

MEETING OF THE CITY COUNCIL
CITY OF UNIVERSITY CITY
CITY HALL, Fifth Floor
6801 Delmar Blvd., University City, Missouri 63130
Monday, January 9, 2023
6:30 p.m.

AGENDA

A. MEETING CALLED TO ORDER

At the Regular Session of the City Council of University City held on Monday, January 9, 2022, in the absence of Mayor Terry Crow, Mayor Pro Tem Bwayne Smotherson called the meeting to order at 6:34 p.m.

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; (*excused*)
Councilmember Tim Cusick

Also in attendance were City Manager, Gregory Rose, and City Attorney, John F. Mulligan, Jr.

C. APPROVAL OF AGENDA

Mayor Pro Tem Smotherson stated tonight's meeting is dedicated to former Councilmember Paulette Carr, and as a result, he would ask that Council be allowed to express their thoughts before proceeding to the Proclamation.

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

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

Mayor Pro Tem Smotherson stated he would like to read the following statement into the record: *"December 26, 2022. U City mourns the loss of Paulette Carr, the former Councilmember for Ward 2, who was a tireless advocate for economic development. Paulette was a resident of the City for more than three decades before moving in 2022 to Holland, Michigan, where she lost a courageous eighteen-month battle with cancer. She passed away on December 20, 2022, at the age of 74."*

Councilmember McMahon thanked the Mayor Pro Tem for providing Council with this opportunity to wish Ms. Carr's family the very best during these tough times.

He stated one of the first things he did after being elected was meet with Ms. Carr and other officials to look at problems associated with the River Des Peres; an issue she continuously pushed to the forefront. And Council experienced the results of some of her many efforts to ensure the health and safety of this community earlier tonight, as the Stormwater Task Force Commission made yet another presentation on the work they have accomplished. He stated she is the reason he decided to run for office and thinks there are others on this dais who feel the same.

Councilmember McMahon stated Ms. Carr instilled in him the importance of dedicating his time and efforts to tackling issues that focused on the community at large and improved the manner in which government was run. But above and beyond all of her civic contributions, there is no doubt that she made him a better person.

Councilmember Klein stated she appreciates Councilmember McMahon's comments, especially since she is another member of Council who was impacted by Ms. Carr's influence. She can honestly say that Ms. Carr's kindness made her a better person and that her dedication and persistence strengthened this City's democracy, making it a better place to live and work. Councilmember Klein stated she is truly blessed to have had Ms. Carr as a mentor and a friend and the entire community was lucky to have had her as a member of this Council for eight years. She will be missed tremendously, and her deepest condolences go out to her family and friends.

Councilmember Clay stated thoughts about Paulette Carr bring about fond memories of the material and immaterial legacy she left to the residents of this City. Her material legacy can be seen in the Stormwater Commission, Costco, and the Markets at Olive that she helped bring to life. But for him, what was even more powerful was her immaterial legacy. Lessons she taught him about the importance of fulfilling his role as a member of Council by being prepared. As a new member, she would walk him through the agenda, noting the things he needed to understand and pay attention to. It was during those moments that she instilled in him the responsibility of being as studied as possible about the myriad of topics that would come before him that could have a significant impact on the folks he was sworn to serve. And he would dare to say that few within municipal life were as prepared for this task as Ms. Carr was. Everything she did was born out of love and concern, and that is the legacy that will endure.

Councilmember Clay stated he will continue to carry those lessons and the love she had for this community with him throughout his public service. He then offered his condolences to Ms. Carr's family and vowed to keep them in his thoughts and prayers.

Councilmember Cusick stated he can remember talking with Paulette during and after her campaign and in both instances what stood out for him was her perseverance; the ability to keep her eye on the prize. However, despite all of the candidly glowing accolades that have been bestowed on her here tonight, what he will always remember is their walks through The Loop and the numerous discussions they had about art.

Paulette was trained to be an inorganic chemist, and her passion for trying to understand how organic compounds could be used led to her hobby of sculpting. Councilmember Cusick stated while he did not understand the chemistry, he marveled over the results. She used this hobby to express the pain and anguish she felt after her first diagnosis and treatment for breast cancer, to create some absolutely remarkable sculptures; which ultimately were placed on display in Washington. He stated her final act of perseverance came in September when she was able to attend her only son's wedding. So, my hat's off to you, Paulette.

Mayor Pro Tem Smotherson stated by the pure nature of the things Paulette fought to accomplish; which also includes the City's partnership with MSD, her impact on this Council and the community as a whole, is historical. If she were here today, she would be sitting in this chair as the Mayor Pro Tem. He then offered his sincere condolences to the family, noting that he would be forever grateful for the opportunity to have worked with Ms. Carr.

D. PROCLAMATIONS

1. Celebrating the 100th Anniversary of University City Parks - A Proclamation recognizing that in 1923 the City of U City established its first parks; Eastgate Park, Flynn Park, Heman Park, Lewis Park, and Mooney Park.

