So, the reason they are here tonight is to ask this Council to consider utilizing Eminent Domain for these remaining properties. He stated they are striving to finish as much of this project as they can, but when parties cannot agree on a price then the need arises to get a third party involved. Because the reality is that if they are unable to move forward with these homes, everything around them will be demolished and these owners will be faced with living in a horrific environment.

Mr. Chapman stated if they are allowed to go forward with this process, all negotiations will be conducted in a closed session and kept completely confidential. And in his experience with these third-party situations owners almost always decide that they would rather make the decision about what they are going to be paid and will work things out pretty quickly. However, if they decide to proceed to a hearing and the Commissioner offers them something less, Seneca will give them what was previously offered for their home.

Councilmember McMahon thanked Mr. Chapman for the update and for the clear explanations regarding their inability to reach a compromise with these three homeowners. He then asked if any of these owners had previously been given an opportunity to utilize a third party to help them find a middle ground? Mr. Chapman stated that they had. In one case both sides sat down with a professional mediator all afternoon; at 7 p.m. he signed a contract, and upon arriving home he received a call from the mediator informing him that the owner had changed his mind. He stated his belief is that they are close to settling this issue with one of the homeowners, but unfortunately, one owner has simply stopped communicating with them. Councilmember McMahon asked if Seneca's offers included paying any expenses associated with the utilization of a third party? Mr. Chapman stated not only has Seneca paid all of the costs associated with this process, but they have also offered to reimburse attorney's fees for any owner who elected to hire their one.

Mayor Crow asked Mr. Chapman for the total number of properties on the north side? Mr. Chapman stated there were 37 homes, plus the 15 purchased for Costco. Mayor Crow stated the one thing Council has tried to remain cognizant of were owners who wanted to stay in their homes.

However, in these three cases, it seems to simply be about the negotiation of dollars, is that correct? Mr. Chapman stated that is correct. And in fact, they have even brought in real estate agents to help these owners find a new home.

Councilmember Hales asked Mr. Chapman if the entire perimeter of Richard has been fenced off? Mr. Chapman stated everything on Richard has been purchased and depending on the weather, demolition is scheduled to start in a week.

Councilmember Smotherson thanked Mr. Chapman for the time and effort he and his partners have put into this development. He then asked who Seneca was using to strip the homes that had been purchased, and how this material was being disposed of? Mr. Chapman stated every homeowner was given the right to take anything away from the home they wanted, and that probably constitutes the bulk of the activity you're seeing. Any stripping is done by professionals because of the liability involved, and if there is an environmental issue that material is shipped to a designated site.

Mr. Rose informed Council that he has been very involved in the negotiation process for these three homeowners and would agree that one owner has now become unresponsive. He stated while he was surprised to hear that an agreement had not been reached through mediation, he is hopeful that there will be good news about the last homeowner. Nevertheless, he thinks it is important for Council to understand that at this point, his intent is to recommend the use of Eminent Domain at Council's next meeting.

Councilmember Hales asked Mr. Chapman if had received any feedback about the failed mediation process? Mr. Chapman stated the owner was represented by counsel and a real estate agent, who both recommended that the owner accept the agreement. So when and why the owners changed their minds, is unbeknownst to him. He stated the mediator did ask Seneca to leave its offer open for 10 business days; which they have agreed to do. So, here again, they are hopeful that the owner will reconsider.

Mayor Crow thanked Mr. Chapman for his update on the Markets at Olive.

2. CodeRED Notification Presentation

Mr. Rose stated staff is diligently working to improve communications with residents; especially during hazardous weather conditions and this Agenda item is intended to present Council will information regarding the software package purchased last fiscal year to implement CodeRED. This presentation will be made by Assistant City Manager, Dawn Beasley.

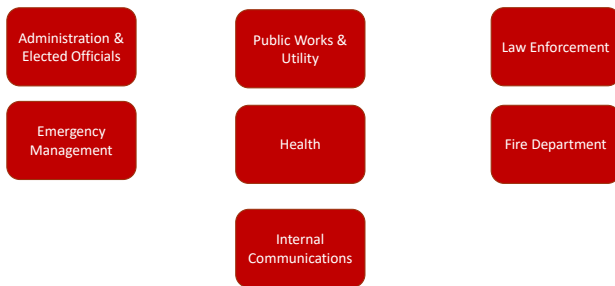
Introduction

- Objective: To easily and succinctly deliver time-sensitive information to the community
- Software Provider: OnSolve; the market leader in mass communication and critical emergency notification tools

Features

- CodeRED Launcher App: sends notifications directly from Smartphones and tablets
- Targeted communications: defined groups and other qualifiers
- Modalities: landline, cell phone, SMS text, email, CodeRED Mobile Alert app; provides continuous communications in the event one level of service is down
- Auto-translated messaging
- Automated Weather Warnings Within Seconds: Polygon methodology; targeted communications

