

SPECIAL SESSION OF THE CITY COUNCIL
CITY OF UNIVERSITY CITY
CITY HALL, Fifth Floor
6801 Delmar Blvd., University City, Missouri 63130
Monday, March 6, 2023
5:30 p.m.

AGENDA

A. MEETING CALLED TO ORDER

At the Special Session of the City Council of University City held on Monday, March 6, 2023, Mayor Terry Crow called the meeting to order at 5:30 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
Councilmember Jeffrey Hales
Councilmember Bwayne Smotherson

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

C. APPROVAL OF AGENDA

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

D. PROCLAMATIONS (Acknowledgement)

None

E. APPROVAL OF MINUTES

None

F. APPOINTMENTS TO BOARDS AND COMMISSIONS

None

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.

Tom Sullivan, 751 Syracuse, U City, MO

Mr. Sullivan stated he has complained about the lack of street sweeping throughout the City for several years and nothing has been done. It appears as though the number of times this activity occurs is based on how many cars are parked on the street during sweeping times.

And since it is obvious that people are not paying any attention to the signs informing them of no parking on specific days and times, then the next steps should be to put up yard signs or send out email notifications notifying residents. But I guess this might cut into the revenue the City receives from writing tickets which presents a much more lucrative opportunity than finding ways to keep the streets clean. No one seems to care if the streets are swept; that streetlights are not working; that crime continues to flourish; that there are dozens of vacant storefronts in The Loop and throughout the City, or that flooding is likely to return this summer.

He stated all of this is somewhat amusing, especially after hearing the comments made at a recent Council meeting about how well the City responded to last summer's floods, when in fact, the opposite was true. There were numerous stories and newscasts about residents waiting weeks to get their damaged items picked up. City Government seems to be learning from the School District; which is among the worst in the area yet spends a lot of money pretending like everything is going great.

Mr. Sullivan stated the City is spending hundreds of thousands of dollars on an effort that is supposed to get citizens' input about planning for the future. What a charade. Not only were citizens shut out of plans concerning the Costco Development, but they were also blatantly lied to when they were promised that "*Imminent Domain would only be used for the Public Storage facility on Olive*". And Council picking a new member isn't going to be a cliffhanger since this Council resembles the Russian Politburo where everyone thinks the same. So, everybody knows that the person they select will have to be a dependable rubber stamp.

I. COUNCIL COMMENTS

None

J. PUBLIC HEARINGS

None

K. CONSENT AGENDA - (1 voice vote required)

None

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

- 1. CUP 23-02** Application for a Conditional Use Permit (CUP) for a Comprehensive Marijuana Dispensary Facility at 7555 Olive Boulevard.

Mr. Rose stated staff is recommending that Council consider a Conditional Use Permit (CUP) for a Comprehensive Marijuana Dispensary located at 7555 Olive Boulevard.

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

Councilmember Clay stated the only point he would like to make is that irrespective of what happens here, there is a legal proceeding in conjunction with this process, wherein a judicial summons has been issued to this business requiring the Applicant to appear in court.

Voice Vote on Councilmember Smotherson's motion carried unanimously.

Mr. Mulligan stated since Bill 9503 was introduced on February 13th, some changes have been made. Those changes have been redlined and filed with the City Clerk. Therefore, if Council is so inclined, he would recommend that there be a motion to amend Bill 9503 to include all of the redlined changes on file with the City Clerk.

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

- 1. AMENDED Bill No. 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.

Councilmember Hales moved to approve the redlined amendments to Bill 9503, it was seconded by Councilmember Clay, and the motion carried unanimously.

Mr. Mulligan stated the same is true for Bill 9504. Since its introduction on February 13th, some changes were made. Those changes have been redlined and filed with the City Clerk. Therefore, if Council is so inclined, he would recommend that there be a motion to amend this Bill to include all of the redlined changes.

2. AMENDED 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.

Councilmember Smotherson moved to approve the redlined amendments to Bill 9504, it was seconded by Councilmember McMahan, and the motion carried unanimously.

Mayor Crow asked if it was correct that a second and third readings, along with a vote would be conducted at the next meeting? Mr. Mulligan stated that was correct.

