

**CITY OF FERGUSON, MISSOURI  
CITY COUNCIL MEETING MINUTES  
JANUARY 25, 2022**

Due to the COVID-19 pandemic the Council meeting is being conducted through the use of a Webinar invite in which all members of the City Council, staff and citizens are participating in the meeting remotely. Section 610.015 of the Mo. Sunshine Law provides that members of the Council who are not physically in the Council Chambers can participate and vote on all matters when an emergency exists and the nature of the emergency is stated in the minutes. Thus, these minutes reflect that the U.S., and the world, is in a state of emergency due to the Coronavirus—COVID-19. The Missouri Governor and the County Executive have issued Orders limiting meetings and gatherings sizes. These Orders are intended to avoid the spread of the Coronavirus. Therefore, all members of the City Council, and staff, are participating in this meeting electronically as matter of public health and safety for each other and the general public.

Mayor Ella M. Jones called the meeting to order at 7:07 p.m. via Zoom Teleconference (RSMO 610.015) due to the recent State of Emergency. A copy of the recording will be made accessible via the City's Website and Social Media Outlets. She immediately led a silent prayer followed by the Pledge of Allegiance.

**ROLL CALL**

|                               |         |                            |         |
|-------------------------------|---------|----------------------------|---------|
| Councilwoman Naquittia Noah   | Present | Mayor Ella Jones           | Present |
| Councilwoman Fran Griffin     | Present | Councilwoman Linda Lipka   | Present |
| Councilwoman J. Toni Burrow   | Present | Councilwoman Phedra Nelson | Present |
| Councilwoman Heather Robinett | Present |                            |         |

A quorum was declared. Also present were City Manager Eric Osterberg, Community Development Coordinator Bailey Mitchell, Planning Director Elliot Liebson, City Attorney Apollo Carey, and City Clerk Octavia Pittman.

**PUBLIC COMMENTS**

**Nick Kasoff**, addressed issues with the city complying with the sunshine law. He stated he feels like the city is falling short with overdue responses, never waiving costs and added that all of the requests and responsive documents on the system should be available to the public.

**Erica Brooks**, I'm writing to follow up on the procedure of how the American Rescue Plan Act funding will be distributed amongst the wards in Ferguson according to the needs and not by the people, programs and organizations whom are able to write a grant and/or have knowledge of how to access the ARPA Funding. Yes, the city have 2 in person and 2 online forum, as well as an email to get more input on how the funds should be spent. However, would about the residents who are not aware about the input forum, whom are not tech savvy and don't use social media or don't have an email account and still use snail mail? In addition, how is the City reviewing previous community concerns to evaluate which neighborhoods in which Ward needs infrastructure replacement, streets resurfaced, more lighting, derelict houses addressed with tree and debris removal, and facade windows and curb appeal until the own sales their property? What issues in Ward 2 have our City Councilwomen, Toni Burrow and Heather Robinette submitted as priority issues to funded by the ARPA Funding? Will we as residents be able to review all the key concerns that were tabulated from the forums and the email and voice our opinion by mail and email to say would issues are most important before the final

issues are earmarked for the ARPA. We as a community want the ARPA Funding to be fair distributed to all the community of Ferguson and not to the people who have access.

### **MANAGER'S REPORT**

City Manager Osterberg reported that staff is tabulating the results of the ARPA hearings and they will be made public on the city's website. A report will also be given at a future meeting. As requested it was clarified that city council has also shared their ideas and may share additional ideas at the next meeting.

He also announced that the process will soon be underway to accept qualifications for a new auditing firm. The GFOA recommends changes every 2-3 years and the city has been with the current firm for approximately 10 years. A separate review will be conducted to determine if a forensic audit is needed as well. He explained that there are not any concerns of improprieties however given the high number of turnover an in-depth review would be beneficial. This process is not budgeted this year so the anticipated costs may be included in the next fiscal budget.

Council inquired of both the HR and Finance Director positions. He explained that HR remains open awaiting qualified candidates. Interviews are being scheduled for the Finance Director in hopes to have the position filled in the next month. He also added that he will make the financial status a priority for the upcoming meetings.

Gene Diaz, Code Enforcement Supervisor, offered comments regarding the software presentation at the special meeting. He stated that upon his onboarding he noticed there were deficiencies in public reporting, investigations, and staff responses to code enforcement issues. He added that the city should consider the software presented as it will better serve the community and assist staff in fulfilling their duties. He also extended an invitation to council to ride along in their respective wards to gain an understanding of their concerns; council accepted.

### **COVID Update – Chief John Hampton**

Chief Hampton was not present. City Manager Osterberg reported at the peak of the pandemic last year the city had a most 6 employees impacted at one time. Since the new variant, the city has reached a high of approximately 15 but that has since lowered to a smaller number. He noted that the city will continue to monitor COVID and practice all safety measures.