Types of Communications



- Administration & Elected Officials = Polling reminders, Polling locations
- Emergency Management = Eminent threat alerts, Police updates & Severe weather warnings
- Public Works & Utility = Planned water or power outages, Street closures, Boiled water advisories
- Health = Contaminations, Pandemics, Viral Outbreaks, Educational Outreach
- Internal Communications = First Responders, Dispatch awareness
- Law Enforcement = Missing & endangered children, elderly, disabled or at-risk individuals, Sexual predator alerts, Neighborhood crime alerts
- Fire Department = Evacuation notices & routes, Gas leaks, etc.

Examples of CodeRED in Use

- Yavapai County (Arizona): Wildfire Evacuations
- Boston Marathon: Bombing Crisis
- Belmont County (Ohio): Missing Child
- ❖ *CodeRED is a tool U City needs to keep residents and businesses informed and create a sense of confidence and security.*

Resident & Business Registration Options

1. Log onto U-City's website: [CodeRED | University City, MO - Official Website \(ucitymo.org\)](https://ucitymo.org)
2. QR Code
3. Text to Enter (TTE) Code: Text "UCITY" to 99411
4. Paper Enrollment Form
5. Communicating to the Public
 - ROARS: Summer Edition 2022
 - U-City's Website
 - City Hall
 - All Social Media: FB, IG, LI, Next Door
 - Peachjar email for school-aged families
 - Explore U-City
6. CodeRED Numbers
 - Emergencies: (866) 419-5000
 - Nonemergency: (855) 969-4636

- ❖ *As of today, there are a total of 1,965 registrations.*

Mr. Cusick posed the following questions to Ms. Beasley:

Q. Where is the CodeRED software and database located?

A. CodeRED was initially located within the Fire Department but today, it is primarily managed by the Communication Department, unless it is a department-specific communication.

Q. Has the system been tested with these 1,965 registered participants?

A. Several communications were sent out during the severe weather conditions in May.

Councilmember Smotherson asked Ms. Beasley if she would email him a copy of the paper enrollment form? Ms. Beasley stated that she would.

Mayor Crow thanked Ms. Beasley for her presentation.

L. UNFINISHED BUSINESS

1. **Bill 9466** –AN ORDINANCE AMENDING ORDINANCE NO. 7146, RELATING TO THE ZONING CLASSIFICATION OF MULTIPLE PROPERTIES IN REDEVELOPMENT PROJECT AREA 1 ASSOCIATED WITH THE COSTCO DEVELOPMENT AND PERMITTED LAND USES AND DEVELOPMENTS THEREIN, BY APPROVING A COMPREHENSIVE SIGN PLAN FOR THE COSTCO DEVELOPMENT. Bill Number 9466 was read for the second and third time.

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

Roll Call Vote Was:

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

Nays: None.

M. NEW BUSINESS

Resolutions

Bills

Introduced by Councilmember McMahon

1. **Bill 9467** –AN ORDINANCE AMENDING SECTION 120.940 OF THE MUNICIPAL CODE OF THE CITY OF UNIVERSITY CITY, MISSOURI, RELATING TO THE UNIVERSITY CITY LOOP SPECIAL BUSINESS DISTRICT ADVISORY COMMISSION, BY AMENDING SECTION 120.940 SO AS TO REDUCE THE NUMBER OF MEMBERS FROM NINE TO SEVEN. Bill Number 9467 was read for the first time.

N. COUNCIL REPORTS/BUSINESS

1. Boards and Commission appointments needed
2. Council liaison reports on Boards and Commissions
Councilmember Smotherson reminded everyone about the Arts and Letters Commission's concert happening tonight and next Monday at Heman Park.
3. Boards, Commissions, and Task Force minutes
4. Other Discussions/Business

O. CITIZEN PARTICIPATION (continue if needed)

P. COUNCIL COMMENTS

Councilmember Smotherson stated the one thing he appreciates about this administration is that it has always been proactive in addressing current issues. And since today's issue involves incidents with active shooters, he thinks it would be beneficial to have the Chief come in and inform everyone about their process and efforts to stay prepared.

Mayor Crow thanked the creators of Mannequins in The Loop which this year was expanded from Delmar to I-170. He stated he would also like to thank The Loop businesses for their support.

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 Smotherson.

Roll Call Vote Was:

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

Nays: None.

R. ADJOURNMENT

Mayor Crow thanked everyone for their participation and closed the Regular Session at 7:14 p.m. to go into a Closed Session on the second floor. The Closed Session reconvened in an open session at 7:32 p.m.

LaRette Reese,
City Clerk, MRCC

