

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

AGENDA

A. MEETING CALLED TO ORDER

At the Regular Session of the City Council of University City held on Monday, November 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; (*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.; Linda Schaeffer, Acting City Clerk and Congressman Lacy Clay.

C. APPROVAL OF AGENDA

Councilmember Hales moved to approve the Agenda as presented, seconded by Councilmember Smotherson, and the motion carried unanimously.

D. PROCLAMATIONS

1. None

E. APPROVAL OF MINUTES

F. APPOINTMENTS TO BOARDS AND COMMISSIONS

1. Connie Mueller is nominated to the Green Practices Commission as a fill-in by Councilmember Tim Cusick, it was seconded by Councilmember Klein, and the motion carried unanimously.
2. Gretchen Barry is nominated to the Senior Commission replacing Sandra Hewitt's expired term (11/25/22) by Councilmember Steve McMahon, it was seconded by Councilmember Hales, and the motion carried unanimously.

G. SWEARING IN TO BOARDS AND COMMISSIONS

1. None

H. CITIZEN PARTICIPATION (Total of 15 minutes allowed)

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

Written comments 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 the City Hall – 6801 Delmar Blvd. – Attention City Clerk. Such 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.

Please note, when submitting your comments, a **name and address must be provided.** Please also note whether your comment is on an agenda or a non-agenda item. If a name and address are not provided, the comment will not be recorded in the official record.

Patrick Fox, 1309 Purdue Avenue, U City, MO

Mr. Fox stated as a former Civil Service Employee that has participated in three pension plans, he would like to bring a few things to Council's attention regarding the recommendations made at tonight's Study Session.

The recommended changes to the non-uniformed pension will only impact a limited number of employees that are already receiving much more in compensation than their counterparts; i.e., the City Manager, Department Directors, Advisory Boards, City Judge, City Clerk, and Secretary to the City Manager. So, in terms of retention and recruitment, this recommendation will only benefit a limited number of people. And cutting their vested period from ten years to five will create a wider gap between the employees the City actually needs to perform the services it provides and those that supervise these employees.

Mr. Fox stated he also thinks it would be improper for Mr. Rose to make any recommendations regarding this plan since he will be impacted by any decisions, and he also receives 6% in addition to his 457 pension contributions.

Tom Sullivan, 751 Syracuse, U City, MO

Mr. Sullivan stated some of the issues he mentioned two weeks ago still have not been resolved.

- The walkway lights in the #4 parking lot are still not working;
- An overhead light on Ackert Walkway is not working;
- Streetlights are out on North Drive, Chamberlain, Olive, and Hanley;
- Utility wires are hanging down in the alley at the 700 block of Kingsland, Vernon, and on Kingsland north of Vernon;
- Several fence rails are missing and need to be replaced at the City park on Kingsland and Chamberlain;
- There is a considerable amount of leaves on the Kingsland sidewalk, and
- There are branches in the grassy medians on Heman and Leland that need to be picked up.

He stated the City has inspectors looking out for tall weeds or trees that need trimming, but apparently, they haven't seen any of these things.

Ackert Park was recently renovated and there seems to be a huge omission; the playground, which was the most popular aspect of this park.

Recently Council approved two street projects to resurface Kingsland and Vernon, and it would be nice if they could make some improvements on Kingsland, which many view as the showcase to the City.

Mr. Sullivan stated in the recent edition of *ROARS* the Mayor provided numerous excuses about the recent floods but failed to mention the severe criticism he has received. People are still waiting for bulk item pickups and having problems obtaining the various permits needed to make repairs. "*Flooding is a regional issue,*" said the Mayor, "*so don't blame the City*". But in recent years this issue has been pretty much ignored. So much so, that at a recent Stormwater Commission meeting one member questioned whether they were wasting their time since the City has continuously ignored their recommendations.

I. PUBLIC HEARINGS

- 1. Petition to Add Real Property to the Markets at Olive Community Improvement District.**

Mayor Crow opened the Public Hearing at 6:38 p.m., and after acknowledging that no written comments or requests to speak had been received, the hearing was closed at 6:38 p.m.

2. Zoning Map Amendment to rezone 1.50 acres of land known as Lot B of the Market at Olive Development, Plat 4.

Mayor Crow opened the Public Hearing at 6:38 p.m., and after acknowledging that no written comments or requests to speak had been received, the hearing was closed at 6:38 p.m.

Mayor Crow welcomed Senator Brian Williams to the meeting and thanked him for everything he has done for the community.

J. CONSENT AGENDA

1. Compost Contract (St. Louis Composting)
2. Annual Renewal with the City of Chesterfield on behalf of the St. Louis APWA Salt Cooperative (Co-op) for Road Salt Purchase and Delivery
3. Fuel Pump Software (Superior Equipment Co.)

Councilmember McMahon moved to approve Items 1 through 3 of the Consent Agenda, it was seconded by Councilmember Klein, and the motion carried unanimously.

K. CITY MANAGER'S REPORT (vote required)

1. Proposed 2023 Legislative Platform
Mr. Rose stated staff is recommending that Council consider the City's 2023 Legislative Platform intended to provide staff and the governmental affairs consultant with guidance during 2023 federal and state legislative sessions. This guidance includes revenues, governance, infrastructure, social services, crime prevention, and the environment. Mr. Rose then introduced the City's Governmental Affairs Consultant, the former Congressional representative, Lacy Clay.