N. NEW BUSINESS

Resolutions - (voice vote required)

- 1. Resolution 2023-5** – Preliminary Plan Approval – Adoption of a Resolution to approve the Preliminary Development Plan for Market at Olive Phase III development, Lot 5.

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

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

None

UNFINISHED BUSINESS: Part 2 - (If Resolution 2023-5 is passed and adopted)

Mr. Mulligan stated although Council passed Bill 9506 on February 27th, the Resolution that should have accompanied this type of legislation was inadvertently omitted from the February 27th Agenda. So, to comply with the Zoning Code he has recommended that Council first, offer a motion to reconsider Bill 9506 and if that motion passes it will negate passage that occurred on February 27th. Bill 9506 has already been read for the second and third time, so the next step would be a motion to approve, thus providing the simultaneous passage of the Resolution and Bill as required by the Code.

- 1. 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”).

Councilmember Smotherson moved to reconsider Bill 9506, it was seconded by Councilmember Hales, and the motion carried unanimously.

Councilmember Hales moved to approve Bill 9506, it was seconded by Councilmember Klein.

Roll Call Vote Was:

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

Nays: None.

O. COUNCIL REPORTS/BUSINESS

1. Boards and Commission appointments needed
2. Council liaison reports on Boards and Commissions
3. Boards, Commissions, and Task Force minutes
4. Other Discussions/Business

a) Ward 2 Applicant Interviews - (listed alphabetically; presentation order will be by lottery)

- Dennis Fuller
- Malik Johnson
- Thomas Poelker
- Jerrold Tiers

Mayor Crow noted that Mr. Johnson could not be in attendance tonight due to a family emergency.

He stated tonight, each candidate will be given 15 minutes to make a presentation and thereafter, members of Council will have an opportunity to ask them questions. No vote will be taken this evening. Council will meet again on March 13th and 27th a final decision based on a successful motion, second, and an affirmative vote could occur. Should a candidate be approved, they will serve until the next Municipal Election scheduled to take place in April of 2024. If no candidate is approved, the process moves to a Special Election that will either take place on August 8th or November 7th.

Thomas Poelker

Mr. Poelker stated he is a 4th generation St. Louisan and a 40-year resident of U City. His background consists of a Bachelor's Degree in Political Science; a Master's in Theology; an employee with the Federal Government, and an administrator of a fairly large not-for-profit organization providing services to the poor. In that position, he coordinated a major inner-agency action involving more than 100 agencies within the St. Louis area. And lastly, he was employed as a staff member for a political candidate whose campaign was unsuccessful.

Mr. Poelker stated he believes that he has the appropriate education and experience to speak to many of the issues that come before Council and the City. And he hopes that if he is selected to serve that people would be able to say some of the same things they said about his late uncle, John Poelker, who was an elected civil servant; that he served with the integrity and intellect needed to make notable improvements.

Councilmember Clay thanked Mr. Poelker for his interest and stated one of the unique things about being a member of this Council is that even though you may campaign and advocate as an individual; you must govern as a collective. So, could you talk about or provide an example of your ability to compromise in order to reach a consensus? Mr. Poelker stated one of his hobbies is the theater, and if you can't collaborate you're not going to get a very good show. In this field, there is no room for someone with an ego that places their priorities ahead of producing a show that communicates with its audience. In this case, we have citizens, so your role is not to cater to what they think might be the best option, but to do the best job you can for them under the circumstances and limitations you might be operating under.

He stated his Political Science Degree has equipped him with the knowledge of understanding exactly what Councilmember Clay is talking about; that a member must be able to work with their colleagues to see what is possible, and if necessary, be willing to accept that their position may not represent the views of Council as a whole or be conducive to getting the job done in a manner that is best for the City and its citizens.

Councilmember McMahon asked Mr. Poelker if he would list what his top three priorities are for the City, and more specifically, the 2nd Ward?

