

MEETING OF THE CITY COUNCIL
CITY OF UNIVERSITY CITY
CITY HALL, Fifth Floor
6801 Delmar Blvd., University City, Missouri 63130
Monday, August 14, 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, August 14, 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; *(excused)*
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.; Director of Planning and Development, John Wagner; Director of Parks Recreation and Forestry, Darren Dunkle; Deputy City Manager, Brooke Smith; Communication Manager, Mary Goodman; Scott Hunt, Managing Partner at DSH Holdings, LLC, and Jan Oberkramer, Executive Director of the Green Center.

C. APPROVAL OF AGENDA

Hearing no amendments, Councilmember Hales moved to approve the Agenda as presented. It was seconded by Councilmember Fuller and the motion carried unanimously.

D. PROCLAMATIONS - (Acknowledgement)

None

E. APPROVAL OF MINUTES

1. June 20, 2023, Study Session – FY Annual Budget and CIP was moved by Councilmember Smotherson, it was seconded by Councilmember McMahon, and the motion carried unanimously.
2. June 26, 2023, Regular Meeting Minutes was moved by Councilmember Smotherson, it was seconded by Councilmember Fuller, and the motion carried unanimously.
3. July 10, 2023, Study Session – Comprehensive Plan Update was moved by Councilmember Hales, it was seconded by Councilmember McMahon, and the motion carried unanimously.
4. July 10, 2023, Regular Meeting Minutes was moved by Councilmember Fuller, it was seconded by Councilmember Smotherson, and the motion carried unanimously.

F. APPOINTMENTS TO BOARDS AND COMMISSIONS

1. Tentative: Robert Levy is nominated for appointment to CALOP as a fill-in by Councilmember Steve McMahan, it was seconded by Councilmember Hales.

Councilmember Smotherson stated as the Liaison to this Commission he was curious to know whether CALOP was still active? He stated he recollects that their funds were donated to the Arts & Letters Commission. Mr. Rose stated to his knowledge it is still an active Commission, however, he would be happy to look into the matter. He stated his understanding is that it would require an action by Council before it could be deemed inactive.

Voice vote on Councilmember McMahon's motion carried unanimously.

2. Christopher McManis is nominated for appointment to the Traffic Commission as a fill-in by Councilmember Dennis Fuller, it was seconded by Councilmember McMahon, and the motion carried unanimously.
3. Mark Holly, Eric Stein, Garry Aronberg, Bob Criss, Eric Karch, and Todd Thompson are nominated for reappointment to the Commission on Storm Water Issues by Councilmember Dennis Fuller, it was seconded by Councilmember Hales, and the motion carried unanimously.

G. SWEARING IN TO BOARDS AND COMMISSIONS

None

Mr. Rose stated there are several residents in attendance regarding Avenir, so he would ask the Director of Planning and Development to provide a brief update on the progress his department has made regarding this development.

Dr. Wagner stated over the past several days he and Mark Zaiontz, the City's Senior Building Inspector, met with Mr. Mulligan, Steve Bower of Holland Construction, Charley Deutsch, and Gerry Greiman, to talk about problems associated with the traffic going in and out of Kingdell. He stated a copy of this amendment to the Building Permit has been presented to Council, which states that;

- A new gate will be built off Delmar close to Kingdell Drive;
- All trucks 53 feet or less, carrying materials and supplies are to utilize the Delmar gate;
- All other traffic shall continue to utilize the Kingdell gate;
- A flagman shall be assigned to direct traffic, and
- Avenir shall apply for a Right-of-Way Permit from the Public Works Department

Dr. Wagner stated any variances to this amendment must be approved by him, and any penalties assessed for not adhering to this amendment shall not be limited to a Stop Work Order. The construction phase of this project is scheduled to be concluded by the end of November, at which time the Developer will be required to repair Kingdell Drive as directed by the Department of Public Works Department.

Dr. Wanger confirmed that staff would communicate this information directly to the construction company.

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.

William Ash, 8690 West Kingsbury, U City, MO

Mr. Ash stated while he is happy to see there have been some efforts made to resolve the traffic issues on Kingdell, Ordinance No. 7178 states that all construction traffic, parking, and access points shall be restricted on Kingdell and neighboring streets. And the consequences of the City's failure to enforce this ordinance are six incidents where near misses occurred between workers and residents traveling in their cars, and one serious accident last Friday that sent a resident to the ER. He stated he is especially concerned about this lack of oversight since he presented his concerns at the last meeting, and rather than the restrictions being implemented immediately; it has taken a month to reach a resolution that contains no access restrictions whatsoever. Mr. Ash noted that no one from his neighborhood was invited to this meeting. And since the residents in his community take ordinances and their governance seriously, he thinks these recent actions could put the City in danger of being sued for negligence.

Mr. Ash stated his concern is that the new gate on Delmar will still be too close to Kingdell because if you're making a right turn from Kingdell onto Delmar the trucks are right there. He stated a larger entrance towards the east has already been established that the bigger trucks could utilize. While that may present an inconvenience, the developer and his construction crew have been given more latitude than was ever intended since the beginning of this project in March of last year. Mr. Ash stated while he thinks all future uses should be restricted, perhaps, this amendment could work if the cut-off dates are put into practice as soon as possible, and they find another way to grant access for larger trucks. But at this point, it just seems like there has been a lack of communication with the Construction Company and disregard for the residents.

Grace Collins, 8841 Washington Avenue, U City, MO

Ms. Collins stated she also spoke on Ordinance No. 7178 at the last meeting and thereafter sent a letter to Council regarding the seven incidents Mr. Ash mentioned. She stated one concern is that the amendment makes no mention of whether the person who will be directing traffic has any knowledge or experience in this area. Her other concern is that since it's already very dangerous to exit Kingdell going north towards Delmar moving the entrance will only create more concerns. Ms. Collins stated she was surprised to learn that the project manager for Holland had never been informed about the Ordinance, which causes her to question how residents are supposed to trust that this amendment will even be enforced.

Tom Sullivan, 751 Syracuse, U City, MO

Mr. Sullivan stated that Syracuse and other streets located in the North Loop have not been swept for several months. And numerous streetlights have been out for months throughout the City.

- Three (3) overhead lights in the No. 4 parking lot; by Kingsland and the south end of the lot
- Two (2) walkway lights in the No. 4 parking lot have low-level lighting due to one light being out in each walkway
- Two (2) lights are out in the Loop North near Heman
- Two lights are out on Chamberlain across from the park
- Two streetscape lights are out on Olive by Family Dollar, and there are several lights out along the entire stretch of Olive
- A light is out around 815 Leland; Vernon west of Kingsland; Ursula and Corbitt; Ferguson, north of Olive; the 6800 block of Crest, Wellington at Midland Drive, and the lights at Olive and Midland flash on and off

Mr. Sullivan stated on June 6th he reported that there was a lot of trash in the alley behind a house in the 6700 block of Bartmer. And although Mr. Rose confirmed that he had received his email, it's now two months later and the trash is still there. In fact, it looks like most of the City's allies are simply being ignored by the inspectors.

