

**CITY OF FERGUSON, MISSOURI
CITY COUNCIL MEETING MINUTES
SEPTEMBER 11, 2012**

The regular meeting of the Ferguson City Council was called to order at 7:00 p.m. on September 11, 2012 by Mayor James W. Knowles III, in the Council Chambers of the Ferguson City Hall, 110 Church Street, Ferguson, Missouri.

Mayor Knowles requested that everyone stand for a moment of silent prayer, with a special remembrance for those who lost their lives in the September 11, 2001 terrorist attacks, after which the Pledge of Allegiance was recited.

On roll call, the following Council Members were present:

David Conway
Michael Salant
Dwayne T. James
Mayor James W. Knowles III
Mark Byrne (arrived at 7:05 p.m.)

Tim Larson ABSENT, Excused
Kim Tihen ABSENT, Excused

Ms. Asikainen declared a quorum was present.

Also present were City Manager John Shaw, City Attorney Stephanie Karr, and City Clerk Megan Asikainen.

Mayor Knowles welcomed all present and explained that the meeting would have the Public Portion in which you are invited to speak on matters of general concern and the Business Portion in which you are welcome to listen but not participate.

PUBLIC HEARINGS

Ad Valorem Tax Rates

Mayor Knowles opened the Public Hearing on the Ad Valorem Tax Rates for the 2012 year. Mr. Shaw explained that each year the City is authorized to levy an ad valorem tax on all real and personal property located within the City. He said that the levy must be approved by the City Council and submitted to the St. Louis County Collector of Revenue by October 1 each year. He invited Finance Director Jeffrey Blume to present the information for the current year.

Director Blume presented the assessed valuations for residential and commercial real property and personal property for the period. He said that residential and commercial property values rose slightly due to property sales and new construction, some of which is attributable to tornado damage repair from the April 2011 storm. Personal property values increased approximately 2% from the prior year.

Director Blume pointed out that the **increase in the General Fund's property tax levy is the result of an additional 35 cents per \$100 of assessed valuation which was approved by voters as Proposition C on August 7, 2012. Proposition C will result in an additional \$650,000 in tax collections yearly.**

Finally, Director Blume presented a sample tax bill showing rates levied by all taxing districts in the City. He said that there are 16 other taxing districts which levy taxes on real and personal property, of which the City's taxes make up about 12% of the total levied.

Mayor Knowles asked if there were any questions or comments regarding the proposed tax rates. There being no questions or comments from the public, the Public Hearing portion of the meeting was closed at 7:15 p.m.

SPECIAL PRESENTATIONS

Fire Department Promotions and New Hires/Police Department New Hires

City Manager Shaw said that on the anniversary of the September 11 terrorist attacks, staff felt that it would be appropriate to honor our public safety officers by introducing the recently promoted Fire Captains and newly hired firefighters and police officers. He asked Fire Chief Steve Rosenthal and Police Captain Rick Henke to make the introductions.

Chief Rosenthal said that the three Fire Captain promotions were the result of a restructuring that was **approved with this fiscal year's budget. The three participated** in a series of competitive exams that included a written test, tabletop exercises and interviews, and scenarios presented to them by a panel of officers from different departments. He introduced Jim Ethier, a 19-year veteran of the department, Eric Nutis, also a 19-year veteran of the department, and Steve Lagermann, a 14-year veteran of the department as newly promoted Fire Captains. All are certified as a Fire Officers, Fire Instructors, and EMTs. Chief Rosenthal introduced new firefighters Matt Stearn, Tony James, and Nick Lodes. He also recognized firefighter Chad Forgue who has been with the department for over two years.

Captain Rick Henke introduced new police officers Tim Mueller and Justin Cosma. Both attended the Eastern Missouri Police Academy and had previous law enforcement experience before coming to the City.

PUBLIC COMMENTS

Barbara Bandy, 324 S. Elizabeth, addressed the Council regarding public safety concerns. She discussed several incidents that had occurred in her area. Mayor Knowles said that City staff would look into the matter.

There being no additional public comments, Mayor Knowles closed the Public Comments portion at 7:25 p.m.

BUSINESS PORTION

MINUTES

City Council Meeting Minutes- August 28, 2012. A motion was made by Council Member James, seconded by Council Member Conway, and carried to approve and file the City Council Meeting Minutes of August 28, 2012. Motion carried unanimously.