Mr. Poelker stated he thinks the City has already set its priorities. Economic development is one where there seems to be a good deal of disagreement on how it should be accomplished. So, you must have the ability to see what is possible and balance all of the varying interests. Another priority seems to be closely related to non-owner-occupied homes. The nature and relationships within a city can be greatly improved when there is owner-occupied housing. So, there is a need to look at ways to improve this situation in terms of the ratio. The final priority; which is somewhat tangential; is the relationship between the City, Council, and School District, addresses his concerns about what happens when cities make decisions that impact their schools. Every improvement must take into account that the quality of a city's schools will impact who comes, who stays, and who participates.

Mr. Poelker stated he is not coming with a planned agenda or a set of objectives, and he does not have any connections to the various factions, rivalries, feuds, or historic disagreements held by the politically active members of this community. His only intent is to bring his intelligence, education, and specific knowledge to assist Council and to apply those skills judiciously, cautiously, and cooperatively.

Councilmember Hales asked Mr. Poelker what he thinks might be the most significant challenge with being an appointed member of Council versus an elected member? Mr. Poelker stated the challenge he has been thinking about all afternoon is the fact that there is so much background and history associated with everything that comes before Council, that there will be a significant learning curve. So, one of the most important things for him will be to get briefings from various stakeholders, study specific projects, and thoroughly understand all of their dynamics. And until he is confident that he has a clear understanding, he may have to abstain from participating in some votes. He stated he believes that this is such an imperative that it may be a determining factor as to whether he would run for office during the next election.

Mr. Poelker stated although it might be some time before he has enough knowledge to make specific decisions or suggestions, he believes that he can bring a high level of skill, abstract knowledge, and the ability to ask the right questions, to help him gain valuable insight.

Councilmember Klein posed the following questions to Mr. Poelker:

Q. For me, transparency is really important. So, I'd like to understand what you think transparency is and what your role on Council should be to ensure that this City's government maintains a policy of transparency?

A. *I think there are two levels of transparency. One level is what happens officially and at public meetings; which he thinks U City does very well. The second; which is not done so well, is partially due to the non-partisan nature of City government. I am very interested in government and politics, but the way I typically find out about things is when they are presented as a definitive decision that has been made. So, I think U City needs to do a better job of sharing information about the development of an initiative with its citizens to assist them in making informed decisions about the issues Council is being asked to resolve. That's the area of transparency I am concerned about.*

Q. If you were selected to be a member of this Council, what do you think you could do to improve that concern?

A. *I suspect there are conversations that happen amongst members of Council, staff, and interested parties, where all of the details don't need to be revealed but should be in the public eye. When residents are given an opportunity to understand how an issue got from Point A to Point B, and who was advocating for a specific concept, it can defuse some of the anger and misrepresentations.*

Here is a petty example. An area for a garden was built before the installation of the traffic circle. And while I happen to like the traffic circle, I took one look at the design and realized what the problem was. I suspect that a lot of good-hearted and enthusiastic people were involved in this design, but I wish I would have had an opportunity to ask whether they had considered turning it 90 degrees because doing so would have created more efficiency and some of the traffic problems we've encountered could have been avoided. The 90-degree turning radius has happened and

access has been blocked to two streets; something that could have been done initially if residents had been allowed to provide input.

So, my role would be to share things that are being discussed with my constituents.

Councilmember Smotherson stated when he ran for Council he knew exactly what the pros and cons were in his Ward. So, as a candidate applying to fill a vacancy, can you be a little more specific on your thoughts and feelings about the 2nd Ward? Mr. Poelker stated the 2nd Ward is a little different than the other two wards partially because of its private subdivisions; which include a 750-home private subdivision that sits right in the middle. As a result, many of the issues that would typically come before Council is rather frustratingly left to this subdivision's Board to resolve. And, except for Delmar, the 2nd Ward is also not as commercial. Consequently, people who live in the 2nd Ward tend to sit there sort of fat and happy, pay their taxes and send their kids to private schools. So, in that sense, they have less of a personal stake in how the City's government functions and that presents a different level of interest and involvement. That's one reason why, as a resident of that 750-home subdivision, it is going to require me to learn a lot more about how this government functions. Therefore, I would suspect, that a great deal of what needs to be done in the 2nd Ward is to better educate residents about problems that exist in the 3rd Ward.

