

MEETING OF THE CITY COUNCIL
CITY OF UNIVERSITY CITY
CITY HALL, Fifth Floor
6801 Delmar Blvd., University City, Missouri 63130
Monday, February 12, 2024
6:30 p.m.

AGENDA

A. MEETING CALLED TO ORDER

At the Regular Session of the City Council of University City held on Monday, February 12, 2024, in the absence of Mayor Terry Crow, Mayor Pro Tem Bwayne Smotherson called the meeting to order at 6:30 p.m.

B. ROLL CALL

In addition to the Mayor Pro Tem, the following members of Council were present:

Councilmember Stacy Clay
Councilmember Aleta Klein
Councilmember Steven McMahon
Councilmember Jeffrey Hales
Councilmember Dennis Fuller

Also in attendance were City Manager, Gregory Rose, Director of Finance, Keith Cole, and Director of Planning and Development, John Wagner

C. APPROVAL OF AGENDA

Hearing no requests 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. January 22, 2024, 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. Joshua Winstral is nominated for appointment to the Park Commission by Councilmember Jeff Hales, it was seconded by Councilmember McMahon and the motion carried unanimously.
2. Philip Eastin is nominated for appointment to the Storm Water Commission by Councilmember Jeff Hales, it was seconded by Councilmember Klein and the motion carried unanimously.
3. Grace Fitter is nominated for appointment to the Arts and Letters Commission by Councilmember Bwayne Smotherson, it was seconded by Councilmember Clay and the motion carried unanimously.

G. SWEARING IN TO BOARDS AND COMMISSIONS

None

H. CITIZEN PARTICIPATION - (Total of 15 minutes allowed)

Procedures for submitting comments for Citizen Participation and Public Hearings:

Request to Address the Council Forms are located on the ledge just inside the entrance. Please complete and place the form in the basket at the front of the room.

Written comments must be received **no later than 12:00 p.m. on the day of the meeting.** Comments may be sent via email to: councilcomments@ucitymo.org, or mailed to the City Hall – 6801 Delmar Blvd. – Attention City Clerk. Such comments will be provided to City Council prior to the meeting. Comments will be made a part of the official record and made accessible to the public online following the meeting.

Please note 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.

Citizen Comments

Felicia Jones, 7453 Washington Avenue, U City, MO

Ms. Jones stated the lack of indoor recreation for the youth and residents of this community; especially during this time of year is deplorable. The flood occurred in July of 2022, but here we are in 2024, and there is still no indoor gym, basketball courts, soccer fields, or recreation at Centennial Commons. Ms. Jones stated while she understands that FEMA may have played a role in this delay, it should no longer be an excuse because having access to some form of recreation is crucial to the well-being of this City's residents. So, she is here tonight seeking information about these much-needed repairs, and to voice her belief that any money allocated towards fixing the City's facilities should first be dedicated to the restoration of Centennial Commons.

Steven Glickert, 7750 Blackberry, U City, MO

Mr. Glickert stated he thinks the money is being wasted on a substandard code enforcement plan. Because after receiving a copy of their monthly report for January, there is still no mention of the violations he photographed and sent to Mr. Rose and this department. This report indicates that 104 violations were cited by 3 inspectors, and when you break that down, that's roughly 34 violations per inspector, or less than 2 violations a day. Even though this department has spent money on new software, new employees, and all of the essentials needed for them to perform their job, which included cars.

Mr. Glickert stated when he first started reporting these incidents five years ago there were 40 violations in this area. Today, there are 75. And how ironic is it that some of the violations listed in the report actually occurred in this same area?

He stated after sending dozens of pictures to the City, one would have thought that by now Mr. Rose would have at least held a meeting, sent an email, or made a call to his Code Enforcement Department to find out why these issues have not been addressed. So, when is anybody going to do something? And to make matters worse, Mr. Rose opened a parking lot on one of these streets; right next to a no parking sign, where truck drivers can drop off their trailers; with God knows what inside, that now sit there for months at a time.

I. COUNCIL COMMENTS

J. PUBLIC HEARINGS

None

K. CONSENT AGENDA - (1 voice vote required)

1. Boundary Adjustment
2. Heman Park Pool - Spray ground - Construction Contract
3. Police Department purchase of a 2024 Nissan Versa car

Councilmember Hales moved to approve Items 1 through 3 of the Consent Agenda, it was seconded by Councilmember Clay, and the motion carried unanimously.

Mr. Rose informed Council of a Study Session scheduled for next week to discuss the results of the biannual survey designed to gather residents' opinions about services provided by the City. And since code enforcement and recreation are included in the assessment, he thinks this will be a timely discussion. He stated the company used to conduct and analyze the results has been asked to present this information to the Mayor and Council.

Mr. Rose stated before proceeding to the City Manager's Report, he would suggest that Council first consider Bill No. 9536 under Unfinished Business.

L. UNFINISHED BUSINESS - (Roll call vote required on 2nd and 3rd readings)

- 1. BILL 9536 - AN ORDINANCE APPROVING A FINAL PLAT FOR A MAJOR SUBDIVISION OF A TRACT OF LAND TO BE KNOWN AS "URBAN SPROUTS.** Bill No. 9536 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 Klein, Councilmember McMahon, Councilmember Fuller, Councilmember Clay, and Mayor Pro Tem Smotherson.

Nays: None.

M. CITY MANAGER'S REPORT – (Voice vote on each item as needed)

- 1. Conditional Use Permit (CUP-23-08) - Application to allow a Day Care Center in the "IC" Industrial Commercial District at 6757 Olive Boulevard.**

Mr. Rose stated staff is recommending that Council consider a Conditional Use Permit to allow a Day Care Center in the IC Industrial Commercial District.

