

**CITY OF FERGUSON, MISSOURI
CITY COUNCIL MEETING MINUTES
FEBRUARY 8, 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 7:00 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

Comments were received via email and are also accepted via zoom chat.

Amy Randazzo, Children's Services Librarian, Did you know? Many of the electronic items, such as our TVs and cell phones, that we use everyday contain toxic materials, like mercury, lead, and arsenic. Putting these items in the trash means that these toxins can eventually leach into our environment and cause long-term consequences. Do the right thing for our planet by bringing your unwanted and broken electronics to the Electronic Recycling Drive at Forestwood Park! The Electronic Recycling Drive will take place this Saturday, February 12, from 9 am to 12 pm, and is sponsored by the Ferguson Municipal Public Library and Ferguson Parks and Recreation. Items accepted include things like computers, printers, kitchen appliances, lawn equipment, and more. Please note that some items, like old TVs and computer monitors, have a disposal fee that must be paid when dropping the item off at the recycling drive. Only cash or checks will be accepted at the drive. For a complete list of fees and accepted items, please visit the Ferguson Municipal Public Library's website at <http://fergusonlibrary.net/> and click on the Electronic Recycling Drive banner, or give us a call at 314-521-4820 for more information.

LaRae Jackson, On behalf of the Ferguson Woods Subdivision, I want to express our overwhelming appreciation to Mayor Ella M. Jones for your caring and thoughtfulness. The

positive impact you've had on the City of Ferguson continues to encourage our shine beyond our borders, the latest of which was expressed as a direct result of your relationship with Council Woman Nelson and our local Home Depot store #3013 and their generous gift of totes filled with safety and cleaning supplies to each family within the Ferguson Woods Subdivision. This gift of kindness during these stressful days filled with confusion and uncertainty will perpetuate generosity and confidences in our reunification and desires to maintain and put communities first. She also stated On behalf of the Ferguson Woods Subdivision, I want to express our heartfelt appreciation to Council Woman Ms. Phedra Nelson and Cust .Exp .Mgr. Ms. Danielle Zamarripa for the thoughtfulness you've shown to the Ferguson Woods families through the donations of totes containing safety and health care items. Your gift of kindness during these stressful days filled with confusion and uncertainty have blessed and restored confidences in our desires to put communities first.

Annette Jenkins, Good evening Council. Since it is Black History Month, Let me educate you on Black History, and people that have made a difference in the world. After listening to the council meeting on January the 25th 2021. There are reasons that we need educate our young people About the History of the world, Educate, experience are the best of teaching. Questioning what are the Functions of the council what is the reputation of the council, how should they represent the people. Thank you for your time as a concerned citizen Elder AJ. She also added comments in response to complaints of the election process at the last meeting.

Erica Brooks, Hello City and Citizens of Ferguson, Previously, I have asked for information on what concerns and issues will the city of FERGUSON deems most important to be funding will the American Rescue Plan Act funding? In addition, I asked what did my city council members, Heather Robinette and Toni Burrow submit to be of importance for Ward-2? Also, I asked will previous projects that were not able to be funded by federal, state or local grants and/or taxes be first to be considered before our, the community's suggestions? The City has yet to answer any of my questions. When must all the projects to be funded by the ARPA funding be submitted to the government? Secondly, have the City of Ferguson been assess the socioeconomic effect of the Via Metro STL vs access to Metro Bus Route #79 on the west side of Ferguson since Bus route #61 and #74 are still servicing the East side of Ferguson after 7:38pm. I would be interested in know that. How is redistricting going? There is a MO House Hearing on Wednesday, February 9, 2022 about the election and the Election Officials @12pm. You may submitted testimonials online as well

<https://house.mo.gov/CommitteesMobile.aspx?year=2022&code=R%20&cluster=true&committee=2673>

<https://house.mo.gov/WitnessForm/Default.aspx?noticeid=6565>

Alan Mueller, During the 25 January council meeting, Councilor Lipka indicated that the City's ordinances do not provide any workable means for enforcing the timely filing of financial statements from candidates running for political office. I have found provisions for the enforcement of financial filings in Missouri State Statute 105.492 -2. Per this statute, the State would directly inform Ms. Pittman that a financial statement had not been received and would direct her to remove the candidate's name from the ballot. Very direct and easy. At the last meeting, however, Councilor Lipka reported that Ferguson ordinances override this process. I was not able to find any such provision in the Ferguson ordinances. I request that either Mr. Carey or Councilor Lipka please direct us to the applicable provisions in the City ordinances which override the state statute. Other provisions pertaining to financial statements appear to be included in Sections 2-107 – 2-110 of the Ferguson Ordinances. These sections also cover Conflicts of Interest. As a heads-up, this part of the city ordinances has been under review by the Ferguson Neighborhood Policing Steering Committee for some time. The NPSC intends to complete our review soon. The NPSC is hereby officially requesting that a Special Presentation on Sections 2-107 – 2-110 of the Ferguson Ordinances by the

