

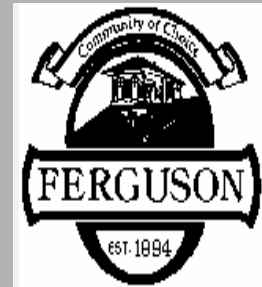
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FERGUSON CITY COUNCIL

**Council Meeting
May 9, 2006**

**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 May 9, 2006 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 A.J. Krieger, City Attorney Stephanie Karr, and City Clerk Debbie Matthies. Mrs. Matthies declared a quorum was present.

Mayor Fletcher welcomed all present and explained the meeting would have a Special Presentation Portion, Public Portion and the Business Portion.

SPECIAL PRESENTATION

Public Works Director, Terry O'Neil explained the Pride of the City Program and introduced the May Pride of the City winners. The May winners are Ward 1- Thomas & Carissa McCleery at 44 S. Elizabeth Ave., Ward 2 – Todd & Michele Hejna at 2 N. Clay Ave., and Ward 3 – Mike & Julie Lloyd at 6127 Bermuda Rd. Each of the winners will receive a Certificate and City Flag. Pride of the City signs will be placed in their yards. Council congratulated the winners.

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PUBLIC COMMENTS

Linda McAllister – 339 Suburban – wanted to know when the residents will receive their letters regarding the Suburban Road project.

City Manager, A.J. Krieger responded as soon as Horner & Shifrin forward their plans the residents will be informed.

John Knowles – 716 N. Elizabeth – announced the Letter Carriers Food Drive for the City of Ferguson to benefit the area food bank. Interested citizens should deposit cans at St. Stephens Episcopal Church or place a can of food in or by their mailbox and it will be collected on Saturday, May 13, 2006. Thank you.

Alan Mueller – 435 Darst Road – made a plea for preservation and renovation of the January Wabash Building. Mr. Mueller presented Council with a handout of projects he had worked on in the past. In his presentation, Mr. Mueller provided information he felt was missing from the PROS presentation. He presented an image of how the JW Building could be preserved with renovation and options of how the building could be adapted for future uses. Council thanked Mr. Mueller.

Jim Knowles – 1123 Renshaw – had concerns and comments regarding grants/loans to help people with low income for home repair and would like to see CDBG funds used for FNIP loan programs instead of using it for administration.

Shannon Howard – 408 Tiffin – announced the Mothers Day Gift Extravaganza at the Farmers' Market, Saturday, May 13, 2006, Spring Clean Up on May 20, 2006 and volunteers may come to the Farmers' Market entrance at 9:00 a.m. there will be free muffins, juice, coffee and vests, gloves and trash bags. Announced that FSBA is sponsoring a Silent Movie Night at the Savoy, Saturday, May 13 – 7:30 p.m. \$5.00 admission as a fundraiser for Streetfest.

Stan Caldwell – 900 Dyerdown – had comments and concerns regarding the January Wabash Building. Mr. Caldwell feels since there have been additions on the building it is not the original building and no longer a historical building. Mr. Caldwell further commented that the mold and rotted walls create a health problem and feels the building should come down and be replaced by an easily maintained building for the future.

Mike Gray – 620 Darst Road – introduced himself and thanked FSBD for his part-time position with the Farmers' Market. Thanked FSBD, Gunnar Brown for his leadership, vision and his devotion every Saturday, Shannon Howard for everything she has done in moving the Market forward to the next level and all of the devoted Market volunteers. Mr. Gray invited everyone to visit the new Farmers' Market which is a good opportunity for the City of Ferguson.

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There being no further public comments, Mayor declared the public portion closed at 8:25 p.m.

BUSINESS PORTION
MINUTES

Council Meeting Minutes – April 25, 2006. A motion was made by Council Member Larson, seconded, and carried to approve the Council special meeting minutes of April 25, and file as appropriate.