Dr. Wagner stated this is a CUP to expand the Urban Sprouts Day Care Facility located at 6757 Olive Boulevard to Ferguson Avenue, by incorporating three additional lots. 6767 Olive will be remodeled; 6773 Olive will be demolished, and 6779 Olive will be remodeled to accommodate their cafeteria. This permit was presented to the Plan and Traffic Commissions, who recommended that a gate be added next to the alley to address neighbors' concerns about patrons being able to double park in the alley. Designated parking spots within this area will be restricted to employees only. Dr. Wagner stated Paul Boyer of Civil Engineering Design Consultants and Ellicia Lanier of Urban Sprouts are here to answer any questions.

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

Councilmember Hales posed the following questions to Dr. Wagner:

Q. Does approval of the City Manager's Report constitute approval of the CUP?

A. Yes.

Q. Are the conditions associated with parking included within the CUP?

A. Yes, the permit was revised to include gated access into the alley.

Voice vote on Councilmember Klein's motion carried unanimously.

N. NEW BUSINESS

Resolutions - (Voice vote required)

- 2. Resolution 2024-02 - Reimbursement for Capital Expenditures in Connection with the Renovation Project of Annex/Trinity**

Councilmember McMahon moved to approve, seconded by Councilmember Clay.

Councilmember Clay asked if the objective of this Resolution is to reimburse the City for all of its expenditures related to this project? Mr. Rose stated the Resolution only allows the City to receive reimbursement for expenditures made after its adoption and 60 days before its adoption. Councilmember Clay stated that based on the following language, it seems like there is another category of expenses that might be eligible; *"In addition, treasury regulations allow the City to reimburse itself for the following costs; even if they have been paid more than 60 days before the adoption"*.

Mr. Rose asked Mr. Cole if his interpretation that reimbursements would be limited to 60 days prior to approval was correct? Mr. Cole stated his understanding is that once the bond is issued, the City could recapture expenditures going back three years before the adoption of this Resolution.

Mr. Clay stated should the City decide to exercise its option to be reimbursed; he would like a confirmation on the specific timeframes and conditions associated with any reimbursement. Because while the Resolution does lay out conditions for reimbursements, he is in agreement with Mr. Cole's explanation of up to three years.

Mr. Rose stated he's dealt with these types of Resolutions before and does not recall reimbursements going back three years. However, he will get a clarification and provide that information to Council. He stated the main reason this is being brought before Council is to obtain reimbursements for the City's current and future expenses like the bond rating study, which is approximately \$35,000, and to use Certificates of Participation to cover the debt service incurred for these renovations.

Councilmember Hales asked if the reimbursements would be handled administratively or show up as an amendment to the budget? Mr. Rose stating any request for reimbursement would require Council's approval.

Councilmember McMahon asked if the vote should be tabled until everything has been clarified? Mr. Rose stated he would be okay with delaying this to the next meeting since it would have a minimal impact on the City's ability to move forward.

Councilmember Clay moved to delay any action on this Resolution until the next meeting, it was seconded by Councilmember McMahon, and the motion carried unanimously.

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

None

O. COUNCIL REPORTS/BUSINESS

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

Councilmember McMahon reported that one of the Parks Commission's newly appointed members, Chris Cholley, passed away unexpectedly in January. This was an immeasurable loss since Mr. Cholley had the potential to bring real-world experience and energy to the Commission based on his tenure as the Superintendent of Florissant's Recreation Department. He leaves behind a wife and daughter, and the Commission would like to express their deepest sympathies to his family and friends.

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

P. CITIZEN PARTICIPATION - (continued if needed)

Q. COUNCIL COMMENTS

Mayor Pro Tem Smotherson stated in previous meetings he expressed concerns about the exterior renovations needed at 8109 Olive, which is slated to become a new business called the Twisted Cafe. He became even more frustrated when the owners of the Cafe informed Council that the landlord had prohibited them from taking down the old awning, painting the building, and had rented out the building behind the Cafe, leaving them with only four parking spaces. He stated unlike Delmar, there is no consistency when it comes to the maintenance and aesthetic appearance of these buildings.

Another example is Lamb's Garden which shut down when COVID hit. When it reopened, half of the building was used for the restaurant where patrons are asked to pick up their orders at a makeshift window, and the other half was used for some sort of warehouse. Both of these situations represent conditions that would absolutely not be tolerated on Delmar. Yet, people waiting in their cars or in long lines to get their food went on for two years before this unsightly configuration was ever addressed.

Mayor Pro Tem Smotherson stated he hopes that the City will start paying attention to these issues and expecting more from the business and property owners on Olive.

Mr. Rose informed Council that he had received an answer to Councilmember Clay's question about the Resolution. The conditions include a mixture of hard costs and soft costs. Reimbursements for hard costs are limited to 60 days prior adoption of the Resolution, soft costs; which include engineering, can go back to three years.

Councilmember Hales asked if this item could be reconsidered tonight? Mr. Rose stated any reconsideration would have to be unanimous.

Councilmember Hales moved to reconsider Resolution No. 2024-02, it was seconded by Councilmember Clay, and the motion carried unanimously.

Councilmember Hales moved to approve Resolution No. 2024-02, it was seconded by Councilmember Fuller, and the motion carried unanimously, with the exception of Mayor Pro Tem Smotherson.

Councilmember McMahon moved to adjourn the Regular Session, it was seconded by Councilmember Fuller, and the motion carried unanimously.

R. ADJOURNMENT

Mayor Pro Tem Smotherson thanked everyone for their attendance and adjourned the Regular Session at 7:03 p.m.

LaRette Reese
City Clerk, MRCC

