

MEETING OF THE CITY COUNCIL
CITY OF UNIVERSITY CITY
CITY HALL, Fifth Floor
6801 Delmar Blvd., University City, Missouri
63130
Monday, September 11, 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, September 11, 2023, Mayor Terry Crow, called the meeting to order at 6:30 p.m.

Mayor Crow stated that Ms. Kena Dean is filling in as Acting City Clerk in the absence of Ms. Reese

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 Dennis Fuller
Councilmember Bwayne Smotherson

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

Mayor Crow stated it has been 22 years since more than 3,000 people died on this day in a vicious terrorist attack. So, on behalf of his colleagues, this administration, and the residents of U City, he would like to send condolences out to the families of those who perished on 9/11, and those who have since succumbed to their injuries. The profound hope is that this country will never experience this kind of attack again. He stated that he would also like to express his deepest sympathies to the families of the three young men who died this past week in a car accident on Groby Road.

C. APPROVAL OF THE AGENDA

Hearing no amendments, Mr. Hales moved to approve the Agenda as presented, it was seconded by Mr. Clay, and the motion carried unanimously.

D. PROCLAMATIONS - (Acknowledgement)

None

E. APPROVAL OF MINUTES

1. August 14, 2023, Study Session – Pension Plans Update was moved by Mr. Clay, it was seconded by Mr. Fuller, and the motion carried unanimously, with the exception of Mr. McMahon, Mr. Clay, and Ms. Klein.
2. August 14, 2023, Regular Meeting Minutes were moved by Mr. McMahon, it was seconded by Mr. Hales, and the motion carried unanimously, with the exception of Mr. Clay.

F. APPOINTMENTS TO BOARDS AND COMMISSIONS

1. Mathew Emden is nominated for reappointment to the Green Practices Commission by Councilmember Stacy Clay, it was seconded by Mr. Smotherson and the motion carried unanimously.

2. Cynthia Zirwes is nominated for reappointment to the Library Board by Councilmember Stacy Clay, it was seconded by Mr. Hales and the motion carried unanimously.
3. Chris Cholley is nominated to the Park Commission as a fill-in by Councilmember Stacy Clay, it was seconded by Ms. Klein and the motion carried unanimously.
4. Roberta Stewart is nominated to the Senior Commission as a fill-in by Councilmember Stacy Clay. *(Nomination withdrawn)*
5. Jane Zeni is nominated to the Urban Forestry Commission as fill-in by Councilmember Stacy Clay, it was seconded by Mr. McMahon and the motion carried unanimously.
6. Suzanne Schoomer is nominated to the Green Practices Commission as a fill-in by Councilmember Stacy Clay, it was seconded by Mr. Fuller and the motion carried unanimously.
7. Susan Armstrong is nominated for appointment to the Stormwater Commission as a fill-in by Councilmember Bwayne Smotherson, it was seconded by Mr. Hales and the motion carried unanimously.

G. SWEARING IN TO BOARDS AND COMMISSIONS

1. Christopher McManis was sworn into the Traffic Commission on August 25, 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, 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 that 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.

James Hoskins, 8026 Amherst Avenue, U City, MO

Mr. Hoskins stated he has lived in U City since 1969, taught tennis at the high school for over 20 years, and until recently, has never had a problem with securing a tennis court. Most municipalities have established a charge for the use of their courts, which has resulted in the teaching pros and Pickleball users flocking to Heman Park making it almost impossible to get a court on Saturdays and Sundays. He stated back in '69 you had to pay for a daily or yearly pass to use U City's tennis courts, so maybe that practice should be reinstated. But since no one is adhering to the signs that have been posted, some type of monitoring system is needed to ensure that everyone gets an opportunity to play.

Yvette Liebesman, 7570 Cornell Avenue, U City, MO

Professor Liebesman stated after watching NAVIGATE's presentation on the Annex and Trinity renovations she has some serious concerns about the direction of this project.

