

MEETING OF THE CITY COUNCIL
CITY OF UNIVERSITY CITY
CITY HALL, Fifth Floor
6801 Delmar Blvd., University City, Missouri 63130
Monday, January 23, 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 23, 2023, 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
Councilmember Aleta Klein
Councilmember Steven McMahon; (*excused*)
Councilmember Jeffrey Hales
Councilmember Tim Cusick
Councilmember Bwayne Smotherson

Also in attendance were City Manager, Gregory Rose; City Attorney, John F. Mulligan, Jr.; Director of Parks Recreation and Forestry & Interim Director of Public Works, Darren Dunkle; Battalion Chief, Bill Hinson; Director of Planning & Zoning, John Wagner, and Police Chief, Larry Hampton.

C. APPROVAL OF AGENDA

Mr. Rose requested that Item K (2) be removed from the Consent Agenda and placed under the City Manager's Report as Item 3.

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

Mayor Crow stated he was unable to attend the last meeting and would like to thank his colleagues for the kind words they expressed in remembrance of former Councilmember Paulette Carr. He stated when Paulette passed away on December 22nd; he believes that numerous residents within this community lost someone they considered to be an esteemed colleague and friend. Her quest to always be prepared set a standard for every member of this Council to follow. That's why he would concur with the remarks written by her husband about his wife's inexhaustible research skills because he has never worked with a member of Council who demonstrated so much passion in their quest to unveil the facts and persevered despite the countless withering personal and political attacks.

Ms. Carr always took the opportunity to engage with students and children; which includes his twenty-two and nineteen-year-old children who she mentored from their pre-teen years through high school. And as a parent, those folks who played a positive role in your children's lives are extremely important. So, he hopes that anyone who gets the opportunity to visit Churchill School in Clayton will take a few minutes to look at the tile mural she created as her way of exalting the lives of the kids attending there.

Mayor Crow stated the City's hopeful thoughts and sincere thanks for graciously sharing Councilmember Carr with this community, goes out to her entire family

D. PROCLAMATIONS

None

E. APPROVAL OF MINUTES

1. January 9, 2023 – Regular Meeting Minutes were moved by Councilmember Smotherson, seconded by Councilmember Hales, and the motion carried unanimously.

F. APPOINTMENTS TO BOARDS AND COMMISSIONS

1. Cirri Moran is nominated for reappointment to the Traffic Commission by Councilmember Tim Cusick, seconded by Councilmember Hales, 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.

(No requests to speak or written comments were received)

I. PUBLIC HEARINGS

None

J. CONSENT AGENDA - (1 voice vote required)

1. Services Complex Repairs - Heating/Cooling System (damaged in the flood)
2. City Police Vehicles Purchase (damaged in the flood); **(moved)**
3. Tree Trimming Contract
4. Misc. Tree Work Contract
5. Turf and Athletic GMS Contract

Councilmember Klein moved to approve Items 1, 3, 4, and 5, of the Consent Agenda, seconded by Councilmember Clay.

Councilmember Smotherson noted that no 3rd Ward trees were included on the list of streets provided to Council, and asked Mr. Rose if he would explain the process employed by staff in making this determination.

Mr. Dunkle stated trimming and pruning of the City's trees is conducted on a five-year cycle that shifts to a different ward each year. This work is performed by an outside contractor; however, in-house staff will continue to address problems on an as-needed basis when there is a request to do so.

Voice vote on Councilmember Klein's motion to approve carried unanimously.

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

1. Update: Code Red Warning System and Rain Gauge System

Mr. Rose stated this is an update on the Code Red and Rain Gauge Systems that have been installed to enhance the City's public safety operations. Chief Hinson will provide Council with information on how these systems are being used.

Chief Hinson stated although the Stormwater Alerting System is not directly linked to the Code Red System it is connected to supervisory staff in both the Fire and Police Departments. When an alert is received by these supervisors they are charged with determining what type of message should go out to the public.

He stated the rationale behind allowing individuals with over 80 years of combined experience to make these educated determinations is to prevent erroneous messages from going out to the public in the event the system malfunctions because of sudden downpours.

The Alert System recognizes immediate measurements. So, once an alarm is tripped, supervisors initiate the process of reviewing weather maps, the current weather conditions, the traffic of other municipal emergency response departments located north and west of U City, and consulting with staff on the street assigned to monitor the situation in order to determine the level of alert that needs to go out.

The Code Red System has been up and running for approximately two months. Maps and a two-tiered system for minor or major flooding events were installed to determine the type of alert that should go out to anyone located in an evacuation area.