Sharon Wilson, 8012 Appleton Drive, U City, MO

Ms. Wilson stated that she has pictures and videos of a flatbed truck displaying the name of the company that has been located in her neighbor's driveway for the last six months.

Now there is a car with expired temporary tags, problems with trash, and a Pit Bull that constantly bursts through their door and chases people. She stated after several attempts to resolve these issues with City staff she finally contacted her council member who informed her that these issues would be addressed once all of the debris from the storm had been removed.

Laverne Nelson, 8003 Appleton, U City, MO

Ms. Nelson stated the trash Ms. Wilson referenced is left on the street for days and blows into her yard and the sewer located in front of her home which has backed up on several occasions. She stated the police have issued numerous tickets that the owner simply ignores, and she fears that if left unresolved this could lead to others bringing their trucks home and parking them.

Ms. Nelson reported on another house in the 8100 block of Appleton where at least ten vans are parked day and night. And considering the number of cars and children playing out in the street, there has to be a lot of people living there.

I. COUNCIL COMMENTS

J. PUBLIC HEARINGS

1. Liquor License – Shabu Day Restaurant – 8235 Olive

Mayor Crow opened the Public Hearing at 6:55 p.m., and after acknowledging that there were no written or verbal comments, the hearing was closed at 6:55 p.m.

K. CONSENT AGENDA - (1 voice vote required)

1. Mutual Release and Settlement Agreement with University Heights Subdivision NO. 1
2. 2023 Asphalt Overlay Program - Change Order #1
3. Emergency Tree Work Contract
4. Conditional Use Permit (CUP) – Church of Scientology – 6901 Delmar
5. Pho Long Relocation Assistance Agreement – 8435 Olive

Councilmember McMahon moved to approve Items 1 through 5 of the Consent Agenda, it was seconded by Councilmember Fuller, and the motion carried unanimously.

L. CITY MANAGER’S REPORT– (voice vote on each item as needed)

1. Liquor License – Shabu Day Restaurant – 8235 Olive

Mr. Rose stated staff is recommending that Council consider a Liquor License for Shabu Day Restaurant. He stated staff and the owner are both present to answer any questions Council might have.

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

2. Site Plan Review and Approval - 12-Unit Garden Apartment Building - 415 North Hanley Road; (SPR 23-02 – Application)

Mr. Rose stated staff is recommending that Council consider the Site Plan Review for a twelve-unit garden apartment building located at 415 North Hanley Road.

Dr. Wagner stated this plan is for a three-story, twelve-unit garden condo complex that includes a detailed staff report recommending a 5.7% increase in the maximum building height, from 35 to 37 feet, and a 12.5 decrease in the number of required off-street parking spaces; from 24 to 21. He stated the plan will also have to be reviewed by the Historic Preservation Commission, and the owners are present to answer any questions.

Mayor Crow asked if the complex would be owner-occupied? Dr. Wagner stated that it would be.

Councilmember Hales stated as the liaison to the Plan Commission he is pleasantly surprised to hear that these will be condos instead of apartments. And he was curious to know if the owners had received any feedback from the letter they sent out to residents?

Scott Hunt, 411 Linwood Forest, Manchester, MO

Mr. Hunt stated he had a conversation with one resident who liked the renderings and wanted to verify that the height would not exceed the height of the surrounding buildings.

Councilmember Hales stated since his preference would be to review the entire package after it has gone to the Plan and Historic Preservation Commissions, he would ask the developers if they had any reservations with Council waiting to receive these recommendations before making a decision? Mr. Hunt stated although he was not aware that the plans needed to be reviewed by the Historic Preservation Commission since this is an empty lot, he had no reservations about Council waiting to receive the entire package.

Mayor Crow questioned whether any other actions were needed from Council? Dr. Wagner stated he did not believe Councilmember Hales' request would hinder the process.

Mr. Rose stated he thinks the appropriate action would be to take a vote on tabling the item. Mayor Crow stated since there was no motion on the floor; he thinks Council can just move on to the next item.

3. Severe Storm Recovery Update

Mr. Rose stated Council is being asked to receive a presentation on the storm recovery efforts, by Darren Dunkle, Director of Parks, Recreation and Forestry.

Mr. Dunkle stated his staff, which includes the Forestry, Street, and Parks Divisions have been working to get things cleaned up since July 1st.

To date, they have made significant progress in Ward 3; from north of Olive to the City limits, and currently, they are working in Wards 1 and 2; between Olive and south of Delmar. He stated they are halfway through that route and hope to be completed by early next week. The next phase will be Ward 1 and everything south of Delmar. Mr. Dunkle stated this has taken a lot of effort because of the huge amount of debris from the City's trees as well as residential properties. Therefore, he would ask for everyone's patience because the crew conducting the cleanup is the same crew that sweeps the streets. So, once the cleanup is completed they will resume their regular activities.

Mr. Rose noted that before 2019, when the Council asked that this service be expanded to residents, the City only picked up debris from City trees.

Mr. Dunkle stated in addition, the policy on storm debris removal created in 2021, requires them to pick up debris from the City's private subdivisions.

Councilmember Hales stated after driving by Heman Park and witnessing the massive pile of debris, he was curious to know if staff had received any calculations on the volume of material that has been picked up? Mr. Dunkle stated they will be going out to bid for a tub grinder in the next couple of weeks and once they are done the company will provide him with the exact amount of cubage yardage. However, he would like to note that a portion of the mound at Heman Park is from individuals who've started dumping there as well.

4. Green Center Lease Renewal – Friends of the Green Center presentation

Mr. Rose stated Council is being asked to receive a presentation on the Green Center Lease Renewal.

Mr. Dunkle stated the Green Center entered into a twenty-five-year lease with the City, and Ms. Jan Oberkramer, Executive Director of the Center is here tonight asking for a five-year extension of that agreement.

Ms. Oberkramer stated the Green Center was started in 1998, as a 501(3) (C) nonprofit organization, with the mission of connecting people to nature. It is in its 25th year and serves over 3,000 students a year in U City, as well as other surrounding communities. There are approximately 1,000 adults that participate in the Center's events; a seven-week summer camp program, and the community at large is invited to walk through the gardens and learn about growing plants on a daily basis. The Center also does a lot of habitat restoration where they promote native plants and integrate art into their science program, in Ruth Park Woods, the corridor between the Golf Course and the School District, Kaufman Woods, and center grounds around the City.

Ms. Oberkramer stated their partnership with the City has allowed them to create a real success story and a five-year extension of their current lease would provide them with the opportunity to expand upon this perfect model that she believes every community should have.

Mr. Mulligan stated this item requires Council's authorization to extend the lease. The lease extension addendum found in Council's packet has been signed by the Green Center, and if so inclined, a motion to authorize the City Manager to execute this extension would extend the lease to August 31, 2028, under the same terms and conditions as the existing lease.

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

5. Branding Concept – Third Ward Housing and Revitalization

Mr. Rose stated staff is asking that Council receive a presentation from the Deputy City Manager, Brooke Smith, regarding a Branding Concept for the Third Ward Revitalization Project.

