

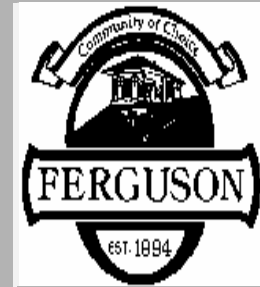
Approved 4/17/07

FERGUSON CITY COUNCIL

**Council Meeting Minutes
March 27, 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 March 27, 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
John Corson
Michael Salant
James W. Knowles III
James Hines
Peggy Faul
Tim Larson

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

Jim Knowles – 1123 Renshaw – suggested permanent information display signs to be placed at January Wabash Park. Mr. Knowles suggested City Hall purchase an emergency generator so services could be maintained during emergencies. Mr. Knowles further suggested message boards be placed on the West Florissant and Hallsferry corridors to display City messages.

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Mayor commented that after the last storm staff is in the process of revising emergency preparedness which would include a generator for City Hall, and review of the reverse 911.

Mr. Knowles is concerned about residents not having the appropriate type of telephone to receive the information. Mr. Knowles suggested some type of hot line for the residents or possibly a refrigerator magnet listing emergency numbers and information.

Council Member Hines commented that part of the job of a Council Member is to take care of your Ward by making yourself available. Residents that need questions answered should contact your Council Member direct, especially during emergency situations.

There being no further comments, the Public Comments portion closed at 8:05 p.m.

BUSINESS PORTION **MINUTES**

Council Meeting Minutes – March 13, 2007. A motion was made by Council Member Larson, seconded by Council Member Corson and carried to approve and receive as presented the Council Meeting Minutes of March 13, 2007 and file as appropriate.

CONSENT AGENDA

Minutes

Plan Commission Meeting Minutes – December 20, 2006. A motion was made by Council Member Knowles, seconded by Council Member Hines, and carried to receive the minutes as presented and file as appropriate.

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

Landmarks Commission Minutes – February 6, 2007. A motion was made by Council Member Knowles, seconded by Council Member Hines, and carried to receive the minutes as presented and file as appropriate.

Ferguson Senior Citizens Commission Minutes – March 1, 2007. A motion was made by Council Member Knowles, seconded by Council Member Hines, and carried to receive the minutes as presented and file as appropriate.

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APPOINTMENTS

Council appointed City Manager, John Shaw to the Lambert Airport Eastern Perimeter Joint Redevelopment Commission.

A motion was made by Council Member Larson to appoint Bill Duncan to the Senior Citizens Commission, seconded, motion approved unanimously.

PROCLAMATIONS

Mayor announced Arbor Day is April 6, 2007. The City will celebrate Arbor Day and Tree Dedication on Saturday, April 7, 2007 at 11:30 a.m. at the Bandshell in January Wabash Memorial Park, 501 N. Florissant Road.

RESOLUTIONS

2007-10 - A RESOLUTION APPROVING A RECORD PLAT FOR A 7.28 ACRE PARCEL ON WIEGEL DRIVE DIVIDING THE PARCEL INTO TWO LOTS TO BE KNOWN AS 5461 HERN AND 5460 HERN AVENUE AND ACCEPTING THAT PORTION OF HERN ROAD PREVIOUSLY CONSTRUCTED AND OPERATED AS A PUBLIC ROAD, was introduced by Council as a whole and read by City Attorney, Stephanie Karr.

City Manager, John Shaw explained that the Resolution acts as a follow-up to Resolution No. 2007-09 and will approve the recommendation made by the Plan Commission during their review of the plat proposal. It is also the next necessary step in acquiring the property from St. Louis County, in accordance with the Maline Creek Study and the City's interest in preserving the land to the south of Suburban Ave. as green space along the creek area.

On roll call vote, the motion carried as follows:

AYES: 7 – Corson, Salant, Knowles, Hines, Fletcher, Faul, Larson

NOES: 0

Resolution passes (7-0)

BILLS REQUIRING FIRST READING

BILL NO. 6786 - AN ORDINANCE REPEALING ORDINANCE NO. 2006-3277 AND IN LIEU THEREOF APPROVING AND AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE CITY AND THE CONTRACTOR FOR THE UNIVERSITY OF MISSOURI – ST. LOUIS RELATING TO PROPERTY

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IMPROVEMENTS FOR THE LOCATION OF AN ART STUDIO AND EXHIBITION FACILITY WITHIN THE CITY OF FERGUSON, was introduced by Council as a whole and read the first time.

Mr. Shaw explained that this bill allows the City to pay Mr. Lonero directly for his services as contractor performing various property improvements at the UMSL Art Studio and Gallery located on Florissant Road. The University requested that this change be made to the previous agreement and specifically requested that this payment be made directly to Mr. Lonero. This will expedite payment to Mr. Lonero as he has completed all of the work on the Art Studio.

BILL NO. 6787 - AN ORDINANCE AMENDING SECTION 3-20 OF THE MUNICIPAL CODE ESTABLISHING ADDITIONAL REGULATIONS FOR ADULT-RELATED BUSINESSES AND CLARIFYING THE DISTRICTS IN WHICH THESE BUSINESSES MAY BE LOCATED, was introduced by Council as a whole and read the first time.

City Attorney, Stephanie Karr explained the ordinance amendment to Section 3-20 establishing additional regulations for Adult-related businesses.