### **SPECIAL PRESENTATION**

#### **Economic Development Sales Tax Funding**

CM Osterberg provided an overview of EDST funding; ½¢ sales tax on POS purchases approved in 2016. Approximately \$1M is received annually. It is designed to support economic development activities within Ferguson downtown. Statutory spending requirements include supporting downtown retail and TIF or other district restrictions, 20% floor on long-term economic development, 25% ceiling for administrative support and an annual report from the board as an overview of the expenditures; staff will follow up to convene the board soon. Suggestions were also offered of future uses.

#### **Yard Signs For City Owned Property**

Coordinator Mitchell announced the City of Ferguson owns over 100 vacant lots across the City that are eligible for acquisition through the Adjacent-Side Lot Program or Property Restoration Program. In order to market these available properties, Staff would like to place yard signs on some of the lots. He has received estimates from multiple vendors for the signs and recommended OR Pechman Sign Co, a vendor we have used in the past. Discussion was held and Council asked that the signs are inclusive of the city's branding.

**PUBLIC HEARING**

None

**CONSENT AGENDA**

**CITY COUNCIL MEETING MINUTES**

**Regular Meeting Minutes**

Motion was made by Councilwoman Griffin and seconded by Councilwoman Nelson to approve the meeting minutes [January 11, 2022](#) as submitted. Unanimous vote in favor taken;

**MOTION PASSED.**

**Special Meeting Minutes:**

None

**BOARD/ COMMISSION MEETING MINUTES**

None

**APPOINTMENTS**

Mayor Jones noted the appointment of Orlando Sharpe to the St. Louis County MU Extension Council.

Councilwoman Lipka announced applications received from Patrick Concannon and Louis Arman for the Traffic Commission. She noted the need for appointments as the current vacancies and members out for illnesses are preventing the commission from a quorum and as such they are unable to meet. Discussion ensued of the applicants residing in wards 1 and 2, of having representation from each ward, and providing an opportunity for ward 3 residents to apply. Suggestion was also offered of making the appointments temporary. Motion was made by Councilwoman Griffin and seconded by Councilwoman Noah to postpone traffic commission appointments till the next meeting to allow representation from all wards. **ROLL CALL:** Councilwoman Noah – aye; Councilwoman Griffin – aye; Councilwoman Burrow – nay; Councilwoman Robinett – nay; Mayor Jones – aye; Councilwoman Lipka – nay; Councilwoman Nelson – aye; **MOTION PASSED.**

**REQUESTS**

**Liquor License Approval**

Need LLC d/b/a Déjà Vu II (3156 Pershall Road) *This license was not considered.*

**PROCLAMATIONS**

None

**RESOLUTIONS**

**[Resolution No. 2022-03](#) – A Resolution Supporting The City Of Ferguson Authorizing The Mayor/City Manager To Execute The Necessary Documents For Forwarding The Project Proposal Application And Later Execute An Agreement For The Atmore/Elkins/Woodwinds Project, Federally Funded Through The 2023-2026 Surface Transportation Program – Suballocated (STP-S) Program Grant Commission**

Without objection, Resolution #2022-03 was introduced by Council Present and Attorney Carey provided the title only reading. Director Boyce explained we are applying for one STP grant to rebuild Atmore/Elkins/Woodwind. This project will remove and replace the asphalt driving

surface, replace broken curbing, and upgrade the existing. The grant request is for \$545,897.00. If we are awarded this grant the City's portion will be 20% of the total eligible construction and engineering costs, or \$109,180.00; grant project engineering will begin in the Fall of 2023 and construction will commence in Spring of 2024. Motion was made by Councilwoman Nelson and seconded by Councilwoman Noah to approve Resolution No 2022-03. **ROLL CALL:** Councilwoman Noah – aye; Councilwoman Griffin – aye; Councilwoman Burrow – aye; Councilwoman Robinett – aye; Mayor Jones – aye; Councilwoman Lipka – aye; Councilwoman Nelson – aye; **MOTION PASSED.**

#### **BILLS REQUIRING FIRST READING**

**None**

#### **BILLS REQUIRING SECOND READING**

**None**

#### **UNFINISHED BUSINESS**

**None**

#### **NEW BUSINESS**

Councilwoman Lipka offered comments regarding the candidate filing process. She inquired of the requirement to file a personal financial disclosure, whose responsibility it is to enforce the requirement, and the lack of enforcement authority granted by the ordinance adopted by the city. Councilwoman Lipka made a motion to start the process to create an ordinance to repeal ordinance # 2020-3681. Discussion ensued and she noted the intent of the ordinance would be to give the process back to the Missouri Ethics Commission which would allow the MEC to police the process. **ROLL CALL:** Councilwoman Noah – aye; Councilwoman Griffin – aye; Councilwoman Burrow – aye; Councilwoman Robinett – aye; Mayor Jones – aye; Councilwoman Lipka – aye; Councilwoman Nelson – aye; **MOTION PASSED.**

