

**MEETING OF THE CITY COUNCIL**  
CITY OF UNIVERSITY CITY  
CITY HALL, Fifth Floor  
6801 Delmar Blvd., University City, Missouri 63130  
**Monday, February 13, 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, February 13, 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 McMahan  
Councilmember Jeffrey Hales  
Councilmember Bwayne Smotherson

Also in attendance were City Manager, Gregory Rose; City Attorney, John F. Mulligan, Jr.; Director of Parks Recreation and Forestry, Darren Dunkle; Director of Public Works, Darin Girdler; HR Director, Amy Williams; Finance Director, Keith Cole; Fire Chief, William Hinson, and Library Director, Patrick Wall.

**C. APPROVAL OF AGENDA**

Hearing no requests to amend, Councilmember Klein moved to approve the Agenda as presented, it was seconded by Councilmember Hales, and the motion carried unanimously.

**D. PROCLAMATIONS - (Acknowledgement)**

None

**E. APPROVAL OF MINUTES**

1. January 9, 2023 – Study Session Meeting Minutes; (Stormwater Commission Presentation), was moved by Councilmember Klein, it was seconded by Councilmember Clay, and the motion carried unanimously, with the exception of Councilmember Hales, who abstained.
2. January 23, 2023 – Regular Meeting Minutes was moved by Councilmember Hales, it was seconded by Councilmember Smotherson, and the motion carried unanimously, with the exception of Councilmember McMahan, who abstained.

**F. APPOINTMENTS TO BOARDS AND COMMISSIONS**

1. Eleanor Mullin is nominated for reappointment to the Arts and Letters Commission by Councilmember Bwayne Smotherson, it was seconded by Councilmember Hales and the motion carried unanimously.
2. Karla Teeters is nominated for reappointment to the Arts and Letters Commission by Councilmember Bwayne Smotherson, it was seconded by Councilmember McMahan and the motion carried unanimously.
3. Linda Jones is nominated for reappointment to the Arts and Letters Commission by Councilmember Bwayne Smotherson, it was seconded by Councilmember Hales and the motion carried unanimously.

**G. SWEARING IN TO BOARDS AND COMMISSIONS**

1. Colin Van Hare (Employee Representative) was sworn into the Board of Trustees Non-Uniformed Retirement Fund (Pension) on January 20, 2023, in the Clerk’s office.

**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](mailto: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.

**Tom Sullivan, 751 Syracuse, U City, MO**

Mr. Sullivan identified what he believed to be aesthetic and safety issues within the City:

- Inoperable streetlights at the No. 4 parking lot; Vernon west of Kingsland; North Drive; Cabanne and Eastgate; Clemons; Ferguson north of Olive; Midland, and Wellington
- Hanging utility wires in the alley behind 758 Kingsland and Kingsland between Vernon and Olive
- A broken fence at Kingsland Park
- A bench with broken slats and peeling paint at Heman Park, and
- The unkempt appearance of Kingsland from Delmar to the City limits

Mr. Sullivan stated it will soon be the rainy season which means there is a potential for more flooding. However, as the Stormwater Commission has documented there are still blockages from branches and debris in the River des Peres, and the City has ignored their recommendations. He stated while the City Manager believes the detention pond will be the solution to the City’s flooding problems, not everyone is in agreement that this will address a difficult problem that has gone on for more than 50 years.

**Dr. Monica Stewart, 1066 Pennsylvania Avenue, U City, MO**

Dr. Stewart asked Council if they could provide her with an update on the status of Centennial Commons?

Mayor Crow thanked Dr. Stewart for her participation and informed her that someone from the City would respond to her inquiry.

**I. COUNCIL COMMENTS**

None

**J. PUBLIC HEARINGS**

1. Redistricting

Mayor Crow opened the Public Hearing at 6:37 p.m. After acknowledging that there were no written or verbal comments, the hearing was closed at 6:37 p.m.

2. Zoning Amendment – Lot C – Market at Olive

Mayor Crow opened the Public Hearing at 6:37 p.m. After acknowledging that there were no written or verbal comments, the hearing was closed at 6:38 p.m.

**K. CONSENT AGENDA - (voice vote required)**

**1. Public Art Project**

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

Mr. Rose recognized the new Public Works Director, Darin Girdler.