Councilmember Klein asked for the length of time between a supervisor receiving the alert and execution of the Code Red warning? Chief Hinson stated the system provides supervisors with a 40-minute pre-alert warning before a storm is scheduled to hit a specific area. But staff is on the street monitoring areas prone to flooding, as well as the river, anytime there is a potential for substantial rainfall. He stated that Dr. Criss' observations revealed that before the installation of Code Red staff put out an alert within 3 minutes after the system activated, largely due to on-street monitoring.

Mr. Clay asked Chief Hinson if Dr. Criss was comfortable with the process being utilized by both departments? Chief Hinson stated Dr. Criss' believes this would be the proper approach to utilize to prevent errors from occurring. He stated both departments are in continuous discussions with Dr. Criss and the Commission to perfect various aspects of this program and plan to conduct an in-depth data reading class next week.

Councilmember Hales stated during the last storm he recalls receiving a Code Red Alert that started around 2 a.m. and continued throughout the night.

Chief Hinson stated during that storm it was more about what had already flooded and the areas we thought had the potential to flood. So, as the anticipation grew, the messages were bumped up. Now, we've been able to hone down areas that are more prone to flooding so that alerts go out to anyone who has ever been impacted, as well as tiered messages telling residents what's coming their way.

Councilmember Cusick posed the following questions to Chief Hinson:

Q. Do messages only go out to those folks that have signed up to receive alerts from Code Red or do they simply go out to the areas that are prone to flooding?

A. *The initial evacuation messages go out to everyone in a potentially affected area. Area maps within the Code Red System represent locations within the City that have experienced the highest levels of flooding.*

Q. What do residents need to do to sign up and receive these messages?

A. *There are brochures on the City's website that contain instructions on how to sign up. But, they can also call the Fire Department and staff will help them get signed up. Messages will always be sent out to the entire community on a continuous basis to inform them of what streets are closed and the areas they should avoid.*

Mr. Rose stated the goal is to preserve the credibility of the Code Red System because the worst thing that can happen is to start having false activations that residents start to ignore. So, the belief is that the best way to avoid that from happening is to always have a human making the final decision about when these messages should be sent out.

2. Site Plan Review – Royal Bank (8021 Olive)

Mr. Rose stated staff is recommending that Council consider a Site Plan Review for Royal Bank.

Dr. Wagner stated Royal Bank would like to demolish the building and conduct business in a modular structure until their new building can be constructed. He stated representatives from Royal are present to answer any questions.

Councilmember Cusick asked if a timeline had been established for all of this to take place? Dr. Wagner stated the modular building will go up prior to the demolition. But at that point, they will have to wait on FEMA's revised flood maps before construction of the new building can begin.

Councilmember Cusick questioned whether staff had placed any time constraints on the process?

Mitch Baden of Royal Bank stated unfortunately they are in a floodplain and must wait until the County approves FEMA's maps. The hope is that this approval will not take more than a year and that the new building will be completed in nine months. So, until then, they will be stuck working out of the modular structure. However, they do have plans to add landscaping, a parking lot, and relocation of the ATMs.

Dr. Wagner stated after talking to the civil engineer, his understanding is that they intend to have the maps done within a year.

Mayor Crow thanked Royal Bank for being a good corporate citizen to this community for decades and stated he is certain the Police Chief who has been working out of a temporary facility for some time, would make a great consultant.

Councilmember Smotherson moved to approve, seconded by Councilmember Clay, and the motion carried unanimously.

3. City Police Vehicles Purchase (damaged in the flood)

Mr. Rose stated staff is recommending that Council consider the purchase of vehicles to replace those damaged in the flood.

Chief Hampton stated initially there were a total of six emergency vehicles damaged in the flood, but they have reduced that number to five. He stated the State's bidding process has been extremely impacted by the current supply chain issues, and there is a very narrow margin of police-rated vehicles on the market; so, the only way to achieve these purchases was to utilize two separate vendors.

Councilmember Hales asked if Council was being asked to approve the purchase of three Explorers from two vendors? Chief Hampton stated he thinks one of the vehicles is a Durango, but the totals of three and two are correct.

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

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)

None

M. NEW BUSINESS

Resolutions - (voice vote required)

None

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

1. **Bill 9498** – 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 C AND COMMON GROUND 1 OF PLAT 4 OF THE MARKET AT OLIVE DEVELOPMENT, FROM “PD” PLANNED DEVELOPMENT COMMERCIAL DISTRICT AND “SR” SINGLE-FAMILY RESIDENTIAL DISTRICT TO “PD” PLANNED DEVELOPMENT COMMERCIAL DISTRICT (“PD-C”). Bill Number 9498 was read for the first time.