Congressman Clay thanked Council for the opportunity to give back by representing a city that he has always been passionate about. He stated currently his role at the law firm of Pillsbury, Winthrop, Shaw, and Pittman, as a Federal Registered Lobbyist provides him with the opportunity to work with the Biden Administration and the Congressional Delegation. So, he intends to push the federal awards forward for U City; especially those associated with the Army Corps of Engineers.

Mr. Rose stated Council approved the Preferred Plan for the detention basin project that is now underway, which he believes will help alleviate some of the flooding that has occurred in U City and other areas downstream. He stated it all starts with funding. So, he will be working closely with the Mayor and Congressman Clay in an attempt to navigate the government's system and garner funding for projects of this nature.

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

L. UNFINISHED BUSINESS

1. **Bill 9491** – AN ORDINANCE APPROVING A PETITION TO ADD REAL PROPERTY TO THE MARKETS AT OLIVE COMMUNITY IMPROVEMENT DISTRICT. Bill Number 9491 was read for the second and third time.

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

Roll Call Vote Was:

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

Nays: None.

2. **Bill 9492** – 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 KNOWN AS LOT B OF PLAT 4 OF THE MARKET AT OLIVE DEVELOPMENT, FROM “GC” GENERAL COMMERCIAL DISTRICT AND “SR” SINGLE-FAMILY RESIDENTIAL DISTRICT TO “PD” PLANNED DEVELOPMENT COMMERCIAL DISTRICT (“PD-C”). Bill Number 9492 was read for the second and third time.

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

Roll Call Vote Was:

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

Nays: None.

3. **Bill 9493** – AN ORDINANCE APPROVING A FINAL DEVELOPMENT PLAN FOR LOT A AND COMMON GROUND 2 OF THE PROPOSED MARKET AT OLIVE DEVELOPMENT, PLAT 4. Bill Number 9493 was read for the second and third time.

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

Roll Call Vote Was:

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

Nays: None.

M. NEW BUSINESS

Resolutions (vote required)

1. **Resolution 2022-15.** Opposing 15 CSR 30-200.015 Library Certification Requirement For The Protection Of Minors submitted by the Missouri Secretary Of State.

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

Councilmember Klein stated some leaders are trying to make State funding for libraries contingent upon the vague notion of what they believe is age-appropriate, even though we have knowledgeable professionals who put these collections in our libraries together based on what they understand the needs of children to be. Diversity is one of those needs that could be threatened, which is something that is highly cherished by this community. So, this is an important stance that Council needs to take. Councilmember Klein stated she would also encourage residents in agreement with this stance to take advantage of the opportunity to submit their comments on this legislative proposal to the Secretary of State.

Councilmember Cusick stated he was glad to see that Councilmembers Klein and Clay put this on the agenda because he remembers several years ago when the legislature tried to enact a similar proposal which was defeated. But it is not an issue that is going to go away. Therefore, the need is to remain vigilant to ensure that parents retain the right to make these kinds of decisions, and not a governmental body like the Missouri Secretary of State.

Voice vote on Councilmember Klein's motion carried unanimously.

- 2. Resolution 2022-16.** Adoption of a Resolution to approve the Preliminary Development Plan for Market at Olive Phase IV development, Lot B.

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

Bills (Introduction and 1st reading - no vote required)

Introduced by Councilmember Smotherson

- 1. Bill 9494** – AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT BETWEEN THE CITY OF UNIVERSITY CITY AND THE MISSOURI HIGHWAY AND TRANSPORTATION COMMISSION PROVIDING FOR THE KIMPLAND PLACE ROAD BRIDGE RECONSTRUCTION OVER BRANCH OF RIVER DES PERES. Bill Number 9494 was read for the first time.

N. COUNCIL REPORTS/BUSINESS

1. Boards and Commission appointments needed
2. Council liaison reports on Boards and Commissions

As Liaison to the Plan Commission, Councilmember Hales stated that under Council Rule 38(a)(4) he intends to request the reappointment of Ellen Hartz for a special third term. The Commission has been going through the visioning process and has now begun its review of the Comprehensive Plan. In his opinion, Ms. Hartz is an invaluable member of this talented Commission, and it would not make sense to bring a new member in while they are in the middle of this important work.

3. Boards, Commissions, and Task Force minutes
4. Other Discussions/Business

O. CITIZEN PARTICIPATION (continued if needed)

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

Ms. Ginsberg thanked Council for passing Resolution 2022-15, which jeopardizes everyone's limit to read. She stated she would like to share directions for contacting the Secretary of State, along with a list of talking points gathered from library advocates.

She stated in the past two weeks U City TNR volunteers trapped, neutered, and vaccinated five cats at no cost to U City taxpayers. Four cats were returned to their community caregiver and one cat is now with a local rescue facility. Unfortunately, the use of cat food, water, and shelter, continues to spark misunderstandings between the volunteers and code enforcement. Therefore, on behalf of these volunteers, she would respectfully request that Section 210.130 of the Municipal Code be amended to add, "*providing food, water, and shelter*" to the list of permitted acts. Thank you for your service to our community.

P. COUNCIL COMMENTS

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

Q. ADJOURNMENT

Mayor Crow thanked everyone for their participation and adjourned the Regular Council Session at 6:56 p.m.

Linda Schaeffer/ Ir
Acting City Clerk