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

**1. Employee Years of Service Awards – No Vote Required**

Mr. Rose, Amy Williams, Mayor Crow, and the various department heads presented the following Service Awards:

**Fire Department - Chief Hinson**

**Five Years of Service**

Taylor Jordan

Matthew Pay

**Ten Years of Service**

Captain Jeff Jiles

**City Manager - Mayor Crow**

**Five Years of Service**

Gregory Rose

**Library - Patrick Wall**

**Five Years of Service**

Linda Jackson

**Thirty Years of Service**

LaRita Wright

**Employee of the Year - Mr. Rose**

**Linda Schaefer**

**2. Flood Recovery Efforts Update – No Vote Required**

Mr. Rose provided the following update:

On July 26th and 28th, 2022, U City and surrounding communities suffered historic flooding because of the significant rainfalls that occurred within a short period to infrastructure that was unable to accommodate the stormwater runoff. This flooding caused severe damage to the Fire Station No. 1 building, its internal equipment, Public Safety vehicles/equipment, the Public Works building and yard, trash collection vehicles, Centennial Commons, the pool, dog park, and ball fields. A total of 55 vehicles were damaged, and staff has estimated that the total cost for damage to the City's facilities and equipment is between 12 and 14 million dollars. In addition, more than 300 residential homes were impacted by stormwater runoff and/or condemned as uninhabitable.

Staff implemented the necessary recovery efforts before the City's flood waters had receded by contacting SEMA and FEMA for assistance, documenting the disaster, activating Mutual Aid Agreements with surrounding communities, obtaining estimates for the cleanup of facilities, replacing equipment, and filing insurance claims. And on July 28, 2022, a press release was distributed to residents notifying them of the City's extra bulky item collections, dumpster placements, and the 90-day waiver of right-of-way and building permit fees for owner-occupied houses.

On August 1, 2022, staff conducted multiple meetings with SEMA and FEMA representatives to assess the damage and prioritize repairs to the City's infrastructure and equipment.

Emergency services were deemed to receive the highest priority and thereafter, staff received authorization to move forward with repairs to Fire Station No. 1 and the replacement of any emergency equipment that had been impacted by the flood. Staff was informed that the Public Works yard, the repair of Public Works emergency vehicles, Centennial Commons, the pool, parks, and the ball fields did not meet the agencies' definition of emergency services. Therefore, if the City intends to seek reimbursement for the cost of repairs to these non-emergency services, then no costs should be incurred until approval for the scope of this work has been authorized by SEMA/FEMA. Mr. Rose stated his understanding regarding the need to receive approval for the scope of work to be performed before incurring any costs, is based on the agencies' requirement to ensure that these non-emergency services are returned to their natural state prior to the flood and that no enhancements are included.

At the request of Governor Parson, President Biden approved a major Declaration for Missouri on August 9, 2022, that paved the way for federal funding to be made available to communities that suffered flood damage. So, in addition to the City's flood recovery efforts, staff began coordinating with FEMA to host informational meetings for residents, and the public safety departments, to determine the most frequently flooded areas and develop a Home Buy-Out Program.

537 tons of trash and debris was removed within a one-month period through the Mutual Aid Agreement. Mr. Rose recognized the employees involved in this portion of the recovery efforts that performed an outstanding job under very difficult circumstances.

The Declaration did make funding available to purchase some of the homes located in the floodplain, however, the City has only received tentative approval for 12 homes on Wilson Avenue and 3 buildings within Hafner Court at 100% of the cost, due to SEMA's limited budget. Twelve additional homes on or near Burch Street have been placed on their waiting list. FEMA is still reviewing all buy-out applications and final approval has not been received.

To date, the City has spent roughly 4 million dollars on flood recovery efforts, which include repairs to Station No. 1, the purchase of public safety vehicles, and two trash trucks. In each case, the City was required to comply with the purchasing policy to obtain bids. Of those 4 million dollars the City has received approximately \$740,000 from insurance proceeds. Mr. Rose stated even though the City has not received approval for the scope of work on non-emergency services, he has authorized staff to advance the bidding process and be ready to go once it has been received.

