

Approved 10/10/06

FERGUSON CITY COUNCIL

**Council Meeting Minutes
September 26, 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 September 26, 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 Deputy City Clerk Sonya Brooks. Ms. Brooks declared a quorum was present.

Mayor Fletcher welcomed all present and explained the Council meeting would have the Public 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. Mayor Fletcher moved the Proclamation Portion before the Public Comments on the Agenda.

Mayor Fletcher made an amendment to the Agenda regarding the second reading of Bill No. 6761. Mayor explained due to the fact that there have been several community comments, the Council is working on several issues and the site plan is being revised, Mayor made a motion to postpone the second reading of Bill No. 6761 to the October 10, 2006, Council Meeting, seconded by Council Member Larson. Motion carried unanimously.

Mayor moved the Proclamation prior to the public comment portion of the Agenda.

PROCLAMATION

A Proclamation for Show-Me Science Day was read by Mayor Fletcher and presented to Debbie Davidson from Blessed Teresa of Calcutta.

PUBLIC COMMENTS

Tom Lauman – 707 Chateau Valley Court, Trustee of Chateau Woods, spoke on behalf of 45 residents of Chateau Woods. Informed the Council of the protest petition that was submitted on September 19th which received enough signatures (65%) to change the approval vote for the Bill to a super majority. Asked the Council to further delay the vote to give impacted residents time to study and meet with Counsel, summarize questions, concerns and make recommendations. Mr. Lauman further asked why does the police and fire services require two entrances and exits for this development, whereas other subdivisions have one entrance and one exit and service has been adequately provided.

Mr. Lauman shared three major differences in the Chateau Woods development twenty years ago and this development today. One, Chateau Woods did not require an entrance and exit through another subdivision. Two, the exterior tree line was maintained and many of the interior trees were preserved. And three, the lot sizes and house sizes were comparable to all neighboring subdivisions.

Mr. Lauman and the residents will not rest and will not give in until the right proposal is made.

Council Member Knowles asked if a new site plan is provided does it have to go back to the Planning Commission for approval. Mr. Krieger stated we can not determine until we exactly know what the amendment is. A major amendment will require starting over.

Chris Skonicki – 609 Chartier Drive, asked does the Council recognize that the protest petition would be still in effect for any future vote. Mayor Fletcher agreed that it would. Who will define when major changes are made? Further inquired when will changes to the site plan become available? Mayor stated if there is not enough information that Council feels necessary at the October

10th meeting a motion will be made to table the Bill again.

Linda Lipka – 818 Le Maisson Drive – stated the proposed entrance at Alicia will not affect the issue which would include the traffic increased on Hudson and Elizabeth, the safety to our residents and our children, lot sizes, tree line and drainage issues.

Ms. Lipka further asked the Mayor who he has spoken to or has a contract with that states that there will be Section 8 housing. Mayor Fletcher responded that the statement was not made.

Ms. Lipka further asked if definition was made on the 15-foot building line regarding the backyards of the homes. In addition, if R-4 is the only way to do development, then how did other subdivisions in R-1 get developed? Did we have complete control over that or negotiations with the builders? Mr. Krieger responded the subdivisions are straight zoning classifications. The City had no legal authority to impose anything like a tree preservation line.

Mike McGrath – 1599 Knollstone – addressed the issue of changing the zoning to R-4 for the site plan. Mr. McGrath further commented that he has spoken with an attorney who is prominent in building codes and zoning regarding changing to R-4.

Council Member Salant asked for Mr. McGrath to resign from the Planning and Zoning Commission due to a conflict of interest.

Martin Pion - #6 Manor Ln – shared with the Council recent activities of the Traffic Improvement Program. Activities included Bike parking (installation of new bike racks), Bike Education, and the Loaner Bike program.

Mayor Fletcher shared his comments on the development. Stated that he ran for Mayor because he truly cares about the City. And from the beginning he has thought that a development of this nature is very good for Ferguson's long term survival. We need upscale housing with the income bracket it brings to increase the medium income base of this community. The last 15 months we have put a lot of investment into Ferguson. I ask you to be like me to believe in Ferguson like yourself so we can get others to believe in Ferguson. And we must invest in Ferguson if we expect others to come invest in Ferguson. Further stated his job as Mayor is for the whole City and it's not about five years from now, it's about 15, 20, 25 years from now.