Mayor Pro Tem Smotherson stated as a kid he played sports at all of these parks, and hopes their significance will still be celebrated 100 years from now.

E. APPROVAL OF MINUTES

1. December 12, 2022, Regular Meeting Minutes was moved by Councilmember Clay, seconded by Councilmember McMahon, and the motion carried unanimously.
2. December 19, 2022, Special Meeting Minutes was moved by Councilmember Cusick, seconded by Councilmember Clay, and the motion carried unanimously.

F. APPOINTMENTS TO BOARDS AND COMMISSIONS

(Mayor Pro Tem Smotherson introduced these appointments in the absence of Mayor Crow.)

1. Byron Price is nominated for reappointment to the EDRST board by Mayor Crow, it was seconded by Councilmember Klein and the motion carried unanimously.
2. Derek Deaver is nominated for reappointment to the LSBSD board by Mayor Crow, it was seconded by Councilmember McMahan and the motion carried unanimously.
3. Mary Gorman is nominated for reappointment to the LSBSD board by Mayor Crow, it was seconded by Councilmember Cusick, and the motion carried unanimously.

G. SWEARING IN TO BOARDS AND COMMISSIONS

None

H. CITIZEN PARTICIPATION (Total of 15 minutes allowed)

Procedures for submitting comments for Citizen Participation and Public Hearings:

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.

Wanda Michels, 7038 Cornell Avenue, U City, MO

Ms. Michels stated as a frequent participant in the activities offered by Centennial Commons she would like to know the status of the repairs, and when the center and pool will be reopened?

Mayor Pro Tem informed Ms. Michaels that she could receive an update from Mr. Dunkle, who is seated at the end of the table.

I. PUBLIC HEARINGS

None

J. CONSENT AGENDA - (1 voice vote required)

None

K. CITY MANAGER’S REPORT - (voice vote on each item as needed)

None

Mr. Rose stated several communities within St. Louis County are placing similar measures for the sale of recreational marijuana on the April ballot, and in an effort to be consistent with their legislation, the City has been asked to modify its Proposition P by changing it to Proposition M.

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

Councilmember Clay stated at a previous meeting the representative from Starbud's Dispensary raised a question about this 3 percent sales tax. So, is that amount commensurate with what these other municipalities are doing? Mr. Rose stated he believes that the majority of municipalities within St. Louis County will be pursuing a 3 percent sales tax. However, what is different about U City's tax is his recommendation to use the proceeds for public safety, including education on the use and impacts of recreational marijuana.

Voice vote on Councilmember Klein's motion carried unanimously.

L. UNFINISHED BUSINESS - (2nd and 3rd readings—roll call vote required)

1. **Bill 9495** – AN ORDINANCE IMPOSING AN ADDITIONAL SALES TAX IN THE AMOUNT OF THREE PERCENT ON ALL TANGIBLE PERSONAL PROPERTY RETAIL SALES OF ADULT USE MARIJUANA SOLD IN THE CITY OF UNIVERSITY CITY, MISSOURI, AND PROVIDING FOR THE SUBMISSION OF A PROPOSITION AUTHORIZING SUCH TAX TO THE QUALIFIED VOTERS AT THE GENERAL MUNICIPAL ELECTION ON APRIL 4, 2023. Amended Bill Number 9495 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 Cusick, Councilmember Clay, Councilmember Klein, Councilmember McMahon, and Mayor Pro Tem Smotherson.

Nays: None.

M. NEW BUSINESS

Resolutions - (voice vote required)

1. **Resolution 2023-01** – Flood Mitigation Assistance (FMA) Grant Program for buyouts.

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

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

None

N. COUNCIL REPORTS/BUSINESS

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

Councilmember Cusick reported that he will be discussing the recommendations presented earlier by the Stormwater Commission with Mr. Rose, with the goal of bringing them back to Council for a determination on how they should be implemented.

Councilmember Clay reported that in conjunction with the Missouri Library Association, the City's Library Board will be advocating against the proposed rule by the Attorney General that would lead to the banning of books in state libraries. He stated Councilmember Klein was successful in putting together a Resolution in support, and the comments that have been received by the AG; the vast majority of which were against the proposal, have been more momentous than any the AG's office has ever received.

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 reported that last weekend the U City TNR volunteers trapped, neutered, vaccinated, and returned two community cats, at no cost to U City taxpayers. Unfortunately, since the use of cat food, water, and shelter, is not explicitly listed as permitted acts, it continues to spark misunderstandings between the volunteers and code enforcement. Therefore, on behalf of these volunteers, she would respectfully request that Section 210.13 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

Mayor Pro Tem Smotherson stated even though last year's flood forced the City to suspend many of its recreational services, he hopes that Council and staff will be able to work together to bring 100 percent of those services back to the community. That said, he is looking forward to all of the new developments that 2023 will bring.

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

Q. ADJOURNMENT

Mayor Pro Tem Smotherson adjourned the Regular Session at 7:04 p.m.

LaRette Reese,
City Clerk, MRCC