Last week, after learning that the electrical system was sufficient to reopen the cardio section, Mr. Rose stated he lifted the Condemnation Order and authorized the partial reopening of Centennial Commons for this area only, which goes into effect today. Although the City does not have enough part-time staff to open Centennial Commons back to its full hours of operation, this partial reopening will provide residents; especially seniors, with the ability to use the facility.

Bid specifications for repair of the pool, Jack Buck Field, the Dog Park, and electrical work for Centennial Commons are underway and should be ready for the Mayor and Council's review in a couple of weeks. The purchase of the pool pumps is already in progress. Mr. Rose stated while he genuinely understands the inconvenience these closures have placed on the community, staff is making every effort to comply with the policies set forth by SEMA/FEMA, in order to open these facilities as soon as possible without placing any undue financial burden on the taxpayers.

Councilmember Klein stated it is apparent from all of the feedback received that this community is fortunate to have such amazing facilities that residents are anxious to see reopened. She then posed the following questions to staff:

**Q. What is included in the partial reopening of Centennial Commons?**

A. (Mr. Dunkle): *The lower level is still partially condemned. So, the cardio area will consist of the exercise equipment and track located adjacent to the front desk.*

**Q. Is it correct, that staff intends to move forward with reopening the pool as soon as possible, regardless of whether approval is received from these agencies?**

A. (Mr. Rose): *Four areas will likely be recommended for the Mayor and Council's approval, even with the risk of not getting reimbursed; they are the pool; electrical work for Centennial Commons; the Dog Park, and the Jack Buck Ball Field.*

Councilmember Smotherson posed the following questions to Mr. Rose:

**Q. Has a timeframe been established for moving forward in these four areas?**

A. *Staff is in the process of obtaining bids for the electrical work needed for the pool, which they anticipate receiving sometime this week. So, while the intent is to do everything possible to have the pool open by summer, we won't be able to provide Council with any specifics like a timeframe, until the bid has been received and reviewed.*

**Q. On July 25th, the day before the flood, Centennial Commons was fully operational with extended hours. So, I'm unclear as to why there is now a shortage of staff and such limited hours of operation?**

A. *While all of the full-time employees were retained during this event, the part-time employees; although not laid off, were simply not needed until all of the repairs had been completed and the facility was returned to its normal operating hours. The Assistant Director of Recreation has started to reach out to those part-timers and is working with HR to implement a hiring process once new employees are needed.*

**Q. The question I keep getting from constituents is "Why 9 a.m. to 6 p.m.?" Most people either work out early in the morning or late in the evening. So, did staff give any consideration as to whether these hours would accommodate the needs of its members?**

A. *Ultimately, these hours will be expanded. But frankly, we were so excited to learn that the electrical system could accommodate this portion of the facility that we decided to open the cardio center rather than wait until we were fully staffed so that our members could take advantage of it.*

**Q. I'm also a flood victim and the letter we received from FEMA encouraged us to perform some type of remediation on our home to prevent it from flooding in the future. So, I'm confused by your statement regarding the City's inability to make enhancements to its facilities and curious to know why they are not asking staff to do the same thing?**

A. *I agree that FEMA/SEMA will allow you to make whatever repairs you deem necessary, but to get reimbursement for those repairs they must have given you authorization for that scope of work. It really hinges on your need to seek reimbursement. Staff desired to go full steam ahead with making the needed repairs because they understood the impact that not doing so would have on this community. But we also understood our responsibility of maintaining a strong financial position, and the cost of repairing Centennial Commons is estimated to exceed 1 million dollars. So, that's the rationale behind my recommendation to wait for their approval before making any repairs.*

**Q. This is the second time the pool has been closed due to flooding and it seems like this is the perfect opportunity to move forward. Has staff given any consideration to making sure these facilities; specifically the baseball field and pool; which both sit in the floodplain, will remain open in the future?**

A. *Staff can certainly look at forms of remediation to ensure that these facilities do not flood in the future if that is the desire of the Mayor and Council. But doing so would mean incurring the costs needed to move these facilities.*

*And if you couple that with the fact that the City still has a pension fund with an estimated 7-million-dollar deficit, and that the cost for the police facility which was originally anticipated to be 22 million has now increased to 34 million, it really becomes a question about priorities. And I'm not so sure that the City is in a financial position to do everything.*

Councilmember McMahon stated Mr. Rose has painted a pretty clear picture of where we are and the City's previous priorities. But he thinks the one thing everyone has learned from this event is that the recreational components of this City are a priority for a good number of residents in this community. And if it's their priority, then it really should become Council's priority.