She stated in her opinion, that even if the City had unlimited funds to spend on this building they would never be able to adequately address best practices associated with parking, the Sally Port, the single access points on the 5th floor, and the accessibility needs of residents. And the proposed reductions to meet the City's initial budget leave you with some unacceptable choices. If you eliminate the One-Stop-Shop, you'll be forgoing one of the major functions of this renovation which is to better serve U City residents. If you retain the Shop, you'll lose the second accessible entrance. And if you don't renovate Trinity the City won't be in compliance with the decree enforced on Ferguson. Furthermore, since NAVIGATE was led to believe that the Shop was a wish and not a necessity, there seems to be a serious disconnect between what Council finds important and what is being conveyed to NAVIGATE.

Councilmembers Hales and Clay believe the Shop is needed to truly serve residents. Councilmember McMahon believes there is a need to move the police out of the trailers without delay. Yet, the plan conveyed on April 22nd proposes a lower quality of materials for cells, moving the evidence room, and no changes to the unsafe Sally Port. And no one knows what the contractors are going to find when they open up the walls that may require additional cuts to remain within the allotted budget. So, there appears to be no way to renovate these buildings and satisfy what is fully needed from a government center that effectively serves its citizens.

Professor Liebesman urged the City to lose its emotional attachment to these beautiful buildings and focus on what would be the best use of these funds to give citizens everything they need in a government center. Because in her opinion, the fact that this building is located near the eastern edge of the City sends a message that The Loop holds a greater significance than the rest of the City; and that is not a good perception. She suggested that the City seriously consider asking NAVIGATE to provide them with a proposal for a newly constructed government center located closer to the center of the City. Professor Liebesman stated there is a potential location at 77 Olive, that based on the cost of Olivette's Center; \$14 million, would provide enough room for a state-of-the-art two-story, 37,000 square foot facility that could house admin offices, chambers, the police/fire departments, meet all of the City's needs, and give a strong perception of caring about the entire community. And even if the cost is \$18 million that would be \$16 million under budget from what is being proposed for this renovation. A portion of that surplus could be invested in City Hall; turning the 1st floor into an attractive space for receptions or other creative uses, and another portion could be used to install a police substation in The Loop.

Bonnie Tesson, 7212 Shaftesbury, U City MO

Ms. Tesson stated she has lived in U City for 42 years and has been a member of the Heman Park pool for 41 years. And while everyone appreciates the renovations that were made after the flood, and enjoyed the pool being open during this last session, it is a gem that was extremely under-utilized. She stated she realizes that the pandemic and flood had an extreme impact on the pool, which was beyond the City's control, but the hours of 12 p.m. to 6 p.m. were very limiting, prohibiting individuals who work during the day from accessing it in the evenings, and seniors from taking their traditional early morning swim. There was also no programming, like exercise or swim classes, summer camp, movie nights, teen nights, or the puppy pool party. As a result, some residents have gone to other communities that meet their needs and the Heman Park pool is losing members.

Ms. Tesson stated she was told that the limited hours were based on the unavailability of lifeguards. But the British Swim School is providing classes for Richmond Heights, and Midwest Pool Service; which provides the City's guards, also provides guards for Clayton, which is open until 8 p.m. every night. So, you don't necessarily have to hire more people to restart these services because these jobs can be contracted out. She stated U City residents should have the same amenities that all of their surrounding neighbors have. And thinks maybe a focus group or committee would be helpful in orchestrating a proactive movement over the winter and spring seasons to return the pool to being fully functional when it reopens again in May.

I. COUNCIL COMMENTS

J. PUBLIC HEARINGS

1. CDBG Applications (FY2024)

Mayor Crow opened the Public Hearing at 6:50 p.m., and after acknowledging that there were no written or oral comments the hearing was closed at 6:50 p.m.

K. CONSENT AGENDA - (1 voice vote required)

- 1. CDBG Application (FY2024) Approvals**
- 2. LSB D Reimbursement – 4/20 Event**
- 3. Grounds Maintenance Services Extension - Turf & Athletic Fields**
- 4. Grounds Maintenance Services Extension – Landscape BMP**

5. Grounds Maintenance Services Extension – Parks Mowing
6. Grounds Maintenance Services Extension – ROW Mowing
7. Splash Sprayground Agreement – Heman Park
8. Navigate Agreement; FEMA - Centennial Commons and Central Garage Facilities

Mr. McMahon moved to approve Items 1 through 8 of the Consent Agenda, it was seconded by Mr. Hales, and the motion carried unanimously.