Mayor Crow posed the following questions to Mr. Poelker:

Q. Can you provide some insight into your level of involvement with the municipal government?

A. *Most of my volunteer work has been in religious rather than civic organizations, so I have not served on any of the City's boards or commissions. I have, however, attended some of the commission meetings, provided comments, and worked with the school administration when my daughter was in middle school.*

Q. Whoever takes this seat will represent a large portion of The Loop; which took a pretty big hit when the flooding occurred back in July. So, could I get your thoughts about the impact of the flooding in this area and any issues you believe need to be addressed?

A. *The resources that would provide the most desirable solutions, like eliminating construction in the floodplain, just aren't there. So, this is a very difficult problem that the City will have to find alternatives for like the reasonable step it took to raise the land above the floodplain for the property located at the corner of Olive and Midland. I am also happy to see that the City is working with the Corps of Engineers and MSD to minimize some of these problems. But it's a terribly long-range problem with a short-range impact, so I think we have to work industriously to deal with possible solutions.*

I think some of the vacancies in The Loop are closely related to the City's relationship with Washington University, economic cycles, and the difficulties associated with non-resident landlords. We have a key property across from the City Library that concerns me because it has been vacant for several years. And rumors have it that it has remained in this state because of difficulties working with individual landlords. Whether it's in the 3rd Ward or The Loop, I think the City has a general need to focus on these non-resident landlords by constantly working to persuade them of the need to make progress on these issues.

Mr. Poelker asked if candidates would be asked to attend the meetings planned for March 13th and 27th? Mayor Crow stated while that has not been the case in the past, they would reserve the right to request their attendance if it's needed. Mr. Poelker asked if it would be all right for him to attend those meetings? Mayor Crow informed Mr. Poelker that he is always welcome to attend meetings.

Dennis Fuller

Mr. Fuller stated he is a retired Professor from St. Louis University's Medical School and a veteran who served in the Vietnam War. He stated that he has been a resident of U City for 46 years, so his involvement in the City's Municipal Government goes back several years:

- Served 20 years as a volunteer with U City in Bloom;

- Previously appointed Member of the Traffic Commission;
- Appointed member of the Vision 20/40 Taskforce
- Volunteer for U City's Memorial Day Run

- Served 12 years as a Trustee for the University Park Subdivision, where he remains as an advisor
- Floral Shop owner in The Loop for 7 years

Mr. Fuller stated he is grateful for his association with the members of U City in Bloom who encouraged him to get involved in public service, but his proudest accomplishment is being a train conductor at the St. Louis Zoo.

Councilmember Clay thanked Mr. Fuller for his interest and posed the same question he asked Mr. Poelker about collaboration. Could you talk about or provide an example of your ability to compromise in order to reach a consensus? Mr. Fuller stated his collaborative manner goes back to being raised as a Quaker. Since there was no voting that took place in the church if you disagreed with someone you were taught to think about the good of the order and do what they called "*standing by*". Now that did not mean you would not be allowed to participate because you were always encouraged to share your ideas. It just meant that rather than being a cog in the wheel, you would simply stand by on an issue. So, for the good of the order, is how he approached the need to collaborate as a Trustee, and how he sees his role if he is selected to be a member of Council. While you obviously want to represent your constituency, you also want input from others throughout the City, so it's a constant message.

Councilmember Klein informed Mr. Fuller of her appreciation for his service to this community as well as their subdivision. She then posed the following questions:

Q. What do you think the role of the City's boards and Commissions should be?

A. *I think Council has to depend on its commissions because there is no way they can be knowledgeable in every area that comes before them. Everyone can bring something of value and importance to the table, and one of the great things about being in U City is that you live amongst the experts. And when these experts are appointed to commissions Council has an opportunity to learn from their experience and expertise.*

Q. How do you think their role correlates with the role that Council is being asked to perform?

A. *Being on the Traffic Commission has given me new insight into the necessity of having this type of relationship. I can't count the number of times I have had to step back and ask Mr. Mulligan how an ordinance was applicable to an issue we were discussing.*

Q. Do you think there have been times when Council was not in agreement with a Commission's recommendation, and if so, what should happen in those instances?