As a result of COVID and this latest event, the City's recreational facilities have probably lost a lot of members that have now found new places to go and spend their money. So, what we're looking at is not only rebuilding a structure but rebuilding a customer base by designing a product that not only brings people back but attracts new members. So, if Centennial Commons is going to be marketed as the City's premier center for recreation, then Council needs to know what they can do to support staff in making this goal a reality.

Councilmember McMahon then asked Mr. Rose if staff had looked into the issue of fees and memberships because people are not going to continue to pay for a full membership when the facility is only partially open. Mr. Rose stated while he would agree that charging full price for a partially operating facility is not realistic, they have not made any decisions about how to transition from a member's ability to use the Richmond Heights facility to the City's limited operations. But they will have to identify a reasonable price for this limited use.

As it relates to mitigation, Mr. Rose stated he wanted to point out that Council took a leadership role to put a detention basin in place that will accommodate some of the stormwater runoff. Of course, this will certainly not be a solution for all of the flooding that occurs but it is a step in the right direction.

Councilmember Hales stated he remembers the meeting held with the Governor and members of FEMA/SEMA when things were still very raw, and the notifications he received from the City regarding the mounting losses that have now been estimated to total 14 million dollars. So when you think about Councilmember McMahon's comments regarding the City's priorities; which certainly have some validity, and the risk of making repairs without the guarantee of being reimbursed, the choices are not easy. Nevertheless, from a financial perspective, taking such a risk is not something he would be willing to do.

Councilmember Hales stated this is a process that pains all of us; especially Mr. Rose and his staff who are faced with managing all of these details on a daily basis. For that reason, he would like to recognize them for all of their efforts because they truly are appreciated.

Mayor Crow asked Mr. Rose if he could provide a mini tutorial on FEMA/SEMA's application process. Is this one application or a constant exchange of information? Has everything been submitted, or are there still outstanding issues that need to be addressed? Mr. Rose stated staff meets with both agencies weekly to ensure that they have provided all of the relevant information needed on the expenses that have already been incurred. Individual applications are required for each element of the City's recovery efforts; i.e., the cleanup, replacements, repairs, et cetera. So there are multiple submittals, which Mr. Cole can probably provide a more accurate depiction of exactly where the City stands at this point.

Mr. Cole stated there are roughly eight separate projects that he has been working with FEMA on to ensure that all of the documentation being requested has been submitted; Centennial Commons, the pool, debris removal, parks, equipment, vehicles, et cetera. And at this point, every application has been submitted and FEMA is in the process of conducting its due diligence.

Mr. Rose stated additional applications will need to be submitted once the City completes repairs on the pool; electrical work for Centennial Commons; Dog Park, and Jack Buck Ball Field. So, this will be an ongoing process for some time.

Councilmember Klein posed the following questions to Mr. Rose:

**Q. Numerous people have expressed an interest in seeing the gym placed back in service. Do you have an idea of where this repair fits in the scheme of things?**

*A. The gym is one of the more difficult areas to provide a timeline on because of the costs associated with its repair. The hope is that the City will receive approval for that scope of work before being forced to move forward with making those repairs on its own.*

**Q. Is it correct that as of March 1st, Richmond Heights will no longer make its facility available to U City residents?**

*A. the City only has a verbal agreement with Richmond Heights and while staff has started to receive questions along the lines of, "How long is this going to go on," they have been great neighbors and he believes that they will be willing to extend this hospitality out a little bit longer. However, there is no doubt that the City needs to make every effort to expand its hours and make the necessary repairs to its facilities.*

### 3. Second Quarter Financial Report

Mr. Rose stated this is an update on the Second Quarter Financial Report by the Director of Finance, Keith Cole.