L. CITY MANAGER’S REPORT - (Voice vote on each item as needed)

None

M. UNFINISHED BUSINESS - (Roll Call vote required for 2nd and 3rd readings)

None

N. NEW BUSINESS

Resolutions - (Voice vote required)

None

Bills - (No vote required for introduction and 1st reading)

Introduced by Councilmember McMahon

1. **BILL 9525** – AN ORDINANCE AMENDING SECTION 130.580 OF THE MUNICIPAL CODE OF THE CITY OF UNIVERSITY CITY, MISSOURI, RELATING TO NON-UNIFORMED EMPLOYEES' RETIREMENT SYSTEM BENEFIT ADJUSTMENTS, BY INCREASING MONTHLY BENEFITS TO RETIREES AND THEIR BENEFICIARIES OTHER THAN CHILDREN BY TWO PERCENT. Bill Number 9525 was read for the first time.

Introduced by Councilmember Hales

2. **BILL 9526** – AN ORDINANCE AMENDING SECTIONS 130.590 AND 130.600 OF THE MUNICIPAL CODE OF THE CITY OF UNIVERSITY CITY, MISSOURI, RELATING TO NON-UNIFORMED EMPLOYEES' RETIREMENT SYSTEM BENEFITS ON TERMINATION OTHER THAN RETIREMENT OR DEATH, AND VESTING OF BENEFITS, RESPECTIVELY, BY DECREASING THE NUMBER OF YEARS OF SERVICE FOR VESTING OF BENEFITS FROM TEN YEARS TO FIVE YEARS. Bill Number 9526 was read for the first time.

Introduced by Councilmember Fuller

3. **BILL 9527** – AN ORDINANCE AMENDING SECTION 230.110 OF THE MUNICIPAL CODE OF THE CITY OF UNIVERSITY CITY, MISSOURI, RELATING TO SOLID WASTE COLLECTION FEES AND BILLING, BY INCREASING REFUSE COLLECTION RATES ON ALL UNITS EXCEPT SINGLE-FAMILY UNITS. Bill Number 9527 was read for the first time.

O. COUNCIL REPORTS/BUSINESS

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

Mr. Smotherson reported that there are two more concerts left in the Arts & Letters' Starlight Concert Series on September 17th and 24th.

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

P. CITIZEN PARTICIPATION - (continued if needed)

Jen Jensen, 706 Pennsylvania, U City, MO

Ms. Jensen thanked the City for restoring the pool after the flood. She then expressed her concurrence with Ms. Tesson's comments and noted some additional concerns documented in a report she provided to Council, which included 80 signatures supporting the following requests:

- That the City reinstates its swim and water safety programs that provide life-saving skills for adults, teens, and babies; which she has taught for 10 years;
- The City reinstates its exercise classes and early morning swims;
- That the City extend the pool's hours of operation, and
- The City reinstates its swim classes at the Natatorium

Ms. Jensen stated U City has a long history of providing swimming classes for its residents that she would passionately plead to be restored. And since she does not recall seeing any member of Council at the pool, she thinks that support would add a boost of enthusiasm to the residents who have faithfully supported this facility.

Steve Glickert, 7750 Blackberry, U City, MO

Mr. Glickert stated while he would agree that the hours of operation for the pool should be extended, he is here tonight to revisit the City's zoning problems, which seem to be intensifying. The seventy-three (73) vehicle violations all located in a six-block area and depicted in the photos sent to this administration today; demonstrate the City's failure to address these problems.