Neighborhood Policing Steering Committee be added to the agenda for the 22 February Council Meeting. The balance of my comments this evening are my personal concerns and requests. There are several provisions of the ordinance on Conflicts of Interest that need revision. Most of the text in our ordinance only reflects RSMo 105.450. RSMO 105.450 is only a list of definitions and serves as the introduction to more specific requirements. State Statute 105.454 and other sections of the state law actually provide more stringent requirements than what we find in Ferguson's ordinances. Our requirements, at a minimum, should comply with state law. I believe, however, that our requirements should provide even tighter oversight. Current baselines listed for financial declarations are too high. We do not have many millionaires living in Ferguson. Most of us would consider \$10,000 or a \$5,000 tip to be a huge sum of money. These limits are much too high for the lived experience of many Ferguson residents. The ordinance does not talk about property ownership. It needs to. We need to know how many properties our city officials own or control. Third, we are a small community with lots of family ties. The ordinance needs to require declaration of family transactions. This should include financial information related to candidates' and officials' parents, siblings, in-laws, etc. – relationships within two levels of consanguinity or affinity. We must do everything possible to ensure confidence in the integrity of our city government. Having an appropriate ordinance on Conflict of Interest is a major component in building trust. I ask that you consider changing the ordinance to be appropriate for the City of Ferguson.

Mildred Clines commented on behalf of the NPSC, stated they were created as a result of the consent decree. They are working on a variety of issues concerning the city. Sub-committees were created, one of which that is reviewing the conflict of interest ordinance. She stated in effort to build trust true transparency is needed as it relates to financial reporting and suggestions for amendment are being made. It was requested that actions are delayed in this regard until the committee can submit it's recommendations.

Nick Kasoff commented that he owns rental property and he had previously fallen behind on taxes. During that time, a member of council noted he may be interested in serving on boards and commissions however he had to decline serving as a result. He commented that the candidate process includes the requirement of financial compliance before being placed on the ballot and this law has governed every election for years. He noted ignoring this rule leads to corruption.

MANAGER'S REPORT

COVID Update – Chief John Hampton

Chief Hampton announced that we are in a downward trend of the virus and encouraged all to avoid crowds, wear masks and stay home if feeling ill. He reported that vaccines are available for ages 5+ and the booster for ages 12+; walk-ins may be accepted but appointments can be made by visiting www.revivestl.com. He noted there is a new "be safe app" that gives reminders and additional information. He also announced that the Fire Department will sponsor testing days and will publish the information on the city's media outlets.

Community Policing Update – Chief Frank McCall

Chief McCall provided statistical crime data noting declines in total incidences from this time last year; there was also a decline in disturbances, burglaries and assaults. There is, however, an increase in domestic violence and auto thefts. He continued explaining the safety trends and noted that traffic enforcement is up 100%. An update was also providing regarding staffing, noting candidates have shown interest in coming to the department and several candidates are at different stages in the process. After briefly discussing, Council asked to be forwarded a copy of the report provided.

SPECIAL PRESENTATION

Black History Month – Human Rights Commission

Councilwoman Noah provided a presentation on behalf of the Human Rights Commission in recognition of Human Rights/Civil Rights and the importance of the annual observance of Black History Month. The following are current members of the Human Rights Commission: Sam Gradford, Dr. Jackie Lewis-Harris, Shavannah Spratt, and Marissa Curtis.

Affordable Senior Living Residential Units – LMAC Holdings/Lewis McKinney Jr

Lewis McKinney presented a proposal to redevelop 10607 New Halls Ferry Road into affordable senior living residential units in response the City’s RFP released in December. He announced the development would include 40 energy efficient 2 bedroom/1 bath units (approx. 800 sq. ft.) for ages 55+, equipped with Oven/Range, Refrigerator, Dishwasher, Microwave, Washer/Dryer, Central Air/Ceiling Fans, as well as Community Amenities, Universal design with Stepless Entry, Secure Entry, On-Site Management, Gated Off-Street Parking, Green Space, and Elevator.

He stated that such projects would take partnerships working together for success. He plans to apply for MHDC tax credits and will partner with St. Louis County, Caring Plus, and will also solicit private equity funding.