Ms. Smith displayed the brand/logo and color palate designed by Yard & Co. and approved by the Task Force to represent their initiatives in the Third Ward. The brand will be placed on all mailings and transferred onto T-shirts, which will be worn by the Third Ward Ambassadors and made available to the public.

Councilmember Smotherson stated he thinks this is a great idea, and asked Ms. Smith if she could take his T-shirt order tonight? Ms. Smith stated Yard & Co will start printing the T-shirts after Council's approval. And while she would certainly make sure he gets one, her understanding is that most of the sales will take place at their public outreach events.

Mr. Rose stated if there are no proposed changes staff will advise the Task Force to proceed with this concept.

6. Website Re-Design Preview and approval

Mr. Rose stated staff is asking Council to receive a presentation from the Communication Manager, Mary Goodman, who has been working to make improvements to the City's website by providing information in a format that is straightforward, user-friendly, and easy to navigate.

Ms. Goodman stated staff has been working on redesigning and cleaning up the site for several months, to make it more mobile and user-friendly. And tonight, she is proud to present a draft design of what they've accomplished thus far.

New Features

- Mobile friendly
- Improved user interface
- Improved navigation
- Improved digital processes; some forms can now be completed online
 - Board & Commission Applications
 - Police Department forms

Home Page

- White vs. Blue navigation
- Banner video header
- New images
- A spotlight box
- Sticky Buttons - navigates users to the pages most frequented; (*located on every web page*)
- Updates
- New calendar design separating community events from meetings
- Social media feeds
- Basic information

Inside Pages

- City Manager's Page
- Council's Page
- Dropdowns
- Sticky buttons

Ms. Goodman asked Council if they had any feedback or questions? Hearing no response, Mayor Crow asked if any action was needed by Council? Mr. Rose stated nothing further was needed.

M. UNFINISHED BUSINESS - (*Roll call vote required for 2nd and 3rd readings*)
None

N. NEW BUSINESS
Resolutions - (Voice vote required)

1. Resolution 2023-13—Municipal Park Grant; Millar Park (Baseball Field Conversion)

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

Councilmember Smotherson asked if the field would be ready for next year's baseball season? Mr. Dunkle stated no decision on the award of this grant will be made until November. So, for next year's season, the School District has agreed to let teams use their fields on a temporary basis. Construction on Millar Park is scheduled to commence after the spring season.

Councilmember Hales questioned whether there were any details on the type of field being constructed? Mr. Dunkle stated they are still working through that process, but the expectation is that it will have a full grass in-field with amenities similar to those at Jack Buck.

Councilmember Smotherson asked Mr. Dunkle for the current status of Jack Buck Field? Mr. Dunkle stated they have been notified that FEMA will provide partial funding for the field, but the problem is that 85% of the outfield is in a flood-way that prohibits some of the needed restoration to

make it a full-size field.

So, the goal is to use Jack Buck as a youth baseball field to meet FEMA's standards for approval, and Millar Park as a full-size field.

Voice vote on Councilmember McMahon's motion carried unanimously.

2. Resolution 2023 -14 - SEMA HMGP Grant Application for buy-out of flooded properties

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

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

Introduced by Councilmember McMahon

- 1. BILL 9518-** AN ORDINANCE AMENDING CHAPTER 110 OF THE UNIVERSITY CITY MUNICIPAL CODE, RELATING TO ADMINISTRATION, BY REPEALING SECTION 110.040 THEREOF, RELATING TO DISCLOSURE OF CONFLICTS OF INTEREST, AND ENACTING IN LIEU THEREOF A NEW SECTION TO BE KNOWN AS "SECTION 110.040 DISCLOSURE OF CONFLICTS OF INTEREST." Bill Number 9518 was read for the first time.

Introduced by Councilmember Smotherson

- 2. BILL 9519 -** AN ORDINANCE REPEALING SECTION 125.080 OF THE UNIVERSITY CITY MUNICIPAL CODE OF THE CITY OF UNIVERSITY CITY, MISSOURI, RELATING TO THE MUNICIPAL COURT REPORT TO THE CITY COUNCIL, AND ENACTING IN LIEU THEREOF A NEW SECTION TO BE KNOWN AS "SECTION 125.080. FINES AND COSTS, WHERE PAID, DEPOSITED -- CASE REPORTING." Bill Number 9519 was read for the first time.

Introduced by Councilmember McMahon

- 3. BILL 9520 -** AN ORDINANCE AMENDING SECTION 500.260 OF THE UNIVERSITY CITY MUNICIPAL CODE OF THE CITY OF UNIVERSITY CITY, MISSOURI, RELATING TO ENERGY EFFICIENCY, RENEWABLE ENERGY, AND GREENHOUSE GAS REDUCTION POLICY, BY REMOVING MAJOR REMODELS OF MUNICIPAL BUILDINGS FROM THE SCOPE OF THE POLICY. Bill Number 9520 was read for the first time.

Introduced by Councilmember Hales

- 4. BILL 9521 -** AN ORDINANCE AMENDING SCHEDULE III, TABLE III-E OF THE TRAFFIC CODE OF THE UNIVERSITY CITY MUNICIPAL CODE, RELATING TO PARKING PROHIBITED ON CERTAIN STREETS AT ALL TIMES, BY DELETING THE NORTH SIDE OF PERSHING AVENUE FROM THE ALLEY WEST OF JACKSON AVENUE TO WEST POINT COURT FROM THE LIST OF STREETS WHERE PARKING IS PROHIBITED AT ALL TIMES. Bill Number 9521 was read for the first time.

Introduced by Councilmember Fuller

- 5. BILL 9522 -** AN ORDINANCE AMENDING SCHEDULE III, TABLE III-D OF THE TRAFFIC CODE OF THE UNIVERSITY CITY MUNICIPAL CODE, RELATING TO RESIDENTIAL PERMIT PARKING AREAS, BY ADDING THEREIN, THE SOUTH SIDE OF THE 7400 BLOCK OF KINGSBURY BOULEVARD BETWEEN JACKSON AVENUE AND WEST POINT COURT, AND BOTH SIDES OF THE 400 BLOCK OF WEST POINT COURT BETWEEN KINGSBURY BOULEVARD AND PERSHING AVENUE. Bill Number 9522 was read for the first time.

Introduced by Councilmember McMahon

6. **BILL 9523** -AN ORDINANCE APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE, AN AGREEMENT BETWEEN THE CITY OF UNIVERSITY CITY, MISSOURI AND THE MISSOURI HIGHWAY AND TRANSPORTATION COMMISSION, FOR SIDEWALK CONSTRUCTION ON FERGUSON AVENUE. Bill Number 9523 was read for the first time.

Introduced by Councilmember Hales

7. **BILL 9524** - AN ORDINANCE FIXING THE COMPENSATION TO BE PAID TO CITY OFFICIALS AND EMPLOYEES AS ENUMERATED HEREIN FROM AND AFTER SEPTEMBER 11, 2023, AND REPEALING ORDINANCE NO. 7331. Bill Number 9524 was read for the first time.