PROCLAMATION

Police Officers' Memorial Day and Police Week Proclamation was read by Mayor Fletcher and presented to Captain Dennis McBride on behalf of the Police Department.

BILLS REQUIRING SECOND READING

BILL NO. 6742 AN ORDINANCE OF THE CITY OF FERGUSON, MISSOURI, PROTECTING THE LOCAL REVENUE BASE NECESSARY TO PROVIDE ESSENTIAL MUNICIPAL SERVICES BY OPTING OUT OF THE STATE-IMPOSED SALES TAX HOLIDAY. Introduced by Council as a whole 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 Knowles, seconded. On roll call vote, the motion carried as follows:

AYES: 7 – Corson, Salant, Knowles, Hines, Fletcher, Faul, Larson
NOES: 0

Bill No. 6742 was declared passed and sent to the Mayor for signature. Bill No. 6742 thus became Ordinance No. 2006-3268 and is permanently recorded in Book 28 on page 13.

SPECIAL PRESENTATION

City Manager, A.J. Krieger gave a brief background of the March 28 synopsis of the major trends emerging from the forum. Council requested PROS to report on May 9, on the final analysis of the entire publication effort which included the meetings with Staff, Council, focus and special interests groups, public forum and mail survey.

Mr. Krieger commented that the Council received an outline and executive summary of the survey and the executive summary will be posted on the website.

Mr. Krieger further commented that after the presentation and pending Council discussion, the Staff will await further direction from Council on the larger plan in general and also the major issue of the January Wabash Building.

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B.G. Clark from PROS Consulting gave a brief background and summary and presented an executive summary of citizen survey results of the Ferguson Parks and Recreation Master Plan, in identifying the issues, needs and standards for facilities and programs that need to be addressed over the next 5-10 years.

The summary included discussion of a *Brief Summary of Previous Briefing* - present overview of findings from previous Council Briefing; *Household Survey Findings* – present findings from household survey including awareness, satisfaction, facility and program needs and unmet needs, priorities and support for various actions; *Facility Standards and Service Area Analysis* - present recommended standards for development of open space and facilities and their results in form of Service Area Maps identifying gaps and overlaps in service areas; *Prioritized Needs Assessment* – translation of survey and consultant findings into numerically prioritized facility and program needs; *JW Building Recommendations* - present the recommendation for next steps related to the JW Building; *Next Steps* – Next steps for completion of Parks and Recreation Master Plan and Community Recreation Center Feasibility Study.

Mr. Knowles – questioned the recreation needs relating to annual costs or membership fees in completing a new building and that the demand will change when the people find out what the price is. Also questioned the ages that filled out the surveys and the wants of the younger generation which was not as high, i.e. youth centers, skate park.

Mr. Clark - responded that the surveys were typically filled out by the head of household, 52% male and 48% female, which typically is opposite.

Mr. Hines – questioned not a lot of emphasis on the outdoor pool but emphasis on indoor pools.

Mr. Clark – overall people were satisfied with how well it was meeting their needs and the demand has been noted by the community that there is a desire for an indoor pool but based on the fact that there are already 3 indoor pools within the community.

Mr. Larson - commented that an indoor pool is a good example that would come out of a survey like this where people say what they want that does not fit something the City would be likely to provide. There are basic things the City needs to do to all of the parks. People asked for walking and biking trails and the City needs to keep the basic less expensive things that can improve all of its parks.

Mr. Knowles - felt not everyone is aware of the walking and biking trails and needs to be better communicated to the people.

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Mayor Fletcher - feels that the City needs to communicate better and explain some of the programs that the City already provides and look at the needs the City does not provide.

Mr. Corson – agreed there are things the City can do through simple changes. Mr. Corson feels the community cannot proceed further in any plan without a true program and that becomes the focus. Mr. Corson supports that the City has plenty of indoor pools but needs to join together with the other facilities.

Ms. Faul - questioned how many other community Park Master Plans have come together with other facilities.