#### **MISCELLANEOUS**

**Councilwoman Noah** announced attendance at the NIMS training on 1/20 and stated it was informative regarding the process of management during a disaster. She added that she would support preparedness and tabletop exercises as a body. She thanked the fire department and stated appreciation for their life saving efforts on Ruggles and many other instances. She also stated she was able to tune in with the W. Florissant Advisory Council at Mercy who provided an update of the assistance they are offering our residents.

**Councilwoman Griffin** stated appreciation of residents that attended ARPA funding meetings and the anticipation of evaluating the process to increase access to the community. She reminded of the PROUD courageous conversation on tomorrow. She also stated she liked both presentation at the special meeting and offered comments of the usefulness as tools for staff. Last she reported her attendance at the status hearing and added that she was able to provide a written statement. Feb 3<sup>rd</sup> the monitoring team will have a town hall. She commented on the need for all to work together and agreed that respect has to be maintained at all times.

**Councilwoman Burrow** stated appreciation for 1<sup>st</sup> responders, especially in Ferguson. She noted the Library is preparing events for Juneteenth and often run out of related reading materials; due to COVID the library has a 15 minute in branch limit. She stated there is a vacancy on the board and applications are being accepted. She thanked the city manager for assisting with the wi-fi issues. Lastly she reported on the CRB status hearing and

disappointment with the judge. She stated it appears that the city is in partnerships and has implemented policies that the council is unaware of. She stated that the council is not on all of the calls and she wants to send a letter to the judge noting unhappiness.

**Councilwoman Robinett** thanked 1<sup>st</sup> responders for their efforts especially with COVID. She also commented regarding the status hearing; where all council were in attendance. She stated frustration that we are hearing that we are having troubles with hiring however it is a problem that is being experienced everywhere. She asked residents to understand the city is not dragging its feet; we are trying and hopeful that the city can get some leniency. She congratulated the city manager for the ARPA meeting format; the sessions were easy to follow and resulted in a lot of ideas. She commented that it is easy to be frustrated quickly these days and asked everyone to exercise more patience with dealing with each other and to be kind to one another.

**Councilwoman Lipka** thanked NPSC for the candidate forum and thanked Councilwoman Nelson for working together with the Zoning rep. She stated that the importance of the Traffic Commission with the number of traffic fatalities, speeders and recent issues of gathering vehicles. She noted the need to feel the commission and for those that are unable to be appointed she invited them to attend. She offered a reminder of the need to have a SOP work session. She noted her attendance at the status hearing asked council to share with all council members information they are sharing with Judge Perry. She stated that respect is given with received and asked that her direct questions are not confused with disrespect. She thanked the council for support of the motion to appeal the ordinance earlier to protect the integrity of each election. She lastly announced the passing of Jeff Apel, a citizen that was also a part of the BTC family and wished blessings to his family at this time.

**Councilwoman Nelson** thanked the fire department, Home Depot and volunteers for their assistance in distributing ppe totes to residents in collaboration with Home Depot; residents were grateful and thankful. She stated she was able to do wellness checks on residents in Hudson Hills and Nesbit Newton, all were appreciative. She also commented that the NIMS training was informative and helpful. She thanked the city manager for the ARPA sessions, residents were again appreciative of the opportunity to be heard.

**City Manager Osterberg** announced the two police officers will be starting within the next couple of weeks.

**City Clerk Pittman** had no report.

**Attorney Apollo Carey** had no report.

**Mayor Jones** thanked the fire and police department for all they do for the city and surrounding communities. She congratulated Travonne Walker on being appointed as a Director of Forward Through Ferguson. She announced her attendance with Councilwoman Nelson doing wellness checks and support of the ppe distribution to citizens. She stated the initiative in Pleasant View Gardens (formerly Canfield Green) is not new; WashU is working with them and responsible for the prevention of evictions.

### **CLOSED SESSION**

**None**

### **ADJOURNMENT**

Having no further business, a motion was made by Councilwoman Burrow and seconded by Councilwoman Robinett to adjourn the meeting at 9:51 p.m. Unanimous vote in favor taken;  
**MOTION PASSED.**

**Approved on the 8<sup>th</sup> day of February, 2022.**

ATTEST:

\_\_\_\_\_  
Ella M. Jones, Mayor

\_\_\_\_\_  
Octavia Pittman, City Clerk