A. *While it's been an exciting experience to learn about new developments as a member of the Traffic Commission, there have been times when I've asked, "Why are we doing this"? So, Council has to be clear about what they want commissions to do.*

Councilmember Hales posed the following questions to Mr. Fuller:

Q. What do you see as the greatest challenge coming into this position as an appointee?

A. *I think the greatest challenge would be the ability to bring myself up to speed on all the current issues.*

Q. What do you see as issues for the 2nd Ward and/or City, and what do you think our priorities should be?

A. *I have been intimately involved in the floods, losing good friends that have had to move away, and others whose homes were severely damaged on numerous occasions that were not bought out. These floodwaters literally come down through the heart of the 2nd Ward, so this is a pressing issue that will require better control and management. I am also appalled by the number of vacant buildings in The Loop, which I find to be kind of scary. And finally, schools are another huge issue because if you lose your schools you're going to lose your city.*

Mayor Crow stated several properties in The Loop have been owned by the same folks for years. So, other than code enforcement to make sure the aesthetics of these buildings are maintained, he has been trying to discern whether anyone has an idea about what the next steps should be when

a landlord is unwilling to reduce the rent to attract new businesses.

Mr. Fuller stated, unfortunately, he does not have the magic answer, but perhaps all of these vacancies are a result of our current economy.

Councilmember Hales asked Mr. Fuller for his thoughts on Washington University's plans for expansion and their relationship with the City? Mr. Fuller stated there are a lot of students in his neighborhood who live in housing owned by Wash U where the enforcement of Occupancy Permits has always been a huge issue. The City's eroding tax base is impacting its schools and the level of police and fire protection. The Traffic Commission has had to issue private parking permits to ensure that residents have a place to park in their neighborhoods.

And recently, he's learned that a lot of business owners are selling their businesses to Wash U. He stated that he has always been an advocate for looking at what Brown and Yale have done. And while he is aware that the City has pursued several initiatives to address the need for becoming better partners, these conversations may have to continue for several decades.

Councilmember Klein asked Mr. Fuller for the qualities he would bring to the table that would make him a good member of Council and representative of the 2nd Ward? Mr. Fuller stated he was a resident of U City for 20 years before he even knew what ward he lived in. And since he believes his qualities are those of a good listener and communicator, he would like to use those skills to educate his neighbors and keep them apprised of all the things that are going on in their community.

Jerrold Tiers

Mr. Tiers stated he has lived in U City since 1986 and is a graduate of the bully on the hill, with degrees in electrical engineering and art history. He and his wife have been volunteers for U City in Bloom since 2006, and he's served on the Traffic Commission for several years.

He stated the City has a lot of challenges; the flood has certainly had a big impact; there are financial issues, and its physical location is a problem because it is sandwiched between prosperous areas to the south and the not-so-prosperous areas to the north. As a result, there is a high economic slope from Wards 1 to 3, which is certainly a challenge. Despite that, Mr. Tiers stated he is excited about U City and thinks it can be one of the best communities in the entire county if it continues to stay focused on the right things. He stated he thinks several issues need to be addressed, and he would certainly like to be a part of that process.

Councilmember McMahon posed the following questions to Mr. Tiers:

Q. Would you explain what things you believe need to be addressed?

A. *There is the economic slope. Historically, Ward 3 has not received the attention it should have. And while it's okay if one area is of a different economic level; because it certainly takes a mix of all kinds of people to make a city, those residents should never have to hear, "Well, you moved to the 3rd Ward, what do you expect". That simply is not acceptable. So, I think all three wards should be equally as desirable to live in as the other ones and everyone should know that and feel that way.*

Flooding is a big problem. But unfortunately, agencies with the greatest amount of responsibility for helping the City address these issues have theoretically backed away from that task.

It's been pointed out that one of the primary issues with The Loop is landlords who don't necessarily want to rent their properties. And I don't know that there's anything the City can do to force them to do otherwise. Under its Charter, Wash U is allowed to be tax-exempt, and there's nothing you can do about that. So, while The Loop has lost its relevancy, I think the best thing we can do is to make the rest of the City desirable, and The Loop will follow. That said, I won't deny that the things I have addressed don't have immediate solutions.