He stated for five years Mr. Rose has espoused a multitude of excuses for why nothing has been done. And Mr. Smotherson, who took an oath to uphold the City's Charter and Ordinances; where have you been? After being notified about specific issues; per your request, it took over a month to have the truck on Plymouth removed. The truck on Becker and Olive sat there so long that it left a permanent stain on the pavement. The commercial and unlicensed vehicles that two residents on Appleton have been complaining about for six months are still there. The unlicensed Jeep that a resident on Mt. Olive said has been sitting on her street for two years is still there. The trash in the 6700 block of Bartmer reported to you by Mr. Sullivan several weeks ago is still there. You've done nothing about the School District's suggestion to replace Ferguson School because of poor lighting, or the tall grass around the entire perimeter of Pershing School. And you were absent when the residents on Kingdel needed you to enforce an ordinance that you approved regarding construction traffic in their neighborhood. But I guess you're more interested in cleaning up the alleys with Operation Clear Path; a PR promotion that lasted two weeks, and getting your 3rd Ward T-shirt, than performing the duties people in U City voted you into office to perform. Perhaps, they should put a picture of these derelict vehicles on the back of that T-shirt because that would really illustrate what you've done.

Vera Carter-Smith, 8505 Elmore, U City, MO

Ms. Carter-Smith stated she has been a resident of the 3rd Ward since 1953 and has grave concerns about her neighborhood's environment. She stated she has seen underwear hanging from clotheslines in front yards, houses painted with purple paint, and now this disease has spread to her neighborhood. Landlords only interested in generating income, that fails to screen occupants because they could care less about who they put in these houses or what they're doing. And on August 29th, her neighbor at 8501 Elmore; who is also a renter, installed 8-foot poles around his backyard, hung a tarp up, and appears to be running some kind of business out of his house.

Ms. Carter-Smith stated she has sent at least ten emails about these activities to various City departments. So, what are residents supposed to do? She stated when she moved in she received information on the guidelines and ordinances related to residential property, but it appears as though this practice has either been discontinued or ignored. She stated she is a senior who wants to remain in her home and hopes that the TIF resources set aside for the 3rd Ward will be instrumental in helping her accomplish that goal.

Q. COUNCIL COMMENTS

Mr. Smotherson stated he missed the meeting on August 22nd, and after hearing Mr. Sweeney's suggestion to remove the Trinity Building from this renovation project, he responded by asking him several questions that he would like to put on the record.

Q. Why do you think removing Trinity would result in cost-savings to the City?

A. *The value of the Trinity Building remodel was bid at \$7,684,660, and there is another \$2 million plus of site work associated with parking for the Courts. This was deemed to be an option to get the project back to the \$24 million with limited impact on the current Annex design. It would, however, remove the Court program from the project.*

Q. Can you verify the final cost of the Olivette Government Center, which is a two-story, 36,980-square-foot building on a 3-acre site? The building houses the City's administration office, Council chambers, police, and fire departments. The structure is a combination of steel and masonry. The exterior skin is comprised of cast stone, brick, EIFS exterior storefront, curtain wall, and architectural sheet metal. The site has many MSD BMPs integrated into it, including a bio-retention basin, a downstream defender unit as part of the site, utilities, and pervious pavers in the parking areas.

A. *Olivette had a total program budget of \$13 million. (He also provided comparable numbers about the 2024 inflated rate.)*

Mr. Smotherson stated he certainly does not have all of the answers, but what he does know is that Council desires to use this \$24 million to achieve the best that it can for the Police Department, City, and City government. And he thinks that in order to move forward, it will be critical to get the numbers for new construction so that it can be compared to the cost of this renovation.

Mayor Crow thanked Ms. Dean for filling in as the Acting City Clerk this evening.

He stated that he would like to join Councilmembers McMahon and Fuller in thanking everyone for their participation in the Bike Tour on Sunday, in celebration of 100 years of parks. Special thanks go out to the organizers, Mark Winer, Mike Kimzey, and Judy Prange, as well as the Police Department for their efforts to keep everyone safe.

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.

Mr. Fuller moved to close the Regular Session and go into a Closed Session, it was seconded by Mr. Hales.

Roll Call Vote Was:

Ayes: Mr. Hales, Mr. Fuller, Mr. Smotherson, Mr. Clay, Ms. Klein, Mr. McMahon, and Mayor Crow.

Nays: None.

S. ADJOURNMENT

Mayor Crow thanked everyone for their participation and closed the Regular Session at 7:17 p.m. to go into a Closed Session on the second floor. The Closed Session reconvened in an open session at 7:59 p.m.

LaRette Reese, MRCC
City Clerk