

FERGUSON CITY COUNCIL

Regular Council Meeting, January 27, 2004

**Work Session, 7:00 P.M.
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 January 27, 2004 by Mayor, Steven Wegert, in the Council Chambers of City Hall, 110 Church Street, Ferguson, Missouri. Mayor Wegert 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 Steven Wegert
John Corson
Keith Kallstrom
Mark Crinnion
Tom Wolf
Peggy Faul
Bill Duncan

Also present were City Manager A.J. Krieger, City Attorney Richard Bresnahan and City Clerk Debbie Matthies. Mrs. Matthies declared a quorum was present.

Mayor Wegert welcomed all present and explained the meeting would be the Public Hearing, the Public Portion and the Business Portion.

PUBLIC HEARING Pursuant to Municipal Ordinance

Chapter 4 – Alcoholic Beverages

Section 4-30. (a) Licenses for premises near schools and churches.

(a) Premises located within a radius of three hundred (300) feet of a school or church shall not be licensed for the sale of intoxicating liquors or nonintoxicating beer unless the council determines in writing and after a hearing that the premises are not detrimental to the educational and spiritual activities of such school or church; but this provision shall not apply to the transfer of a license from premises located within such distance to other premises located therein, if it is transferred to a location not less remote from the nearest school or church than its former location.

City Manager, A.J. Krieger explained that City Ordinance requires a Public Hearing take place due to the location proximity to a Church. The Word of Life Ministries Church and the applicant have come to a mutual agreement concerning the sale of liquor.

Ferguson Supermarket & More, Inc. is applying for a liquor license and has met the requirements. Applicant Said Jaraba, new owner and managing officer, of 9101 W. Florissant, Ferguson Supermarket & More, Inc. and his attorney Mr. Edward Deghroony were present for questions and comments. Mr. Jaraba explained to the Council the services that will be provided along with the hours of operation.

There being no further public comments, Mayor declared the public hearing portion closed at 8:10 p.m.

PUBLIC COMMENTS

Pastor Larry Jones, on behalf of the Greater Grace Church explained the history and situation of the water main project. Pastor pleaded to the Council not to revoke the subdivision plat of Greater Grace Church due to the inability to install the water main by the December 25, 2003 deadline. Pastor Jones apologized to the City Council and the City of Ferguson explaining that he had made an honest mistake by missing and confusing the deadline date. Pastor Jones explained to the Council the progress that has taken place and asked Council not to revoke the Subdivision Plat and move forward with the project.

Terry Schott – Vice President of Kelp Contracting, Inc., 18903 St. Albins Road, Wildwood, Missouri – explained the schedule and that permits and contracts are in place. Mr. Schott feels that, depending on weather conditions, the water main project should be complete in approximately 3-4 weeks.

Tim Tryniecki – Attorney with Armstrong Teasdale – explained the history and current situation with the Greater Grace Church plat. He explained that the property was subdivided into four plats and the revocation of the subdivision plat would affect other property owners other than the Church.

Steve Cousins – Armstrong Teasdale – Mr. Cousins a long time friend of Pastor Larry Jones commented that Pastor Jones has always had a sterling reputation and completes projects he is involved with. He feels that Pastor Jones will bring a quality Church to the City of Ferguson.

Pastor Jones - informed Council that he has met with Councilwoman Faul and Councilman Duncan and will meet monthly with the Council to keep the City updated with the project. Pastor presented photos of the new Church to Council.

John Fave – Architect – explained the history and current situation with the Greater Grace

Church and feels it will be a great project.

Rhein Dabler – Senior Engineer with Clayton Engineering Company, Inc. – explained the current situation with the Greater Grace Church water main location and the Missouri American Water Company.

Darcus Wilkinson – Executive Director with Community Mediation Center – Natural Bridge introduced herself and the Mediation Center to the Council. Ms. Wilkinson explained that the Center is a non for profit service organization that offers mediation sessions with professionally trained mediators to help parties talk and make decisions that are fair for everyone.

Joe Lonero – Lonero's Auto Body Shop – Pershall – Mr. Lonero had comments and concerns regarding the Greater Grace Church and the 2 deadlines that were missed. Mr. Lonero had concerns with the construction next to his Auto Body Shop and the installation of water lines and sewer lines. Discussion ensued regarding Church plans and specifications. Mr. Lonero requested that the City, neighboring homes and the Church keep everyone informed of the progress of the Church.

Terri House – 11 Lakeview Court, Manager of the Ferguson License Office, 21 S. Florissant Road and President of the Ferguson Station Business Association. Ms. House informed the Council and citizens of the upcoming events planned for the community and announced three Concert Series. On February 28th Bob Kuban at the Savoy Center; March 27th Power Play at the Savoy Center and June 19th a concert at the January Wabash band shell. In addition, the City will hold the Streetfest festivities and on Saturday, June 5th, Safety Days. FSBA goals for this year are to support the ongoing events already in the downtown area and participate with FSBD, PROUD and the welcome committee that PROUD is going to chair. In addition, FSBA is focusing on expanding, through events, their involvement in other areas of the City. FSBA enjoys what they do for the community and appreciates the City's support.

There being no further public comments, Mayor declared the public portion closed at 9:00 p.m.

APPROVAL OF MINUTES

Minutes

Regular Council Meeting – January 13, 2004. A motion was made by Mr. Crinnion, seconded and carried to accept the minutes as presented.

