

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

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

**C. APPROVAL OF AGENDA**

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

**D. PROCLAMATIONS - (Acknowledgement)**

None

**E. APPROVAL OF MINUTES**

1. October 23, 2023, Meeting Minutes were moved by Councilmember Klein, it was seconded by Councilmember McMahon, and the motion carried unanimously.

**F. APPOINTMENTS TO BOARDS AND COMMISSIONS**

1. Charles Gascon is nominated for reappointment to the Plan Commission by Councilmember Jeff Hales, it was seconded by Councilmember Smotherson, and the motion carried unanimously.
2. Al Fleischer is nominated for reappointment to the Plan Commission by Councilmember Jeff Hales, it was seconded by Councilmember McMahon, and the motion carried unanimously.
3. Larry Williams is nominated for appointment as a fill-in to the Arts and Letters Commission by Mayor Terry Crow, it was seconded by Councilmember Smotherson, and the motion carried unanimously.
4. Maximilian Sassouni is nominated for appointment as a fill-in to the LSBSD by Mayor Terry Crow, it was seconded by Councilmember Hales, and the motion carried unanimously.
5. Bobette Patton is nominated for reappointment to the EDRST Board by Mayor Terry Crow, it was seconded by Councilmember Smotherson, and the motion carried unanimously.
6. Cynthia Martin is nominated for reappointment to the EDRST Board by Mayor Terry Crow, it was seconded by Councilmember Fuller, and the motion carried unanimously.

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

1. Charlene Temple was sworn into the Arts and Letters Commission on November 9, 2023, in the Clerk's office.
2. Nicole Baumgarten was sworn into the Green Practices Commission on November 6, 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 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.

**William Boyd, 1461 Forest Green Court, U City, MO**

Mr. Boyd stated he submitted a prepared statement to Council with the hope that the persistent problems associated with his neighbor parking campers and trailers in his driveway could finally be resolved to everyone's satisfaction.

Mayor Crow thanked Mr. Boyd for his appearance tonight and for taking the time to write such a detailed statement. He noted that the City Manager and his staff will be working to assist him in resolving this issue.

**I. COUNCIL COMMENTS**

Councilmember Smotherson stated he would like to emphasize that this problem has been ongoing since September 14, 2017, when he first reported it to staff. Thereafter, he reported it on December 8, 2020, March 7, 2022, September 29, 2022, and July 14, 2023. So, he is well aware of the difficulties this has created for the residents of Forest Green Court and is glad to know that it is finally being addressed. Councilmember Smotherson stated he would also like to inform Mr. Boyd that another topic related to this issue will be addressed at Council's November 27th meeting.

**J. PUBLIC HEARINGS**

None

**K. CONSENT AGENDA - (1 voice vote required)**

1. Contract Approval for Right-of-Way Acquisition Consulting Services (Temporary and Permanent Construction Easements) Canton Phase II-STP-5402(619)
2. EDRST Funding – FY24 Farmers Market and U City in Bloom
3. Façade Improvement Policy Changes
4. Events Policy Change

Councilmember McMahon moved to approve Items 1 through 4 of the Consent Agenda, it was seconded by Councilmember Klein and the motion carried unanimously.

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

**1. First (1st) Quarter Financial Report - September 30, 2023**

Mr. Rose stated Council is being asked to receive the First Quarter Financial Report from Finance Director, Keith Cole.

Mr. Cole stated his presentation will consist of an overview of the major funds as of September 30, 2023, for the First Quarter of Fiscal Year 2024.

**General Fund - Revenues**

• Adjusted Budget	\$25,655,485
• YTD Actual	\$2,926,700
• Actual as % of Adjusted Budget	11.4%
• Increase/(Decrease) compared to same quarter of FY2023	\$(56,049)

**Key Points:**

- Increase in Sales & Use Tax Revenue of roughly \$93,600, or 13.4%. This increase is largely due to an increase in Local Use, St. Louis County, and Fire Sales taxes.
- Increase in Gross Receipts Tax of roughly \$45,700, or 4.5%. This increase is due to when revenue from the Water Tax is received; Previous 1st Qtr payment received for 1 month; Current 1st Qtr payment received for 2 months.
- Increase in service charges of roughly \$190,700, or 150.58%. This increase is mainly the result of collecting \$190,000 from Ambulance Services.
- Increase in Interest Revenue of roughly \$32,800, or 931.08%. Increase due to favorable market conditions in the 1st Quarter.
- Increase in Other Revenue of roughly \$26,000, or 190.7%. This increase is due to the receipt of funds from the Opioid Settlement and Credit Card Fees.
- Decrease in Grants of roughly \$360,000, or (100.0%). Decrease due to the closure of the Safer Grant in FY23.
- Decrease in Inspection Fees and permits of roughly \$80,200, or (27.1%); decrease in Building and Zoning Permits

❖ **Note: The bulk of the City's revenue from property taxes will be received during December 2023 and January 2024.**

**Overall**, revenue as a percent of the budget shows a slight increase of 0.9% when compared to the same quarter of FY23.