PUBLIC HEARING

None

CONSENT AGENDA

CITY COUNCIL MEETING MINUTES

Regular Meeting Minutes [January 25, 2022](#)

Special Meeting Minutes [January 25, 2022](#)

Motion was made by Councilwoman Griffin and seconded by Councilwoman Nelson to approve the meeting minutes as submitted. Unanimous vote in favor taken; **MOTION PASSED.**

BOARD/ COMMISSION MEETING MINUTES

CRB: [December 6, 2021](#)

Motion was made by Councilwoman Burrow and seconded by Councilwoman Noah to receive and file commission meeting minutes. Unanimous vote in favor taken; **MOTION PASSED.**

APPOINTMENTS

Councilwoman Noah made a motion to appoint Donald Cash and Charles Watson to serve on the Traffic Commission. Discussion ensued regarding other applicants. **ROLL CALL:** Councilwoman Noah – aye; Councilwoman Griffin – aye; Councilwoman Burrow – nay; Councilwoman Robinett – nay; Mayor Jones – aye; Councilwoman Lipka – aye; Councilwoman Nelson – aye; **MOTION PASSED.**

REQUESTS

None

PROCLAMATIONS

None

RESOLUTIONS

[Resolution No. 2022-04](#) – A Resolution Selecting A Professional Services Contractor For Pool Management, Awarding The Contract To Said Contractor, And Authorizing The City Manager To Execute The Contract On Behalf Of The City

Without objection, Resolution #2022-04 was introduced by Council Present and Attorney Carey provided the title only reading. Motion was made by Councilwoman Burrow and seconded by Councilwoman Lipka to approve Resolution No 2022-04. **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

Bill No. 7219 – An Ordinance Authorizing The Mayor Of The City Of Ferguson, Missouri, To Execute The Deed And Acknowledge Other Documents In Order For The Real Properties To Be Transferred To The City For City Development And/Or Beautification

Without objection, Bill #7219 was introduced by Council present and Attorney Carey provided the title only reading. Motion was made by Councilwoman Lipka and seconded by Councilwoman Burrow to amend Bill #7219 removing 1244 Chateau Woods. Unanimous vote in favor taken; **MOTION PASSED.**

Bill No. 7220 – An Ordinance Amending Chapter 47 Of The Code Of Ordinances Of The City Of Ferguson And By A New Article III As It Relates To Mobile Food Vendors; Providing For The Effective Date Of This Ordinance; Providing For The Current Maintenance Of This Code; And Providing For The Repeal Of All Conflicting Ordinances

Without objection, Bill #7220 was introduced by Council present and Attorney Carey provided the title only reading. Discussions were held regarding the insurance requirements and Councilwoman Griffin made a motion to amend bill #7220 section 47-32D(g) to remove the sentence starting “Such insurance.....to the City.” Motion was seconded by Councilwoman Nelson. **ROLL CALL:** Councilwoman Noah – aye; Councilwoman Griffin – aye; Councilwoman Burrow – nay; Councilwoman Robinett – nay; Mayor Jones – nay; Councilwoman Lipka – nay; Councilwoman Nelson – aye; **MOTION PASSED.**

BILLS REQUIRING SECOND READING

None

UNFINISHED BUSINESS

Councilwoman Lipka announced the desire to discuss Ord #7190 (the process for the personal financial disclosure). She also wants to honor the request of NPSC to make their presentation of recommendations before the discussion is held. NPSC will have a presentation on the February 22nd agenda.

NEW BUSINESS

MISCELLANEOUS

Councilwoman Lipka had no report.

Councilwoman Burrow thanked presenters and staff, including the attorney for their responses to Council’s unforeseen questions. She also offered comments regarding the Council’s division being unfair to citizens. She noted there are a plethora of SOP items to bring forward; she will meet with the Mayor to discussion in the coming days. Lastly she noted concerns with the selection process with board and commission meeting and added that the council needs to be more united.

Councilwoman Robinett thanked public works and public safety staff for their dedication and efforts during the storm while the city was shut down.

Councilwoman Griffin announced that Ferguson Collaboration and PROUD have partnered on community events with the next to be held via zoom on March 1st; a flyer will be distributed. She thanked everyone for their application for boards and commissions and encouraged continued participation. She also offered comments regarding council practices and communications and the need to work cohesively and think outside the box.

Councilwoman Noah announced her attendance and stated the monitor webinar was informative and also mentioned the need for increased focus on Ward 3 engagement. She welcomed new Officer Fields and thanked public works for snow removal efforts. Last she thanked the applicants for boards and commissions and encouraged those not appointed to consider other vacancies.

Councilwoman Nelson offered comments of constant disrespect during council meetings. She responded that Home Depot reached out to her directly to as an employee of YMCA to assist the selected residents. She thanked the departments for their help and requested mutual respect of the council.

City Clerk Pittman had no report.

City Manager Osterberg clarified that ARPA funds were used for the pool UV lights.

Attorney Apollo Carey had no report.

Mayor Jones thanked public works, fire and police for their efforts during the recent snow storm. She also commended those citizens that reached out and assisted senior and others needing assistance. CAASTL met with the senior commission and presented funding opportunities, they also noted plans to allocate \$200,000 of ARPA funding to Ferguson seniors.

CLOSED SESSION

None

ADJOURNMENT

Having no further business, a motion was made by Councilwoman Lipka and seconded by Councilwoman Burrow to adjourn the meeting at 10:49 p.m. Unanimous vote in favor taken; **MOTION PASSED.**

Approved on the 19th day of April , 2022.

ATTEST:

Ella M. Jones, Mayor

Octavia Pittman, City Clerk