#### **General Fund - Revenues**

Adjusted Budget	\$23,818,870
YTD Actual	\$11,016,772
Actual as % of Adjusted Budget	46.3%
<b>Increase</b> /Decrease compared to the same quarter of FY2022	\$806,807

#### **Key Points:**

- Increase in Sales & Use Taxes of roughly \$224,000, or 8.3%, mainly due to an increase in the County-Wide 1% Pool Tax.
- Increase in Service Charges of roughly \$197,000, or 44.9%, mainly from Ambulance Services & Collection of Delinquent Weed & Debris Invoices.
- Decrease in Municipal Court & Parking of roughly \$138,000, or (43.4%), mainly due to a decrease in Court Fine & Costs.
- Decrease in Miscellaneous Revenue of roughly \$259,000, or (62.3%), mainly due to the receipt of a Health Insurance Surplus in FY22.
- Increase in Property Taxes of roughly \$54,000, or 2.5%.
- Increase in Gross Receipt Taxes of roughly \$102,000, or 4.3%
- Increase in Intergovernmental of roughly \$117,000, or 11.7%.
- Increase in Inspection Fees & Permits of roughly \$172,000, or 32.2%, mainly due to Building & Zoning.
- Increase in Grants of roughly \$344,000, due to receipt of final payment from the Safer Grant.

**Overall**, revenues as a percent of budget show an increase of 5.1% when compared to the same quarter of FY2022.

#### **General Fund - Expenditures**

Adjusted Budget	\$31,641,078
YTD Actual	\$14,754,048
Actual as % of Adjusted Budget	46.6%

Increase / Decrease compared to the same quarter of FY2022 \$2,777,976

**Key Points:**

- Increase in expenditures in Public Works and Parks & Recreation of roughly \$3,075,000, due to replacing flood-related equipment and vehicles.
- Decrease in expenditures in the Police Department of roughly \$342,000 or (7.5%), compared to the same quarter of FY22.

**Overall**, the expenditures as a percentage of the budget increased by 2.2% when compared to the same quarter of FY2022.

**Capital Improvement Sales Tax Revenue**

Adjusted Budget	\$2,501,200
YTD Actual	\$887,974
Actual as % of Adjusted Budget	35.5%
Increase/ <b>Decrease</b> compared to the same quarter of FY2022	(\$21,773)

**Key Points:**

- Sales Tax revenue decreased roughly 2.4% during the 2<sup>nd</sup> Quarter of FY2023, compared to the same quarter of FY22.

**Capital Improvement Sales Tax - Expenditures**

Adjusted Budget	\$2,191,010
YTD Actual	\$76,030
Actual as % of Adjusted Budget	3.5%
Increase/ <b>Decrease</b> compared to the same quarter of FY2022	(\$334,533)

**Key Points:**

- Decrease in expenditures mainly due to no expenditures being paid out for Street Construction, Misc Improvements, and the purchase of Vehicles & Equipment that occurred in the 2<sup>nd</sup> quarter of FY2022. Some construction projects will begin in the 3<sup>rd</sup> quarter of FY2023.

**Park & Stormwater Sales Tax - Revenues**

Adjusted Budget	\$1,321,000
YTD Actual	\$477,955
Actual as % of Adjusted Budget	36.2%
<b>Increase</b> /Decrease compared to the same quarter of FY2022	\$19,478

**Key Points:**

- Sales Tax revenue for the second quarter of FY2023 shows an increase of 4.2% when compared to the same quarter of FY2022.

**Park & Stormwater Sales Tax - Expenditures**

Adjusted Budget	\$1,710,191
YTD Actual	\$186,432
Actual as % of Adjusted Budget	10.9%
Increase/ <b>Decrease</b> compared to the same quarter of FY2022	(\$39,259)



**Key Points:**

- Decrease in expenditures due to a slight decrease in costs for capital outlay projects. Capital outlay projects are anticipated to kick off during the 3<sup>rd</sup> Quarter of FY2023.

**Public Safety Sales Tax - Revenue**

Adjusted Budget	\$2,001,000
YTD Actual	\$751,490
Actual as % of Adjusted Budget	37.6%
Increase/Decrease compared to the same quarter of FY2022	\$16,667

**Key Points:**

- Increase in Sales Tax revenue by roughly 3.7%, when compared to the 2<sup>nd</sup> quarter of FY2022.