Mr. Clark – probably 100%.

Mayor Fletcher – questioned if the recommendations and findings presented were based upon the surveys sent out, the focus groups, different forms of communications, and interviews with the Council and staff were combined and calculated together to come up with the total findings.

Mr. Clark - commented correct, plus industry accepted standards and methodologies for calculating.

Mayor Fletcher - handed out the January Wabash Resolution passed in September 2005 for Council review and believes in hearing the presentation and recommendation by PROS Consulting that this Resolution is still consistent with what was recommended, which would be the replacement of the January Wabash Building with a more modern facility. It is up to the Council to ask Staff and PROS Consulting to move forward on what Council would like to do.

Mr. Knowles - commented that it is a very difficult decision for Council. Mr. Knowles further commented that it was said that the building is no longer the original building because it has been changed many times which he doesn't feel makes the building any less historical or symbolic. Mr. Knowles is very supportive of PROS work and feels Council needs to move forward with assessing the needs the City is going to fulfill from the desires that were outlined from the citizens and would like to move forward but does not feel it would require Council to say tear down this building today, it will simply give PROS the next step which is to start laying out the footprint and what will actually be accomplished with the new building and let the process drive it.

Mayor Fletcher - commented that the Resolution is basically acknowledging that the building will be replaced with an appropriate feasibility study and timeline presented within the recommended period by October. Council needs to decide if the building is coming down or not coming down.

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Mr. Knowles – commented the study is what needs are going to be addressed with the new facility and what footprint would be of a new facility. Mr. Knowles would like to see the process drive the outcome and when it gets to that point then decide if it is coming down because you will have a plan on replacing it.

Mr. Hines – main issue with the building is health reasons and safety and is concerned with the asbestos and people falling. Mr. Hines does not doubt that it is historical but feels the building poses health concerns.

Mr. Knowles – largest concern is that from the start to renovate the building was never given a fair shot. Mr. Knowles was supportive of the Resolution in September. Everyone's recommendations or opinions, both professionally and otherwise, are very different. Mr. Knowles feels at this point the most important discussion should be to have the PROS group move forward and let the outcome be driven by the process and move forward in seeing what exactly will be addressed out of the survey by existing facilities and joint agreements, then see what the City can and will afford to do to meet the needs that the City will be addressing.

Mr. Salant – feels that the process has driven it to the end where the people have said let's tear the building down and stop dragging our feet. Council needs to put a plan in place on what the space will be used utilized for in the future. Mr. Salant feels that the building is more of a sentimental building than a historical building. The building needs to come down.

Mr. Knowles – had comments regarding demolishing buildings vs salvaging the sentimental and historical values at a cost that is beneficial to the developer.

Mr. Larson – appreciates that the process should go forward, but a point needs to be reached to give the people a decision on whether or not renovating the building is a priority of the Council and City. Mr. Larson feels renovation is not the best approach, but is concerned with parts of the Resolution in raising expectations and making promises that might be difficult to make in a tight budget. Mr. Larson feels Council owes it to the staff, citizens and to the people who want to continue this process to let them know whether the Council and City considers renovation a priority, Mr. Larson does not.

Mayor Fletcher – gave a brief summary on how the Resolution came about, the citizens have spoken that they clearly want a replacement building, a new building. Mayor Fletcher feels that a decision to replace the building needs to be made so the citizens can move on and move forward in putting input in the new facility.

Mr. Knowles – feels a large percent of people have not stepped into that building and there are a lot of assumptions of what people think or know about that building. Mr. Knowles feels that Council never gave both renovation and replacement an equal chance

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at proving their worth.

Ms. Faul – feels Council should have looked more at both ways and feels Ferguson could be something special and unique in renovating the building. Ms. Faul appreciates all of the work and everyone's input and different thinking. Ms. Faul feels she has gone more towards the renovation side because it sounded unique and different, but probably needs to go ahead and call for the Resolution.