**General Fund - Expenditures**

• Adjusted Budget	\$29,023,129
• YTD Actual	\$6,877,990
• Actual as % of Adjusted Budget	23.7%
• Increase/(Decrease) compared to same quarter of FY2023	\$(500,093)

**Key Points:**

- Decrease in Public Works and Parks & Recreation Capital Outlay expenditures of roughly \$1,249,070. Mainly due to the emergency purchase of vehicles and equipment related to the flood that occurred in the 1st Quarter of FY2023.
- Increase in Parks & Recreation expenditures of roughly \$453,000, or 72.9% compared to the same quarter of FY23. Mainly due to the contract with Midwest Pool Mgmt, electricity for Aquatics, part-time salaries, and electricity for Centennial Commons.

**Overall**, expenditures as a percent of the budget increased by 1.0% when compared to the same quarter of FY2023.

### **Capital Improvement Sales Tax - Revenues**

• Adjusted Budget	\$2,801,200
• YTD Actual	\$257,628
• Actual as % of Adjusted Budget	9.2%
• <b>Increase</b> /(Decrease) compared to same quarter of FY2023	\$11,038

#### **Key Points:**

- Sales Tax revenue increased roughly 4.5% during the 1st Quarter of FY2024, compared to the same quarter of FY23.
- ❖ **Note: revenue is generated from pooled sales tax from other cities in the county and is based on per capita.**

### **Capital Improvement Sales Tax - Expenditures**

• Adjusted Budget	\$1,790,337
• YTD Actual	\$151,688
• Actual as % of Adjusted Budget	8.5%
• <b>Increase</b> /(Decrease) compared to same quarter of FY2023	\$89,444

#### **Key Points:**

- Increase in expenditures related to the allocation of revenue for four (4) positions in Public Works during the First Quarter of FY23, and payments for capital outlay.

### **Park and Stormwater Sales Tax - Revenues**

• Adjusted Budget	\$2,001,000
• YTD Actual	\$153,033
• Actual as % of Adjusted Budget	7.6%
• <b>Increase</b> /(Decrease) compared to same quarter of FY2023	\$26,492

#### **Key Points:**

- Sales Tax revenue for the first quarter of FY2024 shows an increase of roughly 20.9% when compared to the same quarter of FY2023.
- Of the \$153,033 in sales tax revenue, roughly \$65,400, or 42.7%, was generated from the TIF.
- ❖ **Note: sales tax revenue is based on point-of-sale**

### **Park and Stormwater Sales Tax - Expenditures**

• Adjusted Budget	\$1,561,240
• YTD Actual	\$109,811
• Actual as % of Adjusted Budget	7.0%
• <b>Increase</b> /(Decrease) compared to same quarter of FY2023	\$64,964

#### **Key Points:**

- Increase in expenditures mainly due to the allocation of three (3) positions in Public Works during the First Quarter of FY23, and the removal of trees by outside contractors.

**Public Safety Sales Tax - Revenues**

- Adjusted Budget \$2,291,000
- YTD Actual \$212,434
- Actual as % of Adjusted Budget 9.3%
- **Increase**/(Decrease) compared to same quarter of FY2023 \$8,207

**Key Points:**

- There was a slight increase of roughly 4.0%; revenues appear to be within reason when compared to 1st quarter of FY2023.

**Public Safety Sales Tax - Expenditures**

- Adjusted Budget \$575,951
- YTD Actual \$164,097
- Actual as % of Adjusted Budget 28.5%
- **Increase**/(Decrease) compared to same quarter of FY2023 \$5,579

**Key Points:**

- There was a slight increase of roughly 3.5%; expenditures appear to be within reason when compared to 1st quarter of FY2023.

Councilmember Smotherson asked if he could get a detailed explanation of the expenditures associated with the Park and Stormwater Sales Tax? Mr. Cole stated he would have to do a deep dive into the fund to provide a detailed explanation of the expenditures.

Mr. Rose stated it is required that the Park and Stormwater Sales Tax be used solely on parks, stormwater, or both.