Mayor Fletcher has shared with a few that if this were to stay an R-1 project

that a future developer can connect to those stub streets legally because they are public stub streets. Also they can come in and clear every tree out of there legally if they wanted to under R-1.

Mayor Fletcher asked if anyone has questions or comments that you address the individual that you have the question to. Stated residents are welcome to contact him by email or phone.

There being no further public comments, Mayor declared the Public Comment portion closed at 8:32 p.m.

BUSINESS PORTION **MINUTES**

Council Meeting Minutes – September 12, 2006. A motion was made by Council Member Knowles, seconded by Council Member Faul and carried to approve and receive as presented the Council Meeting Minutes of September 12, 2006 and file as appropriate.

CONSENT AGENDA

Minutes

Library Board Minutes – June 18, 2006. A motion was made by Council Member Corson, seconded by Council Member Hines, and carried to receive the minutes as presented and file as appropriate.

Ferguson Neighborhood Improvement Program Minutes (FNIP) – July 24, 2006. A motion was made by Council Member Corson, seconded by Council Member Hines, and carried to receive the minutes as presented and file as appropriate.

Plan Commission Meeting Minutes – August 16, 2006. A motion was made by Council Member Corson, seconded by Council Member Hines, and carried to receive the minutes as presented and file as appropriate.

Plan Commission Special Meeting Minutes – August 23, 2006. A motion was made by Council Member Corson, seconded by Council Member Hines, and carried to receive the minutes as presented and file as appropriate.

Ferguson Senior Citizens Commission Minutes – September 7, 2006. A motion was made by Council Member Corson, seconded by Council Member Hines, and carried to receive the minutes as presented and file as appropriate.

Park Board Minutes – September 19, 2006. A motion was made by Council Member Corson, seconded by Council Member Hines, and carried to receive the minutes as presented and file as appropriate.

APPOINTMENTS

A motion was made by Mayor Fletcher, seconded, to accept the appointments as named, motion approved unanimously (7-0):

Lesia Henson to the FNIP Board.
Pat Sorenson to the Landmarks Commission.
Paul Morris to the Landmarks Commission.
Mike Crawford to the Park Board.
Shirley McDermott to the Senior Citizens.
Paula Margelewski to the Traffic Commission.

BILLS REQUIRING SECOND READING

BILL NO. 6759 AN ORDINANCE ESTABLISHING THE NORTH ST. LOUIS COUNTY ENHANCED ENTERPRISE ZONE ABATEMENT POLICY WITH RESPECT TO AD VALOREM TAXES FOR CERTAIN QUALIFIED NEW IMPROVEMENTS WITHIN THE PORTIONS OF SUCH ZONE PURSUANT TO CHAPTER 135, R.S.MO. was 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 Corson, seconded by Council Member Salant. On roll call vote, the motion carried as follows:

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

Bill No. 6759 was declared passed and sent to the Mayor for signature. Bill No. 6759 thus became Ordinance No. 2006-3283 and is permanently recorded in Book 28 on page 28.

BILL NO. 6760 AN ORDINANCE AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH NORTHPARK PARTNERS LLC FOR THE PURPOSE OF MAKING CERTAIN IMPROVEMENTS IN CONJUNCTION WITH SUBURBAN AVENUE AND THE NORTHPARK DEVELOPMENT was 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 Corson, seconded by Council Member Faul. On roll call vote, the motion carried as follows:

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

Bill No. 6760 was declared passed and sent to the Mayor for signature. Bill No. 6760 thus became Ordinance No. 2006-3284 and is permanently recorded in Book 28 on page 29.

Bill NO. 6761 tabled.

BILL NO. 6762 AN ORDINANCE OF THE CITY OF FERGUSON, MISSOURI AMENDING THE ZONING ORDINANCE AND THE ZONING MAP TO REFLECT A CHANGE IN THE ZONING CLASSIFICATION FROM R-1D AND R-3 RESIDENTIAL TO AD AIRPORT DISTRICT FOR THE PROPERTY DESCRIBED HEREIN was 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 Larson, seconded by Council Member Corson. On roll call vote, the motion carried as follows:

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

Bill No. 6762 was declared passed and sent to the Mayor for signature. Bill No. 6762 thus became Ordinance No. 2006-3285 and is permanently recorded in Book 28 on page 30.