Mr. Corson – had concerns with maintaining focus on the primary function which is the Park Master Plan. Having people come and use the parks is the prime focus. Mr. Corson likes old buildings with historical significance but recognizes what needs to happen; the City should have invested those funds through the past years. Through several iterations of comprehensive master plans, as far back as 1964, the building has been questioned and the comment has been it is time for replacement.

Mr. Corson - feels that this Council has tried to take an effort to take a step back and let the process happen. Mr. Corson feels that the Council has tried to do a good job. Council needs to look at the total picture for the City, what can be done and what can afford to be done and what needs to be done in terms of health, safety and welfare.

Mayor Fletcher – made a motion, seconded, that the Council proceed with the decision to remove and replace the building and to instruct City Staff in working with PROS Consulting to bring back a fiscally responsible plan by the October timeframe which was recommended by PROS.

City Manager, A.J. Krieger – Staff is seeking direction from Council that Council wants Staff to proceed with the feasibility work and instruct Staff to work with PROS to initiate the feasibility portion and to come back and seek Council input on the design of the facility that meets those programmatic needs.

Mr. Hines – commented that an agreement was made to come to a decision; the building is unsafe with asbestos. The City is wrong for allowing this to go on as long as it has, it has not been maintained.

Mr. Salant – feels there are two issues, the City would like to have another facility to offer the programs for the citizens, and what is the City going to do with the building. Mr. Salant does not want to see the City dragging this on and maintaining the building and would like to see a motion to remove the building. The building needs to be gone and suggested Staff check into what the cost would be to demolish the building and look to the future.

Mr. Larson – feels that if the City is going to remove the building then a decision should be made to remove it. It is an extraordinarily difficult decision, but if Council does not make a decision it will be stuck in a loop since 1964. Replacement costs are uncertain.

Mr. Corson – There is a certain amount of function that can happen at the park, and

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PROS needs to find out the programmatic needs and how it can be utilized. Mr. Corson agrees that the Council needs to come to a decision on the fate of the building. If it needs to come down it needs to be said then let the process carry the timeframe about when it comes down.

Mayor Fletcher – concerns are if the building is not immediately coming down Mayor is in favor of painting the exterior of the building so it is not in violation of City code. Mayor is not going to accept that building, in the interim, without being painted.

Mayor Fletcher asked Council consensus on removing the building. On voice vote consensus was 5-2. AYES -5 - Corson, Salant, Hines, Fletcher, Larson
NOES - 2 – Knowles, Faul.

Mr. Krieger – requested Council direction on the Park Master Plan which is the entire park and recreation system and the product of this effort is going to be a plan that will try and attempt to meet the recreational and programmatic needs as expressed through the public vision.

Mr. Krieger - questioned if Council wants Staff to proceed with the feasibility portion of the contract that conceptually designs a building based around programmatic needs. Staff will then report back to Council, for Council's decision at that point.

Mr. Krieger - feels that PROS in working with Council, Staff and the public can come up with a conceptual design and alternatives for the facility.

B.G. Clark – explained that part of the feasibility study is to convert and translate all of the demand talked about into a space. PROS will run pro-forma based on the operating standard for that and the revenue associated with it and will look at all the different financing options as part of it.

Mr. Krieger - stated that by the time Staff reports back to the Council on the design of the building a cost range and finance options should be known. Mr. Krieger explained there will be some kind of debt to pay for this type of facility. A conceptual design of a building can tell you how staff will recommend financing and about what it would cost.

Mayor Fletcher - commented that the JW building will be there until October or later so what will be done with the exterior of the building.

Discussion of community efforts and other options to help with the basic maintenance and aesthetic needs of the building.

Council consensus was to at least scrape and paint the exterior building. But to avoid putting any more money into the building.

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Mr. Krieger - cautioned Council on starting any projects or putting any more money into the building, since Council decided to tear it down.