Introduced by Councilmember Klein

2. **Bill 9499** – AN ORDINANCE APPROVING A FINAL DEVELOPMENT PLAN FOR LOT B OF THE PROPOSED MARKET AT OLIVE DEVELOPMENT, PLAT 4. Bill Number 9499 was read for the first time.

Introduced by Councilmember Cusick

3. **Bill 9500** – AN ORDINANCE AMENDING SCHEDULE III OF THE TRAFFIC CODE, TO REVISE TRAFFIC REGULATION AS PROVIDED HEREIN. Bill Number 9500 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 reported that the Parks Commission recently approved the public art project being sponsored by the Arts & Letters Commission and Wash U, which also requires Council's approval. So, he would like to make sure that it is going to be placed on the next Council Agenda.

Mr. Rose stated staff received the notification too late to place it on this Agenda, but Mr. Dunkle has reached out to Wash U and informed them that it will be on the next Agenda.

Councilmember Hales stated the Plan Commission is in the process of reviewing the Comprehensive Plan, and in doing so, spent a great deal of their time this weekend engaging with residents and handing out surveys. So, he would like to recognize these members and their commitment to this community.

Councilmember Clay reported that the Green Practices Commission has resumed its regularly scheduled meetings and the Library continues to operate in its new location across the street. Selections are limited but they can retrieve almost everything you need upon request. So, he would encourage everyone to continue utilizing this resource.

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

O. CITIZEN PARTICIPATION (continued if needed)

P. COUNCIL COMMENTS

Councilmember Cusick announced that effective January 31st; he would be resigning from his position as Council for the 2nd Ward. He stated that he began thinking about moving to Tucson after his retirement a year ago, and now that he is no longer able to remain in his home due to the flood, believes this is the right time to make that move. Councilmember Cusick stated he found the residents and this administration to be extremely engaged and committed. And while he believes his time on this Council has been well spent, he hopes that during his tenure he has been of some benefit to the wonderful people he has had the opportunity to serve.

To his colleagues, Councilmember Cusick stated he would just say that it has been a pleasure performing these duties with each of them and he will be forever grateful for their support.

Mayor Crow stated he recalls the point in time when Councilmember Cusick started paying attention to what was going on in this community and made the decision to stand up and be counted. He put his head down, knocked on doors to deliver his message, and got elected to this office. And today, he has established a wonderful legacy within the 2nd Ward of being dedicated to this entire City. Councilmember Cusick put his heart and soul into everything he did and I sincerely wish him all the best. You will be missed, but you should take comfort in knowing that you are leaving this community in a much better place.

Councilmember Smotherson stated his understanding was that there would be a follow-up discussion on the status of the baseball field, Centennial Commons, and the pool. And was wondering why these topics were not on tonight's agenda.

Mr. Rose stated he was unaware of the need to place these topics on the agenda. However, he would be willing to provide Council with an update on the City's flood recovery efforts if that would be appropriate.

Mayor Crow stated he believes everyone is aware that the City is experiencing issues with several of its properties, so it would probably be informative to have an update and discussion at the next meeting. But in the interim, he would encourage Councilmember Smotherson or anyone else with questions or concerns to reach out to the City Manager and his staff for answers.

Councilmember Smotherson thanked Councilmember Cusick for his service and support; especially when MSD was threatening to put two large wastewater tanks in the 3rd Ward. His desire to assist this Council in any way possible is truly appreciated.

Councilmember Clay stated Councilmember Cusick's commitment to this City has been remarkable. He jumped in during the heart of the TIF discussions that led to the Markets at Olive, and his attention to the City's stormwater issues was so astute, that he never hesitated to follow his lead. He stated it has been a pleasure serving with Councilmember Cusick who certainly worked for the residents of this community to make U City a better place.

Councilmember Hales stated Councilmember Cusick is clearly the expert on stormwater issues and is the first person he called whenever he had questions or concerns. So, it has been a pleasure to work alongside him and he will truly be missed. Councilmember Hales wished Councilmember Cusick the best in his next chapter and thanked him for everything he has done for this community.

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

Q. ADJOURNMENT

Mayor Crow thanked everyone for their attendance, wished Councilmember Cusick Godspeed to Tucson, and adjourned the meeting at 7:10 p.m.

LaRette Reese
City Clerk, MRCC