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

Councilmember Hales asked Mr. Rose if the streetlights reported as being out on Parking Lot No. 4, belonged to the City? Mr. Rose stated he believes that the majority of streetlights previously identified are owned by Ameren, but he would have to confirm that ownership and whether they have been reported to Ameren. Councilmember Hales stated he probably calls Ameren once a month to report an outage, and the problem is usually resolved within a couple of days unless there is a wiring issue. He stated he has always found them to be very responsive to any of the problems he's reported that are associated with their lights.

P. CITIZEN PARTICIPATION (continued if needed)

Diana Mastin, 1318 Mount Olive, U City, MO

Ms. Mastin stated she and her neighbor maintain the easement around their homes and are constantly encountering problems with the house at 1319 Carleton which lets their vines grow over the fence into the easement. The house at 1315 Carleton has been empty for over 25 years, has excessive overgrowth and about 100 yards of dangling cable wire left by Ameren is creating a hazard. And there's a jeep that has been parked in front of 1309 for two years. She stated all of these issues have been reported to staff on numerous occasions, but she's never gotten any resolution.

Ms. Mastin stated her understanding is that the trees with limbs hanging over into the streets were the responsibility of the City to maintain. However, none of the limbs have been trimmed, so when they fall, the residents are then responsible for making sure they are properly packaged for recycling. But oftentimes the branches are so large that she has to pay someone to cut them down to the required size, and then she has to wait months for the Forestry Department to pick them up.

Lori Shifter, 7832 Greensfelder Lane, U City, MO

Ms. Shifter stated she's lived in U City for 21 years and has owned the Silver Lady located in The Loop for 37 years. But recently she and some of the other retail establishments have noticed that the vast majority of parking spaces along Delmar have been designated for the restaurants. And while they don't have a problem with the City eating the dollars that allow these restaurants to have spaces, there should be some continuity in the design of those spaces and equality for the retail businesses.

She stated she discussed this problem with members of staff last week, but after learning from other retailers that this appears to be a bigger issue, she decided to bring the matter before Council. One resolution could be to allow the four spaces previously utilized by Three Kings as new parking until the building is repaired. And the other could be to install pick-up-only signs in front of retail locations.

Ms. Shifter stated while this is obviously detrimental to her business, it is exacerbated by her extreme disappointment in the fact that he husband sent a letter to every member of Council at the beginning of January regarding parking, and no one ever took the time to respond or even acknowledged his letter.

Jean Merson, 7542 Teasdale, U City, MO

Ms. Merson stated the City's updates have been vague and failed to provide answers to many of her questions.

Why did the City wait until July 10th to start cleaning up debris, and were four teams being utilized when the clean-up first started? She stated her initial understanding was that it was going to take three weeks to complete the cleanup. However, what she later learned is that the three weeks being referenced only pertained to cleaning up the Third Ward. So, in the meantime, she and members of her community had to move two 14-foot objects and a 30-foot tree stump away from their neighbors' driveway and sidewalk because one had a 14-month-old baby, and the other had a broken hip. Mr. Merson stated she took pictures of these incidents, and after numerous calls to the City, the only response she ever received was from Ms. Reese.

Q. COUNCIL COMMENTS

Councilmember Smotherson spoke with Ms. Mastin to verify some of the addresses mentioned in her comments. (*Ms. Mastin's responses were inaudible.*)

Councilmember Hales informed Ms. Shifter that there are several places in the City where businesses have applied for and obtained limited 15-minute parking spaces through the Traffic Commission. So, you and your colleagues can submit a Traffic Request Form detailing your desires for their consideration.

He stated that he and some of his colleagues went out to survey the damage, and thereafter, he made a call to Ms. Smith, who immediately jumped into action. Councilmember Hales stated the City's priority was to clean up any debris in the streets and remove large limbs that were hanging over the roads. All of that took some time because it turned out to be in excess of 40 limbs that had to be cut, ground, and removed. And what he learned from previous meetings is that this is the first time staff has ever had to perform a city-wide sweep after a storm, which required a lot of coordination and planning. So, all in all, he thinks staff has been doing a great job trying to get everything cleaned up.

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 and (2) Leasing, purchase or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration.

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

Roll Call Vote Was:

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

Nays: None.

S. ADJOURNMENT

Mayor Crow thanked everyone for their participation and closed the Regular Session at 7:43 p.m. to go into a Closed Session on the second floor. The Closed Session reconvened in an open session at 8:27 p.m.

LaRette Reese, MRCC
City Clerk



Department of Planning and Development

6801 Delmar Boulevard, University City, Missouri 63130, Phone: (314) 862-6767, Fax: (314) 862-3168

Amendment to Building Permit Number NONN-22-02202

The building permit approved by University City for 8680 Delmar Boulevard for the construction of a multifamily development in the PD-M zoning district is hereby amended as follows:

1. A new gate for construction traffic shall be created off Delmar Boulevard near its intersection with Kingdel Drive, as shown in Figure 1 on the following page. All delivery vehicles may use this gate to enter and leave the construction site;
2. Delivery vehicles fifty-three (53) feet or more in size carrying larger items for construction will be permitted to use the Kingdel Drive gate until such time as these deliveries cease and the gate is closed and locked to further use, but no later than November 30, 2023 unless expressly authorized in writing by the Director of Planning and Development. Deliveries through this gate shall be limited to (2) delivery vehicles per day. Traffic shall be directed by someone on the street other than the driver.
3. The Developer is required to obtain a Right-of-Way permit from the Department of Public Works.
4. Penalties for not adhering to this amendment shall include, but not be limited to, a "Stop Work Order" for the site.
5. The Developer shall be required to repair Kingdel Drive when the construction traffic has ceased, as directed by the University City Department of Public Works.

The undersigned acknowledges and agrees to this Amendment to the Building Permit. This amendment shall be effective on the date signed.

