

FERGUSON CITY COUNCIL

**Council Meeting Minutes
September 25, 2007**



WORK SESSION, 7:00 P.M.

❖ NIMS Training – Council

COUNCIL MEETING, 8:00 P.M.

CITY HALL

110 CHURCH STREET

WORK SESSION

Lieutenant Nabzdyk presented the NIMS training and test to City Council.

COUNCIL MEETING – SEPTEMBER 25, 2007

The regular meeting of the Ferguson City Council was called to order at 8:00 p.m. on September 25, 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
Dwayne James
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 a Public Hearing Portion at which time you are invited to speak on a specific request or proposal; the Public 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 HEARING - Downtown Area Redevelopment Project

Mayor opened the Public Hearing for the Downtown Area Redevelopment Project at 8:00 p.m.

City Manager, John Shaw explained that the purpose of the Public Hearing is to determine if the project is making satisfactory progress under the proposed time schedule contained within the Redevelopment Plan adopted September 10, 2002.

Finance Director, Brian Coyman provided a description and brief presentation of the Redevelopment Area, the reasoning behind its creation, and a recital of the history of developments that have taken place to-date as well as the costs and potential financial mechanisms for the future.

Mr. Coyman also noted that the Downtown TIF would be the focus of the Strategic Planning Work Session this week.

Joe Lonero – 901 Hudson Road – commented that FSBD is not finished with the downtown area and still needs help with TIF funds and thanked Council for their help.

There being no further public comments, Mayor Fletcher closed the Downtown Area Redevelopment Project Public Hearing at 8:20 p.m.

PUBLIC COMMENTS

There being no public comments, Mayor Fletcher closed the Public Comments portion at 8:20 p.m.

BUSINESS PORTION
MINUTES

Council Meeting Minutes – September 18, 2007. A motion was made by Council Member Knowles, seconded by Council Member Grecco and

carried to approve and receive as presented the Council Meeting Minutes of September 18, 2007 and file as appropriate.

Council Strategic Planning Work Session Minutes – September 17, 2007. A motion was made by Council Member Knowles, seconded by Council Member Grecco and carried to approve and receive as presented the Strategic Planning Work Session Minutes of September 17, 2007 and file as appropriate.

CONSENT AGENDA

Minutes

Plan Commission Meeting Minutes – August 15, 2007. A motion was made by Council Member Knowles, seconded by Council Member Grecco, and carried to receive the minutes as presented and file as appropriate.

Ferguson Municipal Public Library Minutes – August 27, 2007. A motion was made by Council Member Knowles, seconded by Council Member Grecco, and carried to receive the minutes as presented and file as appropriate.

Ferguson Municipal Public Library Minutes – July 16, 2007. A motion was made by Council Member Knowles, seconded by Council Member Grecco, and carried to receive the minutes as presented and file as appropriate.

Ferguson Neighborhood Improvement Program Minutes–July23, 2007. A motion was made by Council Member Knowles, seconded by Council Member Grecco, and carried to receive the minutes as presented and file as appropriate.

Ferguson Senior Citizens Commission Minutes – September 6, 2007. A motion was made by Council Member Knowles, seconded by Council Member Grecco, and carried to receive the minutes as presented and file as appropriate.

APPOINTMENTS

Council approved the appointment of Jessica Hensiek to the FSBD Board.

Council approved the appointment of Martin Menke to the FNIP Board.

The temporary Personnel Board appointments are Victoria Salsman, Veronica Wells and Dave Wesloh - City Attorney Stephanie Karr confirmed the three temporary board members would be sufficient.

RESOLUTION

2007-33 - A RESOLUTION GRANTING AN EASEMENT TO SOUTHWESTERN BELL TELEPHONE, L.P., D/B/A AT&T MISSOURI, A TEXAS LIMITED PARTNERSHIP, APPROVING THE EASEMENT AGREEMENT AND DEED FOR SUCH CONVEYANCE AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID EASEMENT AGREEMENT AND DEED ON BEHALF OF THE CITY, was introduced by Council Members Crecelius, Salant, Knowles, James, Faul and Grecco.

Mayor Brian P. Fletcher recused himself from any discussion or vote regarding Resolution No. 2007-33.

City Manager, John Shaw explained that AT&T has requested a ten-foot wide easement through January-Wabash Park. They are not proposing to pay anything for the grant of the easement. Included in the packet are the easement deed and the drawing showing the location of the easement. In the deed, the City is requiring that all lines, cable and facilities be placed underground. However, Council needs to be aware that, if approved, this easement could interfere with location of future improvements, especially if it is decided to acquire the adjacent property shown on the drawing.