Mr. Krieger - offered to bid out the scraping and painting of the building and bring the results to Council for their decision.

Council agreed for B.G. (PROS) to move forward with the preliminary feasibility portion.

MISCELLANEOUS

Tim Larson – reminded everyone of the Neighborhood Watch Picnic on Wednesday, May 10, 2006 at the JW Bandshell, congratulated Pride of the City winners and the spring clean up Saturday, May 20.

Peggy Faul – Congratulations to the Pride of the City winners. Remember the spring clean up and the Letter Carriers food drive in lending a helping hand to local food banks. Ms. Faul re-iterated the history of the City is what is special about Ferguson and thinks the City could have been something special by doing something unique and different with the building. Ms. Faul mentioned that she appreciates and would like to pursue Mr. Knowles' idea of some type of funds for the caring league and would like Council to consider those kinds of things.

James Hines – commented he works at St. John & James food bank which supplies food for 40 families a day so please participate in the Letter Carrier food drive.

James Knowles – thanked B.G. for his excellent work which is a very difficult job. Mr. Knowles re-iterated what Ms. Faul said whenever a public policy is being made you cannot take every alternative and every possibility into account even though that is what you would like to do in making a rational decision. Mr. Knowles still feels Council never gave renovation of the building its fair shake or assessment but is willing to move forward and get the best outcome. Mr. Knowles hopes to hear from B.G. in 90 days and is anxious to move forward for the City.

John Corson – proud to be a part of the Peace Officers' Proclamation as his son is a Police Officer involved in much of the dangerous work and would like to commend the Police Department for the great job that they do. Mr. Corson also commended FSBD on their efforts with the entire downtown area and the Farmers' Market. Congratulations to the Pride of the City winners and thanked B.G. (PROS) in making this educational process and simple to understand. Mr. Corson also recognized Officer Doedli and Council Member Salant who were in the City CERT vehicle participating in the Valley of Flowers parade.

Mr. Krieger – previously sent Council a list of street repairs and with the addition of Barat

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go ahead and advertise the list. Mr. Krieger introduced Rosalind Williams as the City's new Community Development Coordinator. Ms. Williams has 20 plus years of experience in the general planning and development field. Council welcomed Ms. Williams.

Mr. Krieger - discussed the Council's question relating to the ability to raise the inspection fees and how it relates to the Hancock amendment with City Attorney Ms. Karr.

Ms. Karr - explained that there is a five part test to determine if whether a particular fee is subject to a vote under the Hancock amendment. It is a complicated issue. There is a general range for the costs of inspections and permits and most cities generally stay within \$5-\$10 of that range and would not need a vote. Ms. Karr does not know of anyone placing occupancy permits on the ballot.

Mr. Krieger - commented that if Council wants staff to start levying a fee for re-inspections it could be done.

Mr. Knowles - has a serious problem with re-inspections. The City has people who can barely afford to fix what they are being cited for now and the City wants to charge for a re-inspection. It will be difficult on people with fixed income and the elderly. Re-inspections are not acceptable to Mr. Knowles. Mr. Knowles feels there are a lot of elderly fixed income people in Ferguson who are being run out of their homes because they cannot afford to fix their problems. Mr. Knowles cannot support it.

Mr. Corson – feels there are varying types of inspections and Council should have more discussion regarding the fees.

Mayor Fletcher - requested Council schedule a work session regarding the type of inspections fees and what other cities are charging.

Mayor Fletcher - thanked all parties and all citizens for all their input on the Park Master Plan and the future of the January Wabash facility. Mayor commented that this community loves to debate a good item and this is one that has been debated over 40 years. Mayor further commented that Council has made a decision to move the City forward and Mayor welcomed additional suggestions on what the facility can and should be.

ADJOURNMENT

There being no further business to consider, Council Member Larson moved to adjourn, seconded. The meeting adjourned at 10:25 p.m.

Deborah L. Matthies, City Clerk