BILLS REQUIRING SECOND READING

BILL NO. 6785 - AN ORDINANCE AMENDING CHAPTER 30 - PARKS AND RECREATION, ARTICLE IV - USE REGULATIONS, SECTION 30.66 - ALCOHOLIC BEVERAGES, OF THE CODE OF THE CITY OF FERGUSON, MISSOURI, BY REPEALING SECTION 30.66 (a) (4) CONCERNING ALCOHOLIC BEVERAGES IN FORESTWOOD PARK AND CONTAINING A SUNSET CLAUSE FOR SAID ORDINANCE AND ENACTING A NEW SECTION 30.66(a) (4), was introduced by Council Member Faul 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 Larson, seconded by Council Member Faul.

On roll call vote, the motion carried as follows:

AYES: 6 – Salant, Knowles, Hines, Fletcher, Faul, Larson

NOES: 1- Corson

Bill passes 6-1.

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Bill No. 6785 was declared passed and sent to the Mayor for signature. Bill No. 6785 thus became Ordinance No. 2007-3304 and is permanently recorded in Book 29 on page 18.

MISCELLANEOUS

Mr. Larson – updated Council on the ad hoc committee, which has met three times, consisting of Assistant City Manager, De'Carlon Seewood, Community Relations, Nez Savala, Data Systems, Jesse Nguyen and Council Member Larson which was created to review the website proposals. The City received four solid proposals from people who would host the City's website and revitalize it. The committee has narrowed the proposals down to two receiving online demos and are currently checking references. Mr. Larson explained that the goal is to find a provider that will keep the City's website fresh and available for easy access for staff updates. Mr. Larson will provide additional updates to Council.

Ms. Faul – reminded everyone to vote on Tuesday, April 3. Ms. Faul commented that with the addition of youth programs suggested Council form a youth council. Thanked Jim Knowles for reminding Council of creating a hotline for emergency situations throughout the City. Ms. Faul commented on the City creating an information hotline for emergency situations. Reminded everyone of the opening of the UMSL Art Gallery and looks forward for the future progress of the January Wabash Park.

Mr. Knowles – reiterated what Council Member Faul suggested in Council looking into some type of youth council. Reiterated the emergency preparedness be reviewed with the storm season approaching and likes the idea of a permanent information display sign on West Florissant next to the Fire House as well as one on Hallsferry.

Mr. Corson – commented as Mayor Pro Tem he will attend the Kiwanis Prayer Breakfast and present them with the Proclamation from the City. Mr. Corson further commented with the storm season approaching he would like to see an expanded role with the CERT program. The Police Department is doing an excellent job with the program. Mr. Corson commented on the great view of January Wabash Memorial Park now that the JW Building has been removed and he would like to see the City be very careful with the selection of its building replacement and make sure it is low-key and fits with the park.

City Manager, John Shaw – commented that the former JW Building has been demolished and the debris is removed and meetings have been scheduled with financial advisors to begin exploring funding mechanisms for

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the construction of a new community center as directed by the City Council.

Mr. Shaw confirmed that the foundation wall will be removed and staff is checking into sod vs. seeding the area.

Mr. Shaw updated Council on the Suburban Avenue Project stating that Horner & Shifrin advised the entire process should take approximately 9 weeks and will start next week. It could be ready to go out for bid the first of May and the project would most likely begin the first of June.

Mr. Shaw requested Council removing the Work Session scheduled for April 17, 2007 due to the lack of any immediate needs and the incoming/outgoing Council reception afterwards. In addition ask that Council move the regular meeting to 7:00 p.m. to better accommodate the Council reception.

A motion was made by Council Member Knowles, seconded to move the April 17, 2007 Council Meeting to 7:00 p.m. Motion passed unanimously by voice vote.

Mr. Shaw explained that there are numerous homes around the City that still have storm debris remaining in their front yards from the 2006 and 2007 storms.

Mr. Shaw has received confirmation that the vast majority of these homes have been notified numerous times that they would need to remove the debris, or that it would be removed by the City at the resident's expense.

The City must now act and remove this debris as soon as possible and have the Public Works Department collect the debris. After discussion with the Public Works Director, this is something the City can do without incurring overtime, and complete approximately within one week. Residents' will be responsible for payment to the City for these services.

In order to give residents' additional time to clean up the debris or to bundle it in a way the City's trash service will collect it as a part of the City's existing contract, Mr. Shaw would like the City to once again notify any resident prior to this collection through "door hangers" and post a letter in the Ferguson Times and on the cable channel explaining the City will be collecting debris on specific dates at the resident's expense.

Mayor Fletcher commented that the debris is still on fences and in backyards and is not necessarily neatly stacked in front waiting for pick up. Mayor questioned if City crews will go in the backyards of homes.

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Public Works Director, Terry O'Neil commented that City crews will not be entering resident's backyards. The City will only pick up what is in front of the homes. The backyards are being addressed like normal which is residents will be notified and cited. If the debris is not removed the contractor is sent in to clean it up.

Mr. Shaw confirmed that the residents will be given ample time in addition to the time that they have already been given.

Mayor Fletcher commented he would like staff to update the rolling calendar to include the emergency preparedness, the tree program which is similar to the sewer lateral program, the generator for City Hall, and the recycling containers.

Assistant City Manager, De'Carlton Seewood will contact Allied Waste for an estimated time on the delivery of the recycling containers and update Council.

Mr. Hines requested a timeframe on the Florissant Road project.

Mr. Shaw explained that the lowest bid did not meet some of the state requirements and staff is waiting to hear back from MODOT. It is in the state's hands at this time.

ADJOURNMENT

There being no further business to consider, Council Member Larson, moved to adjourn, seconded by Council Member Knowles. The meeting adjourned at 8:30 p.m.

Deborah L. Matthies, City Clerk