CONSENT AGENDA

Ferguson Municipal Public Library District Meeting Minutes- July 23, 2012. A motion was made by Council Member James, seconded by Council Member Byrne, and carried to receive and file the Ferguson Municipal Public Library District Meeting Minutes of July 23,

2012. Motion carried unanimously.

Pension Board Meeting Minutes- April 23, 2012. A motion was made by Council Member James, seconded by Council Member Byrne, and carried to receive and file the Pension Board Meeting Minutes of April 23, 2012. Motion carried unanimously.

APPOINTMENTS

There were no appointments at this time.

REQUESTS

There were no requests at this time.

PROCLAMATIONS

National Night Out- September 18, 2012. Mayor Knowles read a Proclamation designating September 18, 2012 as National Night Out in the City of Ferguson. The Proclamation was presented to Captain Henke of the Ferguson Police Department.

No Text on Board Pledge Day- September 19, 2012. Mayor Knowles read a Proclamation designating September 19, 2012 as No Text on Board Pledge Day in the City of Ferguson. The Proclamation was presented to Captain Henke of the Ferguson Police Department.

National Public Lands Day- September 29, 2012. Mayor Knowles read a Proclamation designating September 29, 2012 as National Public Lands Day in the City of Ferguson. The Proclamation was presented to Stan Kreidler, Director of the Parks and Recreation Department.

RESOLUTIONS

2012-26

A RESOLUTION SELECTING A CONTRACTOR FOR FINANCIAL ADVISORY SERVICES RELATIVE TO THE ISSUANCE OF CERTIFICATES OF PARTICIPATION TO FUND IMPROVEMENTS TO THE EXISTING POLICE STATION AND THE PROPOSED COMMUNITY CENTER; AUTHORIZING THE CITY MANAGER TO EXECUTE THE CONTRACT ON BEHALF OF THE CITY; AND STATING THE INTENT REGARDING REIMBURSEMENT FOR CERTAIN EXPENDITURES RELATED TO SUCH IMPROVEMENTS

City Manager Shaw explained that this Resolution allows the City to accept the \$10,000 proposal from WM Financial Services and selects them as the contractor to provide financial advisory services for the issue of new certificates of participation bonds relative to the Police Department Renovation Project combined with the Community Center Project. The original proposal from WM Financial for the issuance of the bonds relative to only the Police Department Renovation Project was \$7,500. By combining the two issues, the City will see a substantial savings on the financial advisory services.

A motion was made by Council Member James, seconded by Council Member Byrne, and carried to approve Resolution No. 2012-26. By roll call vote:

AYES: 5- Conway, Salant, James, Mayor Knowles, Byrne
NOES: 0
ABSENT: 2- Larson, Tihen

Resolution passed unanimously.

2012-27

A RESOLUTION SELECTING A FIRM TO PROVIDE SPECIAL TAX COUNSEL SERVICES WITH REGARD TO THE ISSUANCE OF CERTIFICATES OF PARTICIPATION TO FUND IMPROVEMENTS TO THE EXISTING POLICE STATION AND THE PROPOSED COMMUNITY CENTER; AUTHORIZING THE CITY MANAGER TO EXECUTE THE CONTRACT ON BEHALF OF THE CITY; AND STATING THE INTENT REGARDING REIMBURSEMENT FOR CERTAIN EXPENDITURES RELATED TO SUCH IMPROVEMENTS

City Manager Shaw explained that this Resolution allows the City to accept the \$25,000 proposal for Gilmore and Bell and selects them as the contractor to provide special tax counsel services for the issue of new certificates of participation bonds relative to the Police Department Renovation Project combined with the Community Center Project. The original proposal from Gilmore and Bell for the issuance of the bonds relative to only the Police Department Renovation Project was \$17,000. By combining the two issues, the City will see a substantial savings on the special tax counsel services.

A motion was made by Council Member Byrne, seconded by Council Member James, and carried to approve Resolution No. 2012-27. By roll call vote:

AYES: 5- Conway, Salant, James, Mayor Knowles, Byrne
NOES: 0
ABSENT: 2- Larson, Tihen

Resolution passed unanimously.