Q. You ran for Council in 2018 and 2020; both of which were very competitive races. However, a lot of the things I've heard you discuss today are the same talking points you had in both of those campaigns. So, if your policy positions have not changed, and the

voters have moved on, how can this Council convince the residents of Ward 2 that you're the right man for the job now?

A. *In the middle of my 2020 campaign people who had originally voted for me made me aware of the fact that while they would like to vote for me again, this time they believed that a woman needed to be on Council. So, with all due respect to Councilmember Klein, the polling reports I received seemed to indicate that this robust consideration or movement, is what resulted in that outcome. So, I don't think it had anything to do with my policies. Moreover, when I ran against Tim in 2018, it was virtually a tie. And that would seem to suggest that the things he considered important were equally as important to residents of the 2nd Ward.*

Q. Is it correct that one of the things you came out strongly against was the 1/4 cent sales tax?

A. *That is correct.*

Q. Part of the rationale for your stance was that this process was illegal because the City could not fracture out a contribution for the firefighter's pension fund. However, since the individual who gave you that legal opinion had previously done the same thing, can you tell us what questions you asked to determine whether it was legal or not?

A. *That opinion was provided to me by two attorneys, but there were two reasons why I was opposed to this proposition. The second reason is that it was being presented as an allocated tax when the City already had a 1/2 cent and 1/4 cent tax going to its firefighters. So perhaps, it would have been a better idea to have placed it on the ballot as a general fund tax and not characterized as a permanent solution to a temporary problem. My question was do you really want to have a full 1 percent tax going to fire without including the police?*

Q. It sounds like you just relied on what other people told you, and put it out in the public sphere?

A. *I did ask questions, but I can't recall now what they were.*

Q. You also argued that the City should tap into its reserves. How much did you think it should take out to make up for this unfunded liability?

A. *I simply made that as a suggestion, not as a good idea. At the time, the City had something in the order of 10 to 12 million dollars in its reserves, and what I said was the City has the money to pay it all off. I did not recommend doing that, but I did think it would have been fair to perhaps put 10 percent of it into the fund. Subsequently, I found out that the City has 80 percent funding for its non-uniformed plan and 75 percent funding for its uniformed, and that's really not so bad. The bottom line is that I did not believe the problem justified the discussion that was being presented, and it seems like, in general, residents held that same belief because the proposition got shot down.*

Q. How much do you think that 10 percent would have reduced the pension liability?

A. *At that time, the City had about an 8-million-dollar liability, so it would have been a step in the right direction.*

Q. How long would that have lasted?

A. *Pension liabilities are ongoing, so they're constantly changing. Reducing the pension by 10 percent may not have been practical, but if the City had a lot of money why would it seek to add a permanent tax rather than a general fund tax that could have been allocated towards whatever need the City had?*

Q. I'm confused. You told voters that the City had the money to fund the pension even though you didn't think that was the right way to do it. Is that the kind of transparency you would bring to Council?

A. *That's not what I said. I said that the City had the money if they chose to use it that way. The whole concept of putting a tax on the ballot that would have raised 4 to 5 hundred thousand dollars a year to be parceled out to fire, did not make sense to me at the time. And as a private citizen, I don't think it is out of my purview to have an opinion; even though I am certainly willing to have my opinions be more informed.*

Q. If you're putting those opinions out to the voters with information that is not necessarily as informed as it should be, while at the same time arguing that the City could not put out informational campaigns about the proposal, wouldn't that impact voters? Didn't that create an uphill battle for this City whose only intent was to try and get a dedicated fund to fix a long-term problem because the current mechanism had outlived its usefulness?