**Public Safety Sales Tax - Expenditures**

Adjusted Budget	\$440,195
YTD Actual	\$173,306
Actual as % of Adjusted Budget	39.4%
Increase/Decrease compared to the same quarter of FY2022	(\$269,772)

**Key Points:**

- The decrease in expenditures when compared to FY2022 is mainly due to the initial costs of the design/engineering fees related to the Annex/Trinity Renovation project.

**M. UNFINISHED BUSINESS - (2<sup>nd</sup> and 3<sup>rd</sup> readings, roll call vote required)**

- 1. Bill 9496** – AN ORDINANCE AMENDING SECTION 100.180 OF THE UNIVERSITY CITY MUNICIPAL CODE, RELATING TO WARD BOUNDARIES, BY REPEALING SECTION 100.180 AND ENACTING IN LIEU THEREOF A NEW SECTION TO BE KNOWN AS “SECTION 100.180 WARDS”, THEREBY AMENDING SAID SECTION SO AS TO CHANGE THE BOUNDARIES OF THE CITY’S THREE WARDS. Bill Number 9496 was read for the second and third time.

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

Roll Call Vote Was:

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

**Nays:** None.

- 2. 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 second and third time.

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

Roll Call Vote Was:

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

**Nays:** None.

3. **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 second and third time.

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

Roll Call Vote Was:

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

**Nays:** None.

4. **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 second and third time.

Mr. Rose stated although Staff's Report indicates that 2/3 thirds of the residents signed this petition that fraction is equivalent to the 75% requirement.

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

Roll Call Vote Was:

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

**Nays:** None.

## **N. NEW BUSINESS**

Mayor Crow made note of the fact that he makes all appointments to the IDA, and one name he would like to add is Chris Blumenherst to be nominated as the seventh member.

### ***Resolutions - (voice vote required)***

1. **Resolution 2023-2** Authorizing the formation of an Industrial Development Corporation in the City of University City, Missouri, and determining and approving certain matters related thereto.
- a) ***If Approved and Adopted – Industrial Development Authority Appointments:***
1. Susan Armstrong is nominated to the Industrial Development Authority by Mayor Terry Crow
  2. Dorothy Davis is nominated by Mayor to the Industrial Development Authority
  3. Cirri Moran is nominated by Mayor to the Industrial Development Authority
  4. Cynthia Martin is nominated by Mayor to the Industrial Development Authority
  5. Jim Nowogrocki is nominated by Mayor to the Industrial Development Authority
  6. Jeff Dobslaw is nominated to the Industrial Development Authority by Mayor Terry Crow
  7. Chris Blumenhorst is nominated to the Industrial Development Authority by Mayor Terry Crow

Councilmember McMahon moved to approve Resolution 2023-2, it was seconded by Councilmember Hales, and the motion carried unanimously.

**2. Resolution 2023-3** Fiscal Year 2022-2023 Budget Amendment #3.

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

**3. Resolution 2023-4** Preliminary Plan Approval – Adoption of a Resolution to approve the Preliminary Development Plan for Market at Olive Phase IV development, Lot C and Common Ground 1.

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

***Bills (Introduction and 1<sup>st</sup> reading - no vote required)***

*Introduced by Councilmember Hales*

- 1. Bill 9501** –AN ORDINANCE AMENDING SECTION 400.2700 OF THE MUNICIPAL CODE OF THE CITY OF UNIVERSITY CITY, MISSOURI, RELATING TO THE ZONING REVIEW PROCEDURE FOR CONDITIONAL USES, BY AMENDING SUBSECTION D.1 THEREOF, RELATING TO CITY COUNCIL ACTION. Bill Number 9501 was read for the first time.

*Introduced by Councilmember Klein*

- 2. Bill 9502** – AN ORDINANCE AMENDING SECTIONS 400.030, 400.510, 400.570, 400.620, 400.630, AND 400.1495 OF THE MUNICIPAL CODE OF THE CITY OF UNIVERSITY CITY, MISSOURI, RELATING TO ZONING, SO AS TO CONFORM TO MISSOURI CONSTITUTION ARTICLE XIV PROVISIONS RELATING TO MARIJUANA FACILITIES, AS APPROVED BY VOTERS ON NOVEMBER 8, 2022. Bill Number 9502 was read for the first time.