BILLS REQUIRING FIRST READINGS

BILL 6990

AN ORDINANCE LEVYING SPECIAL TAX BILLS AGAINST CERTAIN PROPERTIES FOR COSTS OF CUTTING AND REMOVING WEEDS AS PROVIDED UNDER CHAPTER 46. VEGETATION, ARTICLE III. WEEDS AND VINES, OF THE CODE OF THE CITY OF FERGUSON, MISSOURI was introduced by Council Members present and read for the first time.

Mayor Knowles explained that this Bill was one in a series of Bills that are passed regularly to levy special assessments on properties which the City has had to remove nuisances such as high grass or trash and debris.

BILL 6991

AN ORDINANCE LEVYING SPECIAL TAX BILLS AGAINST CERTAIN PROPERTIES FOR COST OF REMOVING TRASH AND DEBRIS AS PROVIDED UNDER CHAPTER 28. NUISANCES, OF THE CODE OF THE CITY OF FERGUSON, MISSOURI was introduced by Council Members present and read for the first time.

BILL 6992

AN ORDINANCE LEVYING SPECIAL TAX BILLS AGAINST CERTAIN PROPERTIES FOR COSTS OF BOARDING UP BUILDINGS AS PROVIDED UNDER CHAPTER 7. BUILDINGS AND BUILDING REGULATIONS, OF THE CODE OF THE CITY OF FERGUSON, MISSOURI was introduced by Council Members present and read for the first time.

BILL 6993

AN ORDINANCE FIXING THE RATE OF AD VALOREM TAXATION FOR THE CALENDAR YEAR 2012 ON ALL PROPERTY MADE TAXABLE BY LAW WITHIN THE CORPORATE LIMITS OF THE CITY OF FERGUSON, MISSOURI, BY LEVYING A TAX FOR GENERAL AND OTHER PURPOSES; FREE PUBLIC PARKS; PAYMENT OF DEBT SERVICE ON ALL GENERAL OBLIGATION BOND DEBT was introduced by Council Members present and read for the first time.

BILL 6994

AN ORDINANCE AFFIRMING ADOPTION OF A REDEVELOPMENT PLAN, REDEVELOPMENT AREA, REDEVELOPMENT PROJECT; AUTHORIZING THE EXECUTION OF A REDEVELOPMENT AGREEMENT AND OTHER AGREEMENTS BETWEEN THE CITY AND PICCOLINO'S LLC RELATIVE TO THE PROPERTY AT 10 CHURCH STREET; PRESCRIBING THE FORM AND DETAILS OF SAID AGREEMENT; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING OTHER RELATED ACTIONS IN CONNECTION WITH THE REDEVELOPMENT OF CERTAIN PROPERTIES WITHIN THE REDEVELOPMENT AREA was introduced by Council Members present and read for the first time.

City Manager Shaw explained that this Ordinance creates a redevelopment agreement between the City of Ferguson and Piccolino's LLC for an Italian deli to be located at 10 Church Street for a \$7,065.00 business grant. He said that the City is very excited to welcome another eating establishment.

OLD BUSINESS

There was no old business at this time.

NEW BUSINESS

Council Member Conway commended Ms. Bandy, who spoke during the Public Comment portion, for her ongoing efforts to maintain her property.

Council Member Byrne announced that Paul Beins was going to receive the Captain Cleanup Award at the Nesbit-Newton Neighborhood Association meeting. He congratulated Mr. Beins and thanked him for his service.

City Clerk Megan Asikainen finalized the City's roster for the annual North County, Incorporated 30 Leaders in their 30's Luncheon.

City Manager John Shaw said that he wanted to follow up on the discussion from the last meeting regarding the redevelopment projects in the downtown. Staff will plan to make a short presentation at the next Council meeting highlighting some of the redevelopment over the last ten years. In the meantime, he wanted to provide an update on some of the widely discussed development projects.

City Manager Shaw began with the former Saturn dealership on Pershall Road, now known as Drive Time. He said that the Planning Department signed off on the occupancy permit and the dealership only needs to install the required landscaping and complete the final site inspection. The project has been underway for well over a year, but its opening is imminent.

He continued by discussing the Metro Transfer Station at the former Planet Mazda site. He said that the project is still in process, but Metro is currently in a waiting period for their funding from the Federal government. They will be able to establish a more specific timeline

within the next few months.

City Manager Shaw discussed St. Louis Fish and Chicken at the former Sinclair site at Florissant Road and Hereford. The interior of the building is still under construction, the property owner reports that he had replaced a general contractor which caused some delay, but they plan to be open at the beginning of November.