A. *If I had that sort of impact on voting, then my power was far beyond what I understood it to be. When I was out campaigning, the one thing I heard loud and clear was, "Don't vote for any new taxes". So, I don't think the results had anything to do with what I said.*

Q. **Weren't you also involved with a campaign effort that you donated money to and worked with to get out signs and information?**

A. *I'm not aware of cooperating with anybody. It was purely my own opinion as an independent citizen and voter.*

Councilmember Clay thanked Mr. Tiers for his interest and asked him how he would fit into this process, and if he had any examples of his ability to compromise to reach a consensus? Mr. Tiers stated he went to work as a senior engineer for a company called St. Louis Music, and one of his duties was to collaborate with the Engineering, Sales, and Production departments to find a common ground for getting every product to the production stage and ensuring its quality. He stated that he enjoyed his job which involved conducting numerous meetings on each product with departments that had competing priorities and does not see a problem extending that same kind of collaboration with his constituents and members of Council.

Councilmember Clay stated as context to the question he posed to all three candidates, collaboration and cooperation are not a blind agreement nor does it always equal a unanimous agreement. There have been times when this body has had disagreements that resulted in a split vote. But at the end of that process, every member must be willing to move past that issue and come together to move the City forward.

Mr. Tiers stated there is nothing to be gained by any sort of conflict, so he would see collaboration as a function of every member of Council.

Councilmember Klein stated she thinks it is important for women to have a role in government and has no problem with Mr. Tiers' belief that it might have been a factor in the election. She then posed the following questions to Mr. Tiers:

Q. **What does transparency mean to you and how would you make that a priority as a member of Council?**

A. *Mr. Tiers stated transparency means that Council's decisions should be known ahead of time so that citizens have an opportunity to provide input. And while the City does a good job of publishing the Agenda and minutes, he does think there are some merits to Mr. Poelker's comments about the need to do a better job of sharing information about the development of an initiative Council is being asked to resolve.*

However, he also believes that citizens elect members of Council because they have confidence in their ability to handle matters in a manner they would approve of, and don't want to participate in every issue.

Mr. Tiers stated with respect to what he would do to make transparency a priority, he would continue the practice he employed during both of his campaigns of making himself available to answer his constituent's questions or address their concerns, either in person, via his web page, or emails.

Q. **I think a part of transparency is making sure that when you provide information to residents that it's accurate and there is a solid reason for the actions you've taken. So how will you approach your comments on social media differently as a member of Council versus being a private citizen?**

A. *You can say pretty much what you want to say as a private citizen. But as a member of Council, you have the responsibility to be circumspect with what you do or don't say. Throughout my career, I've had to sign countless NDAs, so I'm very familiar with the requirement to not disclose information. I think Councilmember McMahon quizzed me pretty thoroughly on this topic, but in those instances, I was free to express my opinion. However, these are two different worlds, so if appointed I would be very careful about anything I posted on social media.*

Councilmember Smotherson thanked all of the candidates for their attendance at tonight's meeting. Having run for election in 2014 where he lost by six votes and again in 2016, Councilmember

Smotherson stated he is empathetic to Mr. Tiers' situation and recognizes the value of his statements regarding his freedoms as a private citizen. However, all of that does make him curious to understand his rationale for why he still has the desire to fill this seat? Mr. Tiers stated it begins with his desire to give back to the community he has spent almost 40 years of his life in. It also has a great deal to do with his desire to impact change on some things he thinks need to be done, for instance; bringing all three wards up to the same level. Obviously, it's a matter of perspective, but it bothers him when people say they don't want to come to U City because it's dangerous. Mr. Tiers stated he wants U City to be a place where people are excited about visiting, patronizing, and living. And he believes that his attitude of concern for others coupled with being a member of Council would help him accomplish those desires.

Councilmember Hales stated he can certainly appreciate Councilmember Klein's and McMahon's comments about the importance of disseminating accurate facts because he spends a lot of time conducting research. One of the things he researched was a comment Mr. Tiers made in 2016 about the 3rd Ward not getting their fair share when it comes to street improvements. And what he found from reviewing the minutes and a Sunshine Request for streets that had been repaired is that almost 80 percent of those repairs were made in the 3rd Ward. Typically, what you see in the world of social media is a lot of throwing things at the wall, and in the cynical environment we live in today, statements like the one made about the 3rd Ward can have a detrimental impact.