BILL NO. 6763 AN ORDINANCE REPEALING ORDINANCES 75-1459 AND 77-1629 AND, IN LIEU THEREOF ENACTING THE PROVISIONS CONTAINED HEREIN PROVIDING FOR THE FORMATION OF A LANDMARKS COMMISSION AND MAKING CERTAIN PROVISIONS RELATED TO SAID COMMISSION was 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 Faul, seconded by Council Member Larson. On roll call vote, the motion carried as follows:

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

Bill No. 6763 was declared passed and sent to the Mayor for signature. Bill No. 6763 thus became Ordinance No. 2006-3286 and is permanently recorded in Book 28 on page 31.

MISCELLANEOUS

Ms. Faul – commented on the recommendations from the Park Board on the municipal grant and the conservation area and her agreement on both. Wanted to emphasize the need for residents to re-read their instructions for trash, especially large items and white goods.

Ms. Faul reminded everyone of the North Park groundbreaking on October 9th. And is also looking forward to hearing more from the StreetFest Committee on the results of this year's event.

Mr. Larson – appreciated the Mayor's comments during Public Comments. Agrees tabling the Bill will give the Council an opportunity to address the significant issues that have been raised by citizens. Council Member Larson is looking forward to moving this project forward because it does offer potential to the community in bringing a development with significant homes new citizens and new neighbors for the City of Ferguson.

Mr. Hines – shared that he had visited places today as requested by citizens and was pleased with what he found. Mentioned he did find some things that could be made better. On behalf of citizens he will do what we can to make improvements.

Mr. Knowles – thanked citizens on Moundale for a wonderful party this past weekend. Reminded everyone of events this weekend at Jeske Park and the Ice Cream Social hosted by Parc Monceau.

Mr. Salant – appreciated the Mayor's comments on Brookfield Manor and stated the Council does care about the City and that they want to make the right decision. Emphasized the need for all correct facts be gathered by residents before presenting incorrect information or comments and ask residents to personally contact Council for the correct facts. Mr. Salant also stated his appreciation for citizen committees. Publicly asked for Mike McGrath's resignation from Planning and Zoning Commission. Further stated we need to continue to be professional about these matters and all falsehoods need to stop.

Mr. Corson – also appreciated the Mayor's comments. Reminded everyone of the Southwest Neighborhood Meeting tomorrow.

Mr. Corson inquired about how many of our current landlords are up-to-date and licensed. Mr. Krieger stated about 95% are up-to-date and a list will be generated for Council review. Mr. Corson further asked about our current ordinance of having the vacant houses tied to a fee/registry. Public Works will report back.

Mr. Corson thanked FSBD for their presentation.

Mr. Krieger – apologized for his reaction to an earlier speaker. Stated he will ask our City attorney at the second reading of the Brookfield Manor rezoning to brief the Council on the discretion and the latitude City Council has when reviewing an R-4 plan.

Mayor Fletcher – wanted to follow-up on the shed reimbursement to Joe Lonero. Mr. Krieger will report back to the Council on questions (i.e. located on our property, reverting to ownership, and insurance) previously asked regarding the shed, then authorization for reimbursement will be granted for the additional funds. Council consensus is to reimburse Joe Lonero for the additional funds.

Mayor Fletcher brought a request to the Council from Ferguson Station for an additional \$5,000 for repair and replacement of Holiday decorations (over their \$10,000 budgeted). Council consensus is to approve their request this year, but request that the organization plan better in the future to avoid additional requests every year. Council Member Salant requested a copy of their budget. Mayor Fletcher will obtain a copy. The request was granted.

Mayor Fletcher asked for an update on the open positions available with the City. Mr. Krieger responded that an offer has been made to a candidate for the Community Development Coordinator. Waiting for a response. In addition, the City anticipates the hiring of three additional Firefighters around November 1st.

Mayor Fletcher reminded everyone of the Northside Neighborhood Meeting which coincides with the Southwest Neighborhood Meeting tomorrow night.

There being no further business to consider, Council Member Knowles moved to adjourn, seconded by Council Member Salant. The meeting adjourned at 9:05 p.m.

Sonya D. Brooks, Deputy City Clerk