The White-Mullen Mortuary property on Florissant Road is still listed for sale at \$475,000. The property owner has stated that they are not interested in leasing the space; they would like to sell it. There is a deed restriction on the property that will prohibit another funeral home or uses related to a funeral home on the site. They have received interest from churches but no offers have been made. Additionally, there has been fence damage at the site for over a year. The City received a permit application from a fence contractor to have that fence replaced.

City Manager Shaw discussed El Palenque's cantina expansion saying that there were some minor items that had to be completed for the restaurant to pass their St. Louis County Health Department inspection. He said that those items should be completed in short order and it should be open to the public soon after.

Smokemasters barbeque restaurant on S. Florissant Road recently closed. The owner is looking to sell the property for \$50,000 which includes the kitchen equipment. He said that he would also consider leasing the property for \$1,500 per month. The owner also stated he would consider demolishing the building and letting it go up for tax sale if it came to that.

The Laundry Basket property on S. Florissant Road was sold at auction. An interior renovation is in process and the new owner is purchasing all new equipment for the building. The new owners did apply for their commercial occupancy within the six-month time frame as prescribed by Ordinance and will be allowed to retain the laundromat use at the site within the numerical limitations given by the Code. Significant repairs will be required for the parking lot. The estimates for the parking lot repairs are estimated to be between \$80,000 and \$100,000. Council Member James asked if there was a time frame for all of the repairs to be completed and still be within the Ordinance. City Manager Shaw responded that the owner has demonstrated a substantial commitment to improving the property and working with the City. He said that he would like to discuss it in more depth as far as when the time period starts and begins. Council Member James said that an upgraded laundromat is certainly something that is needed in that area. Mayor Knowles responded that he agreed and felt that as long as the owner is showing continuous progress he was fine with allowing a little more additional time.

City Manager Shaw said that five of the thirteen IdeaBounce presenters were still considering their ideas with three of them taking steps to **move their projects forward**. **Stacy Young, Let's TALK Teen Clinic**, has signed a one year lease in the Professional Building at 119 Church Street. She is anticipating opening the clinic January 1, 2013 followed by a golf tournament in the Spring. She is in the process of getting her 501c3 and putting together a TIF application. **Tim Dulle, Oscar's Restaurant**, has been connected to a micro-lending organization that also provides credit repair services and technical assistance to small business owners. The City will remain in contact with him as he looks at a number of possibilities to make the restaurant happen. Laura and Scott Garrett, the Paleo Science Center, have been in contact with Vicki Adams and are exploring the idea of partnering with the Metam4ic Math Center. In the meantime, they are organizing a fundraiser to build startup capital for the center. Molly Rockamann, North Country Kitchen, is solely focused on developing initiatives for EarthDance Farm at this point in time. She hopes to incorporate North Country Kitchen with EarthDance at some point in the future. Courtney Curtis, Community Innovation Center, has

been working on gathering investors for an incubator space. City staff has connected him with a broker for some commercial property on S. Florissant Road as a potential space for the center.

Mayor Knowles asked about the White-Mullen property. He wanted to clarify that the owners have placed a deed restriction on the property. He said that he has heard from some in the community that the City was restricting funeral homes at that site. City Manager Shaw responded that when the mortuary was sold it was their express intent to close the funeral home and place that deed restriction to prevent another funeral home from coming in and creating competition.

Mayor James W. Knowles III congratulated the promoted Fire Captains and welcomed the new firefighters and police officers. He said that it was particularly appropriate on the anniversary of the September 11 terrorist attacks to recognize our first responders and to remember those who lost their lives.

Mayor Knowles added that he wanted to draw attention to the efforts of the Ferguson Police Department in a recent double homicide. He said that the detectives worked very quickly to **identify a suspect, and despite efforts by some of the suspect's friends and family to hinder** the prosecution, were able to locate and apprehend the suspect in Minnesota. He thanked the Police Department for working quickly to close the case.

ADJOURNMENT

There being no further business to discuss, a motion was made by Council Member Salant, seconded by Council Member James, and carried to adjourn the meeting. Motion carried unanimously. The meeting was adjourned at 8:00 p.m.

James W. Knowles III, Mayor
City of Ferguson, Missouri

ATTEST:

Megan Asikainen - City Clerk
City of Ferguson, Missouri
Approved: 9/25/12