Plan Commission Meeting – December 3, 2003 - A motion was made by Mr. Crinnion, seconded and carried to accept the minutes as presented.

Park Board Meeting – January 20, 2004 - **with recommendations** - A motion was made by Mr. Crinnion, seconded and carried to accept the minutes as presented.

FNIP Meeting – November 24, 2003 - A motion was made by Mr. Crinnion, seconded and carried to accept the minutes as presented.

MANAGER'S REPORT

City Manager, A.J. Krieger explained the items on the Agenda.

APPOINTMENTS - Continue Board and Commission Appointments –

Councilman Mark Crinnion made a motion to appoint Cynthia Dorsey to the Personnel Board, seconded, approved unanimously 7-0. Councilwoman Peggy Faul made a motion to appoint Jourdan Morgan, Jr. to the FNIP Board, seconded, approved unanimously 7-0.

BILLS REQUIRING SECOND READING

BILL NO. 6674 - AN ORDINANCE AMENDING CHAPTER 29 - OFFENSES, SECTION 29.92- NOISES PROHIBITED, OF THE MUNICIPAL CODE OF THE CITY OF FERGUSON, MISSOURI, BY REPEALING SECTION 29.92 (4) AND ENACTING A NEW SECTION 29.92 (4) CONCERNING PROHIBITED NOISES; EFFECTIVE WHEN; introduced by Council as a Whole and read the first time.

A motion was made by Mr. Corson, seconded and carried to read the Bill a second time and place it upon its passage. On roll call vote the motion carried as follows:

AYES – 7 – Kallstrom, Crinnion, Wolf, Wegert, Faul, Duncan, Corson

NOES – 0

Bill No. 6674 was declared passed and sent to the Mayor for signature. Bill No. 6674 thus became Ordinance No. 2004-3202 and is permanently recorded in Book 26 on page 19.

BILL NO. 6675 - AN ORDINANCE REPEALING, REVOKING AND RESCINDING ORDINANCE NO. 2002-3152 PASSED ON THE 23RD DAY OF JULY, 2002, APPROVING THE GREATER GRACE CHURCH SUBDIVISION FINAL PLAT; EFFECTIVE WHEN; introduced by Council as a Whole and read the first time.

A motion was made by Mr. Crinnion, seconded and carried to read the Bill a second time and place it upon its passage. Discussion ensued.

City Manager, A.J. Krieger explained that the Bill is an Ordinance repealing Ordinance 2002-3152; approved by the City Council in July of 2002. Repealing Ordinance 2002-3152 will rescind the Greater Grace Church Subdivision approval. The Greater Grace church has missed 2 deadlines for the construction of a water main to service property

located along Pershall Road. Rescinding the subdivision approval is the specific remedy provided for in an agreement between the City of Ferguson and the Greater Grace Church. City Manager recommended City Council enforce the Agreement. Discussion ensued.

A motion was made by Mayor Wegert to postpone Bill No. 6675 until the February 10, 2004 Council Meeting, seconded. On roll call vote the motion carried as follows:

AYES – 3 – Wolf, Wegert, Kallstrom
NOES – 4 – Crinnion, Faul, Duncan, Corson,

The motion to postpone Bill No. 6675 failed (4-3). Discussion ensued.

A motion was made by Mr. Crinnion, seconded and carried to read Bill No. 6675 a second time and place it upon its passage. On roll call vote the motion carried as follows:

AYES – 2 -Faul, Crinnion
NOES – 5 -Wolf, Wegert, Duncan, Corson, Kallstrom

Bill No. 6675 was read for the second time and failed 5-2.

MISCELLANEOUS

Keith Kallstrom – Enjoyed the container gardening seminar at City Hall. Mr. Kallstrom attended the North County, Inc. preview at McCluer South-Berkeley High School. Mr. Kallstrom thanked Public Works for the ice and snow removal through City streets.

Mark Crinnion – Thanked and complimented the Public Works Department for the snow and ice removal on the City streets. Mr. Crinnion thanked Mr. James from FSBD for giving Council a business district update.

Tom Wolf – Thanked Chuck James of the FSBD for his report. Mr. Wolf is glad that the position of the Downtown Development Coordinator is working out well with the business community and that the business community has a lot of input in that position. Mr. Wolf thanked Terri House for her downtown activities update.

Peggy Faul – Ms. Faul thanked and complimented the Public Works Department for the snow removal. Thanked Chuck James, President of the Ferguson Station Business District for his presentation, and would like to continue his reports at future Council meetings. Ms. Faul enjoyed the KMOV- TV Special on North County and congratulated everyone involved in the presentation.

Bill Duncan – reminded everyone to vote on Tuesday, February 3, 2004.

Mayor Wegert – thanked and complimented the Public Works Department for the snow removal on City streets. Mayor received a compliment from the Vice President of Marketing for the St. Louis Symphony regarding the KMOV-TV special. Mayor requested an update on the upcoming Economic Development Conference.

A.J. Krieger – explained that Mr. Bresnahan advises that the Council can act on the Liquor License application request for 9101 W. Florissant, Ferguson Supermarket & More, Inc. The public hearing required for this Liquor License location was held earlier this evening. There being no public comment, the Liquor License may be approved this evening by Council.

A motion was made by Mr. Crinnion to approve the Liquor License for Ferguson Supermarket & More, Inc, seconded, approved unanimously 7-0.

Council wishes the applicant well on his new venture.

There being no further business to consider, the meeting adjourned at 9:25 p.m.

Debbie Matthies, City Clerk