Mayor Crow asked if the \$65,400 generated from the TIF was above or below the City's projection? Mr. Cole stated that he did not have the projection available at this time, but the \$65,400 only represents what has been received for this quarter.

Mr. Rose stated he is working with Mr. Cole and the City Attorney to prepare a report highlighting revenue received from the TIF so that the exact amount will be clear to everyone.

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

- 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 second and third time.

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

Roll Call Vote Was:

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

**Nays:** None.

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 second and third time.

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

Roll Call Vote Was:

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

**Nays:** None.

3. **BILL 9531**—AN ORDINANCE FIXING THE COMPENSATION TO BE PAID TO CITY OFFICIALS AND EMPLOYEES AS ENUMERATED HEREIN FROM AND AFTER NOVEMBER 13, 2023, AND REPEALING ORDINANCE NO. 7337. Bill Number 9531 was read for the second and third time.

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

Roll Call Vote Was:

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

**Nays:** None.

## **N. NEW BUSINESS**

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

#### **Resolutions**

None

### ***Bills - (No vote required on introduction and 1<sup>st</sup> reading)***

None

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

1. Boards and Commission appointments needed
2. Council liaison reports on Boards and Commissions  
Councilmember Smotherson announced that the reception for the Returning Artist Series will be held at the high school library this Friday at 7 p.m.
3. Boards, Commissions, and Task Force minutes
4. Other Discussions/Business

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

## **Q. COUNCIL COMMENTS**

Councilmember Fuller thanked the Parks Division for hosting the 100 Years of Parks celebration. Complements go out to everyone who participated in the rededication of the Veteran's Memorial Monument for a job well done.

Mayor Crow stated he would also like to commend the Parks Commission for hosting this celebration, along with a special thanks to all of the City's veterans. Coverage of the rededication can be found on Channel 5.

The Police Department will be a drop-off point for Toys 4 Tots. Donations can be made through December the 15th

**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 Smotherson moved to close the Regular Session and go into a Closed Session, it was seconded by Councilmember Hales.

Roll Call Vote Was:

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

**Nays:** None.

**S. ADJOURNMENT**

Mayor Crow thanked everyone for their participation and closed the Regular Session at 6:59 p.m. to go into a Closed Session on the second floor. The Closed Session reconvened in an open session at 7:16 p.m.

LaRette Reese  
City Clerk, MRCC

William M. Boyd

**SALIENT ELEMENTS OF MY COMPLAINT REGARDING CAMPERS/TRAILERS BEING  
PARKED IN MY NEIGHBOR'S DRIVEWAY**

- The high-profile object obstructs the view to the north and east end of our cul-de-sac. Its frequent presence tends to contribute to the debasement of the other homes and creates an element of needless danger to the residents. Further, it significantly reduces the effectiveness of our security cameras.
- Holes are sometimes made in the north end of a fence on the Canton side which allows nefarious individuals to take shortcuts through Forest Green Court to Partridge heading southward. These persons have been seen checking vehicle doors hoping to find some unlocked. My wife's vehicle was broken into and items were stolen. The new young family at 1425 Forest Green Court had their car broken into and damaged by intruders.
- My neighbor at 1409 Forest Green Court attempted to detain a would-be thief by talking to him until the police arrived. When the malefactor saw the police approaching, he escaped through the northeast end of our street. This view, as mentioned previously, is frequently obstructed by the eyesore of a camper parked in the driveway.
- The Folgeron's father-in-law, repeatedly, has parked his trailer/camper in the driveway. He does not even live in the house next door! Why doesn't he use his own driveway? Why should he be allowed to expose our property to would be vandals?
- If it is a violation of the city ordinance to park a trailer/camper in the driveway, why isn't the ordinance enforced uniformly and fairly? When persons of color attempted to park their boat and trailer in that very same driveway, they were forced to remove them. Help me understand why the current homeowners are allowed to flaunt and disregard the established rules.

I have expressed concerns about this persistent problem a number of times, but all to no avail. Sgt. Reginald Hope was the most recent person that was kind enough to listen to me.

*William M. Boyd*

William M. Boyd

November 13, 2023



CANALS  
POVER

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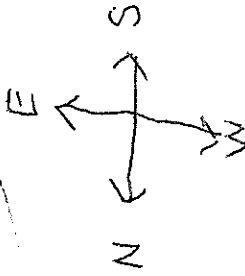
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FOREST GREEN COURT

PARTRIDGE

NIXON

OPENING IN FENCE

CANTON