 John L. Wagner, Ph.D.
 Director of Planning and Development

 Date

 Holland Construction Service

 Date

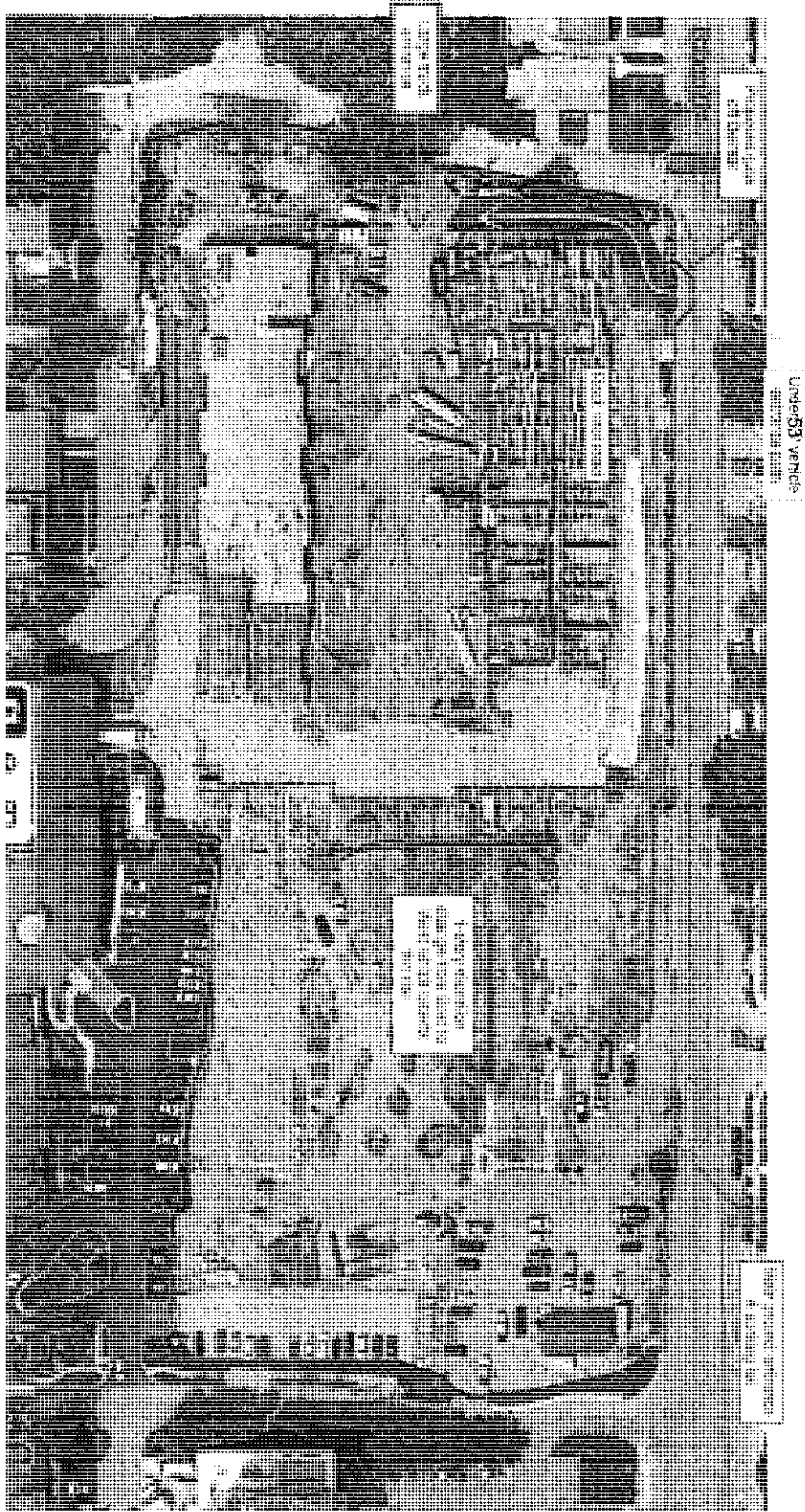


Figure 1. Avenir Site

From: [Jim Zaitz](#)
To: [Council Comments Shared](#)
Subject: University City - Ordinance #7178 Violation
Date: Sunday, August 13, 2023 4:26:32 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Council -

As you are aware, University City Ordinance #7178, Section 3, states that "All construction traffic on Kingdel Avenue shall be "restricted."--and when this issue was discussed on Zoom calls with the developer the common understanding was that this meant that no construction traffic of any type would be permitted.

However, it has become apparent this entrance has been used indiscriminately throughout the entire scope of this project, and it seems that neither the developer nor University City has informed Holland Construction Company that this ordinance was approved and should be in full effect. All parties have been aware of it, at least since the last University City Council Meeting on July 10, 2023, where three local residents of the area spoke up about the blatant disregard and violation for University City Ordinance #7178.

This entrance is more than an annoyance of noise, traffic congestion, closed/blocked entrances at times, unleveled roads, potholes, horribly patched roads, muddy and dangerous conditions. The closure/blocking of the entrance impedes first responders and emergency personnel for reaching residents, that have elected you, in a timely manner. This places residents of this area in harms way due to no fault of their own.

This is a truly a safety hazard, as I can cite at least four (4) instances wherein residents driving past this entrance had near collisions with emerging trucks. But now an actual collision occurred on Friday August 4, 2023, serious enough to send one my neighborhood resident drivers to the emergency room. In addition to their injuries, they have also sustained, approximately \$28,000 of damage to their vehicle. This is unacceptable and the University City Council needs to take action immediately to protect the residents that have elected them.

I demand that the University City Council immediately enforce Ordinance #7178, Section 3, Paragraph 1 and that the Kingdel Avenue construction entrance be closed forever and permanently with respect to this horrific project you approved.

Respectfully,

Jim Zaitz
8735 Teasdale Avenue
University City, MO 63124

From: [Kathy Victor](#)
To: [Council Comments Shared](#)
Cc: [William Ash](#)
Subject: U city ordinance 7178- Avenir Development
Date: Sunday, August 13, 2023 3:04:08 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Council Member,

My husband and I live at 8739 Washington Ave in U City. Recently our daughter's car was almost hit by one of the construction vehicles that backed out on to Kingdel, a very close call! On Friday, August 4, we came upon an accident on Kingdel where a construction truck backed into a BMW. We had to back out onto Delmar and enter the neighborhood off Price to return home.

I have been told that city ordinance 7178 restricts construction traffic on Kingdel. There has been more than one morning going to work I have been unable to exit onto Delmar from Kingdel due to construction trucks at the entrance of Avenir. I had to exit at Price.

Why was the ordinance 7178 created if U City officials have no intention to honor it and do not seem to be monitoring the situation. If U City refuses to enforce this ordinance what does that say to the residents in our neighborhood? That a big developer can do whatever he likes?

Given the huge retaining walls at the construction site, it may be difficult for Holland to change the entrance. At a minimum Holland must place flagmen at the Avenir entrance during construction hours to direct traffic along Kingdel which might alleviate further accidents. I hope you will choose to look at this situation seriously and make sure that adequate safety measures are put into place.

Sincerely,

Kathy and Reggie Victor

Kathy 314-223-2658

Reggie 314-223-2659

P. S The Kingdel road surface needs your attention. Can you please add asphalt where asphalt was removed for underground cables leaving huge dips in the surface and a very rough terrain.

Sent from my iPhone

From: [Donna Wilensky](#)
To: [Council Comments Shared](#)
Subject: Section 3 paragraph one of Ordinance #7178
Date: Sunday, August 13, 2023 7:17:12 PM

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It is unfortunate that our quiet neighborhood is no longer quiet. All of us as neighbors are having to deal with ALL the mess and noise etc. not to mention the ugliness of unwanted and unnecessary Avenir.

The fact that we are adding on an additional layer to this, meaning safety issues is APPALING! The entrance on Kingdel needs to be closed permanently!!

Once again, lack of communication to the construction company about this ordinance of NO CONSTRUCTION TRAFFIC OF ANY TYPE WOULD BE PERMITTED ON KINGDEL is inexcusable and has been violated many times and many ways since the beginning.

This accident which occurred Friday, August 4, is the last straw!!

Reiterating, the entrance on Kingdel MUST be closed permanently !

