

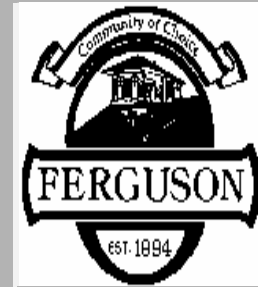
Approved 5/8/07

FERGUSON CITY COUNCIL

**Council Meeting Minutes
April 24, 2007**

COUNCIL MEETING, 8:00 P.M.

**CITY HALL
110 Church Street**



The regular meeting of the Ferguson City Council was called to order at 8:00 p.m. on April 24, 2007 by Mayor Brian P. Fletcher, in the Council Chamber of City Hall, 110 Church Street, Ferguson, Missouri. Mayor Fletcher requested that everyone stand for a moment of silent prayer, after which the Pledge of Allegiance was recited. On roll call, the following Council Members were present:

Mayor Brian P. Fletcher
Kynan S. Crecelius
Michael Salant
James W. Knowles III - *ABSENT*
James Hines
Peggy Faul
Fran Grecco

Also present were City Manager John Shaw, City Attorney Stephanie Karr, and City Clerk Debbie Matthies. Mrs. Matthies declared a quorum was present.

Mayor Fletcher welcomed all present and explained the Council meeting would have the Public Comment Portion at which time 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 COMMENTS

James Truesdale – 1400 Hudson Road – had concerns and comments regarding the Farmers' Market parking lot and dividers used on the lot, he injured himself last year, and wanted Council to be aware of the parking lot problem so changes could be made.

Approved 5/8/07

John Knowles – 716 N. Elizabeth – announced the Letter Carriers Food Drive for the City of Ferguson to benefit the area food bank. Interested citizens should deposit cans at St. Stephens Episcopal Church or place a can of food in or by their mailbox and it will be collected on Saturday, May 12, 2007.

Tom Patterson – Royal – had comments and concerns regarding letters from the County Assessor's office.

City Attorney, Stephanie Karr explained the assessments from the County.

There being no further comments, the Public Comments portion closed at 8:10 p.m.

BUSINESS PORTION

PROCLAMATIONS

Mayor Fletcher read and presented a Proclamation to Eagle Scout Paul Huber.

CONSENT AGENDA

Minutes

Plan Commission Meeting Minutes – March 21, 2007. A motion was made by Council Member Grecco, seconded by Council Member Faul, and carried to receive the minutes as presented and file as appropriate.

BILLS REQUIRING FIRST READING

BILL NO. 6789 - AN ORDINANCE OF THE CITY OF FERGUSON, MISSOURI, AMENDING SECTIONS 7-236 AND 7-237 OF ARTICLE XI OF TITLE 7 OF THE MUNICIPAL CODE RELATING TO REGULATIONS FOR ACCESSORY STRUCTURES ON COMMERCIAL PROPERTY, was introduced by Council as a whole and read the first time.

City Manager, John Shaw explained that many commercial establishments have started placing clothing donation receptacles on their parking lots. In many instances, these receptacles are merely dumpsters which are painted red or yellow and do not have any screening. Mr. Shaw stated that it has been reported in recent months, many of these dumpsters, located on the

Approved 5/8/07

parking lots of commercial property are maintained by for-profit companies who make big profits by selling the donated clothing overseas.

Mr. Shaw further commented that without limitation or regulation, these receptacles may be placed where they interfere with the flow of the traffic on the parking lot, block parking spaces which may be required for the business, or rest in the property's setback areas or other prohibited spaces. Therefore, Mr. Shaw stated that most cities require special use permits for such donation receptacles.

BILLS REQUIRING SECOND READING

BILL NO. 6788 - AN ORDINANCE AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH NORTHPARK PARTNERS LLC FOR THE SALE OF PROPERTY, was introduced by Council as a whole and read the first time.

A motion to read the Bill a second time and place it upon its passage was made by Council Member Salant, seconded by Council Member Hines.

Mr. Shaw explained that this property is an undeveloped area that contains a creek and is South of Suburban and within the NorthPark development area. NorthPark needs the creek for drainage and detention. They have agreed to pay the City \$150,000 and install a landscape buffer along Hern. This \$150,000 is over and above the \$500,000 that NorthPark owes the City under the terms of the separate Redevelopment Agreement.

Mr. Shaw further stated that in addition, as NorthPark is also taking a parcel from the County, NorthPark agreed to subdivide the County parcel, which was approved by this Council at the April 17, 2007 Council meeting. NorthPark will take the majority of the County property, but will grant to us the portion of the County property that is located east of Hern. The City proposes to use the property for a Park.

On roll call vote, the motion carried as follows:

AYES: 6 – Crecelius, Salant, Hines, Fletcher, Faul, Grecco
NOES: 0
ABSENT: 1 - Knowles

Bill passes 6-0.