*Introduced by Councilmember McMahon*

- 3. Bill 9503** –AN ORDINANCE APPROVING THE ISSUANCE OF TAX INCREMENT AND SPECIAL DISTRICT REVENUE BONDS IN CONNECTION with the OLIVE BOULEVARD COMMERCIAL CORRIDOR AND RESIDENTIAL CONSERVATION REDEVELOPMENT PLAN; PLEDGING AND ASSIGNING CERTAIN REVENUES FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON THE BONDS; AND AUTHORIZING CERTAIN OTHER ACTIONS AND DOCUMENTS IN CONNECTION THEREWITH. Bill Number 9503 was read for the first time.

*Introduced by Councilmember Smotherson*

- 4. Bill 9504**- AN ORDINANCE APPROVING A SECOND AMENDMENT TO REDEVELOPMENT AGREEMENT AND AN AMENDED AND RESTATED DISTRICT PROJECT AGREEMENT IN CONNECTION WITH THE OLIVE BOULEVARD COMMERCIAL CORRIDOR AND RESIDENTIAL CONSERVATION REDEVELOPMENT PLAN. Bill Number 9504 was read for the first time.

*Introduced by Councilmember Smotherson*

5. **Bill 9505** – AN ORDINANCE APPROVING A FINAL DEVELOPMENT PLAN FOR LOT C AND COMMON GROUND 1 OF THE PROPOSED MARKET AT OLIVE DEVELOPMENT, PLAT 4. Bill Number 9505 was read for the first time.

*Introduced by Councilmember McMahon*

6. **Bill 9506** –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 5 OF MARKET AT OLIVE PLAT 3, FROM “IC” INDUSTRIAL COMMERCIAL DISTRICT TO “PD” PLANNED DEVELOPMENT COMMERCIAL DISTRICT (“PD-C”). Bill Number 9506 was read for the first time.

*Introduced by Councilmember Hales*

7. **Bill 9507** –AN ORDINANCE APPROVING A FINAL PLAT FOR A MAJOR SUBDIVISION OF A TRACT OF LAND TO BE KNOWN AS “MARKET AT OLIVE PLAT 3.” Bill Number 9507 was read for the first time.

*Introduced by Councilmember Smotherson*

8. **Bill 9508** –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 PROPERTIES AT 8637, 8638 AND 8641 MAYFLOWER COURT FROM “SR” SINGLE-FAMILY RESIDENTIAL DISTRICT TO “PA” PUBLIC ACTIVITY DISTRICT. Bill Number 9508 was read for the first time.

## **O. COUNCIL REPORTS/BUSINESS**

1. Boards and Commission appointments needed

2. Council liaison reports on Boards and Commissions

Councilmember Clay reported that the library's permanent home which is currently being remodeled experienced a water main break that caused flooding in some of the newly renovated areas; and that the Green Practice Commission has resumed their regularly scheduled meetings after a brief hiatus.

Councilmember Hales reported that nine of the Bills introduced at tonight's meeting were reviewed by the Plan Commission. This kind of dedication and commitment is only one reason why on average, their meetings last for three hours, and he is so appreciative of their service to this community.

Mayor Crow stated that upon being informed by the City Clerk and City Attorney that he had failed to obtain Council's consent on the Industrial Development Authority nominations listed under Resolution 2023-2, he would like to apologize and submit the following names for consideration: Susan Armstrong, Dorothy Davis, Cirri Moran, Cynthia Martin, Jim Nowogrocki, Jeff Dobslaw, and Chris Blumenhorst.

Councilmember McMahon seconded the nominations and the motion carried unanimously.

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

**P. CITIZEN PARTICIPATION (continued if needed)**

**Q. COUNCIL COMMENTS**

**R. EXECUTIVE SESSION (*roll call vote required*)**

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 Clay, Councilmember Klein, Councilmember McMahon, Councilmember Hales, Councilmember Smotherson, and Mayor Crow.

**Nays:** None.

**S. ADJOURNMENT**

Mayor Crow thanked everyone for their participation and closed the regular City Council meeting at 7:48 p.m. to go into a Closed Session on the second floor. The Closed Session reconvened in an open session at 8:16 p.m.

LaRette Reese  
City Clerk, MRCC