Donna Wilensky

8801 Washington Ave.

U, City, MO 63124

From: [Rebecca Hrustic](#)
To: [Council Comments Shared](#)
Subject: Safety issue non-agenda
Date: Sunday, August 13, 2023 3:13:10 PM

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This is a follow up to the council comments that were submitted on July 10, 2023. In that email, we detailed the continued hazards occurring on Kingdel Ave due to the Avenir construction project.

Per the University City ordinance B I L L NO. 9461 ORDINANCE NO. 7178 it was agreed upon that construction traffic on Kingdel Ave should be restricted. However, construction vehicles (dump trucks, cement trucks etc) are accessing the site via Kingdel Ave. This is creating a hazard for pedestrians and vehicle traffic.

Enforcement of this ordinance is still not happening. In fact, since the council meeting on July 10th, there has been a serious accident on Kingdel due to a contractor truck barreling out of the construction site and hitting one of our neighbors. Our neighbor ended up in the ER and their vehicle was towed away with approximately \$28,000 in damage.

University City officials including our Ward 1 council people have been aware of the danger as early as March 2023. There have been several emails alerting officials and council to the dangers that pedestrians and drivers face.

At what point will University City start enforcing the ordinance that was agree upon? We are at a loss to why this is not happening.

Rebecca and Haris Hrustic
8685 W. Kingsbury Ave
University City, MO 63124

From: [William Ash](#)
To: [Kathy Victor](#)
Cc: [Council Comments Shared](#)
Subject: Re: U city ordinance 7178- Avenir Development
Date: Sunday, August 13, 2023 7:48:47 PM

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Nice letter Kathy!! Thank you!!

Bill

On Sun, Aug 13, 2023 at 3:04 PM Kathy Victor <kathyvictor@icloud.com> wrote:

Dear Council Member,

My husband and I live at 8739 Washington Ave in U City. Recently our daughter's car was almost hit by one of the construction vehicles that backed out on to Kingdel, a very close call! On Friday, August 4, we came upon an accident on Kingdel where a construction truck backed into a BMW. We had to back out onto Delmar and enter the neighborhood off Price to return home.

I have been told that city ordinance 7178 restricts construction traffic on Kingdel. There has been more than one morning going to work I have been unable to exit onto Delmar from Kingdel due to construction trucks at the entrance of Avenir. I had to exit at Price.

Why was the ordinance 7178 created if U City officials have no intention to honor it and do not seem to be monitoring the situation. If U City refuses to enforce this ordinance what does that say to the residents in our neighborhood? That a big developer can do whatever he likes?

Given the huge retaining walls at the construction site, it may be difficult for Holland to change the entrance. At a minimum Holland must place flagmen at the Avenir entrance during construction hours to direct traffic along Kingdel which might alleviate further accidents. I hope you will choose to look at this situation seriously and make sure that adequate safety measures are put into place.

Sincerely,

Kathy and Reggie Victor

Kathy 314-223-2658

Reggie 314-223-2659

P. S The Kingdel road surface needs your attention. Can you please add asphalt where asphalt was removed for underground cables leaving huge dips in the surface and a very rough terrain.

Sent from my iPhone

From: [rocket polymers Company](#)
To: [Council Comments Shared](#)
Subject: RE: Avenir project
Date: Monday, August 14, 2023 9:35:35 AM

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To whom it may concern,

I'm wondering why the ordinance that was created to protect the Kingdel neighborhood from the dangers and destruction of a project this size is not being enforced? We as a neighborhood were promised there would be NO construction traffic and no building access(except emergency services) to the Kingdel neighborhood. Why isn't this commitment/ordinance being honored? What are we to expect going forward if the city isn't willing to keep its promises, commitments, and (enforce its) ordinances, to neighbors and communities next to projects the city sees as important? What do we as a neighborhood have to do to stop the abuse this developer is creating to our once quiet and peaceful little community? The street has been destroyed! When is this going to be fixed? There is a continual stream of construction trucks both large and small going through the neighborhood. There has just been a fairly serious accident and it's my understanding a few near misses as well. This is not how the city council promised this project would go. I'm asking you to resolve this and demonstrate the city council cares about all the residents not just big developers that wave dollars. This project has deteriorated quality of life for all of the residents in the area around it. Please, keep your commitments to the neighboring residents that counted on you to look after our interests as well.

Thank You,
Roger Cohen
506 Kingdel

From: [Alyson Domoto](#)
To: [Council Comments Shared](#)
Subject: ORDINANCE #7178
Date: Monday, August 14, 2023 8:02:07 AM

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To the City Council regarding ordinance #7178,

Since the early planning stages of the Avenir project, the behavior of this project seems to have *repeatedly* been to “ask forgiveness rather than permission.” This behavior has gone on far too long. Now, regarding Ordinance #7178, which states that “All construction traffic on Kingdel Ave shall be “restricted”... This has not happened. It was my understanding, based on the minutes of prior calls and the last City Council meeting (7/10/23) that the Developer agreed that this meant NO construction traffic would be permitted on Kingdel. Nonetheless, the Kingdel entrance has been the MAIN construction entrance of ingress and egress for large trucks throughout the entire project. I have repeatedly recorded pictures and videos of trucks entering and exiting, as well as sitting/parking on Kingdel, blocking neighborhood traffic and creating serious safety hazards. I fail to understand why trucks are still using it on a daily basis (I assume it is because it’s “more convenient” for the construction but that is not a good, or acceptable, reason). I now hear that my neighbors (and myself) have had numerous close calls with these construction vehicles, culminating in one neighbor having a serious accident with one of the trucks. I am unclear whether the Developer and/or the City failed to inform the Holland Construction Company that this ordinance was approved and should be in effect (or is negligent in not informing them), and/or whether Holland is choosing to ignore this directive. Either answer is frankly unacceptable at this point.

Additionally, I will point out that the construction crew left the construction site gates completely open and unlocked one evening last week (overnight). This is simply negligent and unsafe, and a disaster waiting to happen. I ask that you close this entrance entirely and direct the construction workers to use other ways of getting vehicles in and out so that we can preserve the safety and integrity of our neighborhood.

Thank you,
Alyson Domoto
8753 Washington Ave.

From: mlaz279293@aol.com
To: [Council Comments Shared](#)
Subject: Kingdel/Avenir
Date: Monday, August 14, 2023 11:32:30 AM
Attachments: [IMG_20230814_0001.pdf](#)

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Hello, here is a brief timeline of the situation at the Avenir project-

October, 2020 Developer sends Kingdel neighborhood letter stating the Avenir was designed to ensure that there would be no entrance to it from any part of the neighborhood. A heavily landscaped privacy fence is also supposed to go up along Kingdel to protect neighborhood environs. This was in response to many letters to the Council about the project initially when we found out about it. See attachment for Developer's original letter below by the Neighborhood paragraph.

April, 2022 you passed Bill 9461, Ordinance 7178 preventing construction from access to the Kingdel neighborhood, including access points and parking. This is in addition to other special conditions.

There was a reason you felt the need to do this.

2023 - Construction since March has been using Kingdel to access the construction site on Kingdel.