Having said that, Mr. Tiers, what are your feelings about the importance of garnering the facts before you voice your opinion, and what process do you go through to verify your information? Mr. Tiers stated as he mentioned earlier, his background is in engineering, and that does not work without facts. As a member of the Traffic Commission, he visits the location in question and discusses the issues with pertinent individuals. During his campaigns, he prepped by reading Council's agendas and packets to learn as much as he could about every event that was going on. So, in his opinion, none of the methods used in these instances are any different than what he would use as a member Council. However, to your point about the streets, I think you're right, the 3rd Ward does have pretty darn good streets. In fact, I'm not sure there are any streets in the 3rd Ward that compare to Jackson, south of Delmar, which is a disaster. The real issue seems to be the continual complaints about abandoned cars, dilapidated properties, and trash.

Mr. Tiers stated whenever he's noticed a problem in the 2nd Ward it gets resolved in a matter of days. But from what he's heard people saying in the 3rd Ward absolutely nothing seems to get resolved. And he thinks there is some fact behind those assertions.

While there are different levels of facts, Mr. Tiers stated he would agree that when you have a social responsibility to present the facts, you need to do just that. As a private citizen, his opinion is his opinion. But, as a member of Council, he realizes that his opinion would carry a different weight. And that type of responsibility is something he would have no problem adhering to.

Councilmember Klein stated in her mind, implications that the 3rd Ward is being treated differently than the other Wards are very serious because she would never knowingly take part in a government that treats any section of its city differently. So perhaps, she may have missed something, but she does not recall either one of her colleagues from the 3rd Ward making any statements about disparities in their Ward. She stated while she is deeply troubled by these accusations, if any of this can be supported with examples and statistics she would do whatever she could to make sure they are addressed.

Councilmember Klein then asked Mr. Tiers what he planned to bring to Council to change some of the issues he's identified? Mr. Tiers stated much of what he's learned came from being a member of a group that was working on housing and equality. And during his involvement, he heard a lot of things about the quality of life in the 3rd Ward, like fights taking place in the middle of the street; people being chased with weapons, and children who had become so accustomed to hearing gunshots that it no longer frightened them.

Maybe it's not a question of being treated differently because he does not believe anyone who has ever served on this Council intended for this to happen, but it did. So, what he would bring to Council is the aspiration to make sure that all parts of the City were attractive, and no one would ever distinguish between the areas you should or should not live in. He would bring a desire to study these inequities to make sure they are understood so that they never happen again.

Mr. Tiers stated he thinks the Vision 20/40 Commission is a great idea. And he certainly does not think the City would have taken the time to develop the RPA-2 project directly aimed at the 3rd Ward without there being a belief that there were problems that needed to be addressed.

Councilmember Smotherson stated just to set the record straight; there are differences in the 3rd Ward. And those differences, like unpaved streets and graveled alleys, played a major role in why he decided to run for Council. So, even though he gets complaints every day, his goal has been to not perpetuate these differences but to remain hopeful that someday there won't be a need to address them.

Mayor Crow thanked all of the candidates for their participation at tonight's meeting.

P. CITIZEN PARTICIPATION (continued if needed)

Q. COUNCIL COMMENTS

Councilmember Hales stated he would like to offer his appreciation to Mr. Girdler, his assistant, and Mr. Dunkle, for the extraordinary lengths they went through to advocate for the residents who expressed concerns about a land disturbance behind properties on Northmoor, generated by the City of Clayton. And as a result of their diligence, he is confident that this matter will be resolved satisfactorily.

Councilmember McMahan stated he would like to thank the candidates again, for their effort and ability to openly discuss their points of view. He stated in his personal opinion, this process is not about deciding which of the three candidates is better than the other, because that's something for the voters to decide. Therefore, his standards will be premised on finding someone who can pick up where Tim left off, has the same kind of temperament, depth of knowledge, and is willing to focus on the issues that were of importance to him. Councilmember McMahan stated he is looking for someone he believes will be the right person for the job.

Councilmember Hales moved to adjourn the Special Meeting of Council, it was seconded by Councilmember Klein, and the motion carried unanimously.

R. ADJOURNMENT

Mayor Crow thanked everyone for their participation and adjourned the meeting at 7:20 p.m.

Respectfully Submitted,

LaRette Reese
City Clerk, MRCC