Approved 5/8/07

Bill No. 6788 was declared passed and sent to the Mayor for signature. Bill No. 6788 thus became Ordinance No. 2007-3307 and is permanently recorded in Book 29 on page 21.

MISCELLANEOUS

Ms. Faul – reminded everyone of the Farmers' Market and commented that the Volunteer Flower Club can always use more volunteers. Thanked the Police Officers for their commendations and appreciates their service everyday. Ms. Faul reminded everyone of the Robert-Superior clean up day on Saturday as well as reminding residents to clean up their yards. Congratulated Eagle Scout Paul Huber. Ms. Faul commented with the passage of Bill No. 6788 an article was published in the *Everyday* section regarding the changes and new development in the various communities. The article also listed the NorthPark development as well as a quote from Ferguson resident, Atefa Young.

Ms. Grecco – concurred with Ms. Faul in inviting everyone to participate in the Farmers' Market.

Ms. Grecco questioned the City policy that if a tree is on City property or right-of-way and needs to be cut, City crews will cut it. Ms. Grecco also understands the City policy to be if a City tree, in a storm or by an event, falls and injures irreparably a tree on private property, the City crews will take care of it.

Public Works Director, Terry O'Neil confirmed Council Member Grecco's statement.

Ms. Grecco commented that if anyone disagrees or has questions about the assessment of their property, they have the right to appeal it by the May deadline.

Ms. Grecco also thanked the Police Officers for their wonderful work and congratulated Eagle Scout Paul Huber on a great job.

Mr. Hines – thanked the Fire and Police Departments for doing a great job. Thanked Shannon Howard for approaching the downtown business areas and congratulated Eagle Scout Paul Huber.

Mr. Salant – thanked the Police Officers for a great job and thanked Shannon Howard for her work with FSBD.

Approved 5/8/07

Mr. Crecelius – thanked and appreciates the entire Police Department and congratulated Eagle Scout Paul Huber. Mr. Crecelius reminded everyone of the Farmers' Market and commented that volunteers are needed for set up (6:30 a.m.) and breakdown (noon) of the market, any volunteers interested please show up at the market.

Mr. Shaw – thanked the Police Officers and Eagle Scout Paul Huber. Mr. Shaw requested a date for orientation for new Council Members to visit and tour the City and extended the invite to any other Council Members that would like to participate.

Ms. Shaw announced that Assistant City Manager, De'Carlton Seewood has resigned from his position to become the new City Manager of Berkeley. Mr. Shaw thanked De'Carlton on behalf of the City and staff for his hard work and dedication to the community over the past six years. De'Carlton served in a number of interim capacities over the years, when needed, and has done an excellent job. Mr. Shaw congratulated and wished De'Carlton the best in his new position and looks forward to working with him on any cooperative efforts between the City of Ferguson and the City of Berkeley.

Mr. Shaw further announced that with De'Carlton's departure, Planning Coordinator, Drew Awsumb has been appointed as the Assistant to the City Manager. Mr. Shaw stated that Drew has done an excellent job at his role in the Planning Department and is certain Drew will be an asset to the organization in his new role.

Mayor Fletcher – congratulated and welcomed Drew in his new position, congratulated the Police Officers and the Fire Department, thanked Shannon Howard for her FSBD update and congratulated Eagle Scout Paul Huber and his parents.

Mayor questioned the resurfacing of the Victorian Plaza parking lot and the removal of the concrete curbs.

Public Works Director, Terry O'Neil gave a status of the resurfacing and commented that to prevent hazards, the concrete curbing will be removed when the overlay is finished.

Mayor commented that he has received several calls regarding children walking in the middle of the streets and blocking traffic and creating nuisances. Mayor stated that parents are responsible for their children. The City does have a policy, and the City will not tolerate unruly youths blocking

Approved 5/8/07

streets, sidewalks, and making a general menace of themselves to law abiding citizens. As a citizen, please call the Police Department if you know

the children's names or addresses. Mayor stated that playing loud music in cars is also a nuisance. Mayor commented that the City takes these nuisances very serious and fines will be given.

Mayor also reminded citizens that when hearing emergency sirens to please move and let the emergency vehicles through the traffic.

Mayor Fletcher announced a closed session after the meeting. Council Member Grecco made a motion to go in to closed session, seconded by Council Member Faul.

ADJOURNMENT

On April 24, 2007 at 8:35 p.m. a motion was made by Council Member Grecco, seconded by Council Member Faul to enter into closed session in accordance with RSMo 610.021/610.022 to discuss matters relating to communications with the City Attorney, Real Estate, Employee and Personnel matters as provided under Sections 610.021 (1) (2) (3) and (13) RSMo. On roll call vote the motion passed unanimously.

A motion was made by Council Member Salant, seconded by Council Member Faul to reconvene to open session at 9:35 p.m. On roll call vote, the motion carried.

There being no further business to consider, Council Member Grecco moved to adjourn, seconded by Council Member Salant. The meeting adjourned at 9:35 p.m.

Deborah L. Matthies, City Clerk