Problems entering and exiting the neighborhood since construction started, as Ordinance being violated and some complaints about it sent.

June 1, 2023 - Project manager told residents he did not know about any special conditions for the project.

June 13 2023 complaints about construction and streets by resident at Council meeting.

July 10, 2023 several neighborhood speakers and letters about construction issues and near misses of trucks hitting residents - (4 that we now know of so far) at Council meeting.

Calls and emails to officials going on entire time about the situation.

August 4, 2023 - serious accident with a truck hitting resident at construction site on Kingdel sending him to ER and \$28,000 damage - totaling his car.

You have been told for months about this issue, that you tried to prevent. Someone can get killed.

August 14, 2023 it is time to close the Kingdel entrance to construction site permanently.

It was not supposed to be there in the first place - we had all been originally told construction would start with the garage accessed from Delmar by the Developer.

Now it is time for the construction company and developer to figure another way to get on their upper part of the site if they need to.

Taking down the black cloth on the fence is not the answer. Workers flagging trucks in and out is not the answer.

There should be no compromises at this point.

Neighbors should not feel unsafe coming in and out of our neighborhood and we do.

.

This is **not** what the Developer promised us about this project.

PLEASE CLOSE THE KINGDEL ENTRANCE GATE TO ANY CONSTRUCTION TRAFFIC PERMANENTLY.

PLEASE ENFORCE THE ORDINANCE.

This will prevent construction traffic and parking in the neighborhood and protect the neighbors.

THANK YOU VERY MUCH!

Margie Kranzberg Lazarus
8808 Washington Ave.

Charles Deutsch and Company
One McKnight Place | St. Louis, MO 63124

October 16, 2020

Dear Neighbor,

We are sending you this letter as a resident of the Delprice neighborhood, which generally abuts our proposed 258-unit apartment development, known as Avenir, and neighborhood coffee shop, as located on the east side of Kingdel Dr. and south side of Delmar Blvd.

First and foremost, we wish to invite you to a Zoom meeting on Thursday, October 22nd, at 6:30pm. Please check <https://www.avenirstl.com> no earlier than this Wednesday to access the link for the Zoom meeting.

The purpose of this meeting is to provide you with the opportunity to express, and for us to address, any questions you might have, that we may not have fully addressed below. Also enclosed are a proposed site plan and neighborhood map which we hope you will find useful. The concerns which we will address below were generally identified from the emails that recently were submitted to the University City Council.

Traffic and Parking: Concerns were expressed about potential increased traffic in the Delprice neighborhood and on Delmar Blvd.

Neighborhood - We designed Avenir to ensure that there would be no entrance to it from any part of your neighborhood. As you can see from the site plan, Kingdel Drive and Barby Lane will be heavily landscaped, and have no driving lanes entering or exiting Avenir. Barby Lane will remain a dead-end street and will not connect to the proposed parking lot east of it. This parking lot is actually about 20 feet lower than Barby Lane, so a cut through would be impossible. Furthermore, a lushly landscaped retaining wall will separate the parking lot, which will also not have visibility from any portion of the surrounding neighborhood. Additionally, to protect neighborhood environs, a heavily landscaped privacy fence will be built between the proposed courtyard of Avenir and the east side of Kingdel Drive.

Delmar - We commissioned a traffic and parking study by CBB Transportation Engineers, to assess if Delmar Blvd. would be able to accommodate the increased traffic generated by Avenir and the coffee shop. As a second opinion, University City commissioned its own traffic and parking study by Lockmueller Group. Both traffic studies concluded that the area could easily handle the projected slight increase in traffic. Furthermore, both studies and the St. Louis County Department of Transportation recommended lane restriping on Delmar Blvd. This would result in the

From: [J.T](#)
To: [Council Comments Shared](#); [Jeff Hales](#)
Subject: Kingdel Neighborhood - Construction Traffic
Date: Monday, August 14, 2023 9:00:49 AM

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Hello -

I am writing to understand the legality of the construction traffic coming in and out of the Avenir Development / Gatesworth at Delmar and 170. It's my understanding that the language in U-City Ordinance #7178, Section 3 would prohibit construction vehicles from using the entrance/exit off Kingdel. Is this true?

I drive a Chevy Suburban - my car is one of the bigger on the road & hard to miss. I am a cautious driver and drive slowly thru our neighborhood but ESPECIALLY with all the construction equipment headed in and out at Kingdel & Delmar. About a month ago, I left our home on Kingsbury heading east. I came around the corner onto Kingdel headed out of the subdivision. As I slowly drove down the hill on Kingdel headed north toward Delmar approaching the construction entrance/exit, a concrete truck pulled out in front of me. I had to slam on my brakes and was fortunately going slow enough that I got stopped before an accident occurred. I also had my 5 and 7 year old in the car. **The driver of the concrete truck NEVER LOOKED.** Either he had no clue or he didn't care what he did! It scared me to death given my children were with me. And again - my vehicle is BIG and not easy to overlook.

While this is the first time I've had to slam on brakes at the last minute to keep from having an accident in this spot it **IS NOT** the first time I've seen equipment pull in and out with no regard to local traffic. I am in and out of our neighborhood a good 8-10x a day. I see it consistently. I've experienced equipment and 18 wheelers bringing shipments into our subdivision shutting down traffic with no flagman. I've experienced this where I sit there and not one construction person acknowledges I'm sitting there waiting to pass thru. It has happened multiple times.

My impression of this situation after months of dealing with it /observing first hand is that the construction crew has zero regard for residential safety, traffic and overall no respect for sharing the road / safety or THE RULES. Why? Well we all know it starts at the top. If managers don't want to follow code, aren't stressing safety/respect to their crews then that is when accidents happen and people get hurt.

So, again I ask - is it true that Ordinance 7178, Section 3 would prohibit this street as a construction exit / entrance? If so, you can bet that should this construction traffic be the cause of myself or my family getting injured we will be going head to head on liability.

I'll look forward to hearing back and/or what's discussed at the meeting to know the answer.

Thank You, Jani Bunn
8738 West Kingsbury Ave

From: [Linda Langer](#)
To: [Council Comments Shared](#)
Cc: [William Ash](#)
Subject: Kingdel entrance closed to construction traffic
Date: Sunday, August 13, 2023 11:57:37 AM

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Section 3, paragraph 1 of Ordinance #7178

As a resident of Kingdel, I ask that the Delmar entrance to Kingdel be closed to all construction vehicles, which are causing danger and damage.

Sent from my iPad

From: [Katy Blair](#)
To: [Council Comments Shared](#)
Subject: Kingdel Avenue
Date: Sunday, August 13, 2023 4:30:09 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

To whom it may concern

U-City Ordinance #7178, section 3 states that "All construction traffic on Kingdel Ave shall be "restricted."--and when this issue was discussed on zoom calls with the developer the common understanding was that this meant that no construction traffic of any type would be permitted. But this entrance has been used indiscriminately throughout the entire conduct of this project.