With long-range planning in mind, staff proposed to AT&T that the City be allowed to move the lines in the future, at the City's cost and expense, if the City acquires the adjacent property and/or planned park improvements in that area. AT&T representatives refused to agree to such a condition – even though the City would pay to have the lines moved.

The Resolution appearing on the agenda would grant the proposed easement, as it is shown on the drawing, at no cost to AT&T.

Mr. Shaw recommends denial of the Resolution. If after AT&T is notified of the Council's decision, they wish to accept the changes that staff had originally posed, another Resolution could be drafted to reflect such.

A motion was made by Council Member Knowles, seconded by Council Member Crecelius to read Resolution No. 2007-33.

On roll call vote, the motion carried as follows:

AYES: 0

NOES: 6 - Crecelius, Salant, Knowles, James, Faul, Grecco

RECUSE: 1 – Fletcher

Resolution failed.

BILLS REQUIRING FIRST READING

BILL NO. 6811 - AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FERGUSON, MISSOURI, ON BEHALF OF THE CITY TO ACCEPT FOR TRAIL DEVELOPMENT, REAL PROPERTIES IDENTIFIED AS LOCATOR NUMBER(S) 12H230448 (700 BEARDSLEY), 12J310806 (835 WIEGEL), AND 12J310833 (811 WIEGEL), HELD IN TRUST BY THE TRUSTEE OF ST. LOUIS COUNTY, FOR A FEE OF \$27.00 (TWENTY-SEVEN DOLLARS) PER PROPERTY TO COVER THE RECORDING FEE, was introduced by Council as a whole and read the first time.

City Manager, John Shaw explained that the St. Louis County Department of Revenue maintains a list of properties know as Trustee Properties that have reverted to the County because of owner's failure to pay delinquent taxes. Municipalities may acquire title to these properties for only the cost of the recording fee.

Mr. Shaw further explained that the properties at 811 and 835 Wiegel Avenue are vacant and adjacent to Maline Creek and the abandoned railroad right of way currently owned by Ameren U.E. The City has been land banking such properties for future trail development.

The property at 700 Beardsley is not vacant land, however, the property is adjacent to the same Ameren U.E. right of way and the house is vacant and in poor condition. There is an outstanding tax lien of \$5,982. It is in an area that the City anticipates will be part of the Maline Creek Corridor Trail development in the future and should be land banked by the City. The initial cost to the City is \$27.00 per property for recording fees.

Staff proposes that the City accept the transfer of three properties from St. Louis County for the purpose of land banking for the Maline Creek Corridor Trail.

MISCELLANEOUS

Mr. James- reminded everyone to attend Streetfest this weekend.

Ms. Faul – reminded everyone to attend Streetfest. Complimented City Staff, Public Works and everyone involved in the new appearance at City Hall with the new signage, benches, plants, etc. Ms. Faul reminded everyone with Fall approaching to please care for their lawns.

Ms. Grecco – reminded everyone to attend Streetfest and commented Florissant Road looks great with the sidewalks, curbs, guttering, and stamped concrete.

Mr. Shaw – reminded Council of the second Strategic Planning Work Session scheduled for Wednesday, September 26, 2007 at 6 p.m. and asked for Council consensus for the third Work Session to be scheduled for Wednesday, October 24, 2007. Council agreed.

Mr. Shaw updated Council that with the request of Council Member Grecco the Ferguson Library has been updated with the City Budgets, CIP and other City financial documents. Mr. Shaw thanked Finance Director, Brian Coyman for helping with the request.

Mayor Fletcher – reminded everyone to attend Streetfest.

ADJOURNMENT

At 8:45 p.m. Council Member Knowles, seconded by Council Member Grecco moved to enter into closed session in accordance with RSMo 610.021 /610.022 to discuss matters relating to Litigation, Real Estate and Employee matters as provided under Sections 610.021 RSMO (1) (2) and (3). Motion carried.

At 11:45 p.m. a motion was made by Council Member Salant, seconded by Council Member Faul to reconvene to open session. On roll call vote, the motion carried.

A motion was made by Council Member Salant, seconded by Council Member Faul to adjourn the meeting at 11:45 p.m. Motion carried.

Deborah L. Matthies, City Clerk