Such use of this entrance is not merely an annoyance of noise, traffic congestion and muddy conditions. but truly a safety issue as well, as we can cite at least 4 instances wherein residents driving past this entrance had near collisions with emerging trucks. But now an actual collision on Friday August 4, serious enough to send a neighborhood resident driver to the ER, and with approximately \$28,000 of damage to his vehicle, has occurred!

Section 3, paragraph 1 of Ordinance #7178 needs be enforced, and the Kingdel construction entrance be closed permanently.

Thank you for your consideration,

Katy Blair
8834 Washington Ave
University City, MO 63124
(314) 640-2870

From: [Mary Blair](#)
To: [Council Comments Shared](#)
Subject: Kingdel ave
Date: Sunday, August 13, 2023 5:10:49 AM

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U-City Ordinance #7178, section 3 states that "All construction traffic on Kingdel Ave shall be "restricted."--and when this issue was discussed on zoom calls with the developer the common understanding was that this meant that no construction traffic of any type would be permitted. But this entrance has been used indiscriminately throughout the entire conduct of this project.

Such use of this entrance is not merely an annoyance of noise, traffic congestion and muddy conditions. but truly a safety issue as well, as we can cite at least 4 instances wherein residents driving past this entrance had near collisions with emerging trucks. But now an actual collision on Friday August 4, serious enough to send a neighborhood resident driver to the ER, and with approximately \$28,000 of damage to his vehicle, has occurred!

Section 3, paragraph 1 of Ordinance #7178 needs be enforced, and the Kingdel construction entrance be closed permanently.

Thank you for your consideration,

Mary Blair
8756 W. Kingsbury Ave
University City, MO 63124
(314) 608-6272

From: [William Ash](#)
To: [Council Comments Shared](#); [Jeff Hales](#); [Steve McMahon](#)
Subject: Comment for City Council Meeting of Aug 14 2023
Date: Monday, August 14, 2023 10:01:05 AM

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To The City Council,

Comment on a non-agenda item.

Please require our Mayor and City Manager to immediately satisfy Sec 3, para 1 of ordinance 7178 by requiring the Holland Construction Company to permanently close the construction entrance to the Avenir construction project from Kingdel Avenue.

By not enforcing this provision of the ordinance, University City is failing to perform its duty, and now stands in a position of willful neglect. Now with an actual accident at this point of entry, sending a U-City resident to the hospital and totaling his vehicle, the city now stands vulnerable for a negligence lawsuit. The best interest of University City residents is not being served. As City Council members, please stand up for us and hold our City officials to account by requiring them to take action. Thank you.

William Ash
8690 West Kingsbury Ave.
University City, MO 63124
314 569-3299

From: [valmik.thakore](#)
To: [Council Comments Shared](#); [Jeff Hales](#); [Steve McMahon](#); [Terry Crow](#)
Cc: [Gregory Rose](#); [Bwayne Smotherson](#); [Aleta Klein](#); [Stacy Clay](#); [Dennis Fuller](#)
Subject: City Council Meeting on Monday, August 14, 2021. Non Agenda Comments about Avenir Project on Delmar
Date: Monday, August 14, 2023 11:52:16 AM
Importance: High

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August 14, 2023, Council Meeting Comments Email:

This is a public comment on City Council Meeting on July 10, 2022;

Non-Agenda Item: Request to Enforce Ordinance No 7178 dated 4/11/2022 (Bill No 9461)

My wife and I own the property at 8727 W Kingsbury Ave, University City, MO, 63124. Our house is in the neighborhood impacted by the proposed "Facility for An Industrial Development Project" also known as "**Avenir Development**" project.

Ordinance Enforcement Related IMPORTANT COMMENTS

Dear City Council Member,
University City, MO

We are requesting you to enforce the **Ordinance No 7178 Dated April 11, 2022** (Bill No 9461). More specifically its

Section 3- Condition 1- "**That all construction traffic, parking and access points shall be restricted on Kingdel, Washington, Barby, Teasdale and Kingsbury**".

When viewed in addition with the Section 3- Condition 4- item (2)- "**the access from Kingdel Drive to the courtyard or building shall be for emergency purposes only**", the intent of the Ordinance crafted with strong input from the neighborhood during the project approval process is very clear:

NO PROJECT RELATED TRAFFIC ON KINGDEL.

We understand that the City and its representatives are considering a different compromise. However, with a recent accident due to the project and several near collisions this will open up the City to unnecessary liability.

Please enforce this ordinance and stop all project related traffic immediately and let us know the exact timeline to do so.

Thank you.

Valmik Thakore
8727 West Kingsbury Avenue, St. Louis, MO 63124

From: [Nick Rugen](#)
To: [Council Comments Shared](#)
Subject: Avenir project Delmar/Kingdel
Date: Monday, August 14, 2023 10:34:38 AM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Honorable City Councilors,

I am writing to you as a concerned citizen of the Kingdel neighborhood. I would urge you to read and review **Section 3, paragraph 1 of Ordinance #7178. Furthermore we are asking you to enforce the ordinance, and that the Kingdel construction entrance be closed permanently,**

U-City Ordinance #7178, section 3 states that "All construction traffic on Kingdel Ave shall be "restricted."--and when this issue was discussed on zoom calls with the developer the common understanding was that this meant that no construction traffic of any type would be permitted. However this entrance has been used every day throughout the entirety of this project and serves as the primary entrance for all construction personnel as well as large construction vehicles and machinery. All parties have been aware of it at least since the last City Council Meeting of July 10, where 3 of our residents spoke up about it.

Sincerely

Nick Rugen
8812 Washington Ave, St. Louis, MO 63124

From: [Donna Nickum](#)
To: [Council Comments Shared](#)
Subject: Avenir construction
Date: Monday, August 14, 2023 5:02:20 AM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I am a resident of the neighborhood just west of the Avenir project. Since there is a statute stating Kingdel Ave should not be used as a construction entrance, it is time to enforce the statute. It is very uncomfortable driving on Kingdel and turning onto Delmar. And walking dogs is a nightmare during construction hours. Now there has been an accident with a construction vehicle and a resident. This is bad, but the next time could be much worse. PLEASE enforce this statute!

Donna Nickum
8717 Teasdale Ave
U City, MO. 63124

[Sent from AT&T Yahoo Mail on Android](#)

From: [Edwin van Norden](#)
To: [Council Comments Shared](#)
Subject: Agenda item: Kingdel neighborhood construction traffic
Date: Monday, August 14, 2023 11:05:48 AM

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From: Edwin van Norden, owner 8733 Washington Ave
To: University City Council

Dear Council Members,

Our subdivision is getting a lot of construction traffic on Kingdel Ave which should be restricted access. I have heard of near misses and an accident involving one of our neighbors. This nonstop flow of construction traffic needs to be restricted per U-City Ordinance #7178, section 3 that states "All construction traffic on Kingdel Ave shall be "restricted."

I am concerned about the safety of my family and our neighbors if the construction traffic goes unchecked. Please make an effort to clamp down on construction traffic on Kingdel Ave and enforce the above ordinance.

Thank you,

Your neighbor and University City resident,

Edwin van Norden
8733 Washington Ave

