

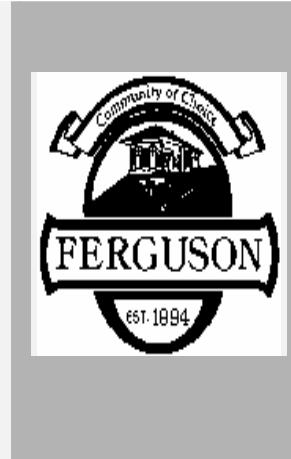
Approved 10/24/06

FERGUSON CITY COUNCIL

**Council Meeting Minutes
October 10, 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 October 10, 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 Deborah Matthies. Mrs. Matthies 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 announced that Council agreed to move item 4. Special Presentation of the Park Master Plan by PROS Consulting to the Work Session.

PUBLIC COMMENTS

Tom Lauman – 707 Chateau Valley Court, Trustee of Chateau Woods, spoke on behalf of 45 residents of Chateau Woods and other concerned residents concerning their objections of Bill No. 6761. Mr. Lauman requested a response to questions he emailed to the Council which were: 1) has the City officially received a letter from J.H. Berra confirming their withdrawal of the original proposal Bill No. 6761 2) will this action result in a new Bill or the amendment of Bill No. 6761 3) Will the protest petitions still apply to the amended Bill No. 6761 or to the new Bill 4) regarding the Resolutions to purchase property at 1308 Alicia Avenue and 1250 N. Elizabeth Ave. have or will all of the residents directly impacted by the purchase be officially notified. Mr. Lauman feels that this is not an emergency situation in which Ferguson needs to abandon its current Vision.

Mr. Lauman further presented recommendations to the Council to consider and asked Council not to act out of desperation because of the start up and interest of the new NorthPark Development. Mr. Lauman commented that their position on Bill No. 6761 or a new Bill still remains the same.

James Truesdale – 1400 Hudson Road had concerns and comments regarding the proposed subdivision and is opposed to reducing lot sizes in the north area below 15,000 sq. ft.

Marsha Whitson – 3652 Knollstone – requested the Council take action to thoroughly investigate the price and possibility of building an access road from Pershall Road and wants it on the record because people of Ferguson have been talking about it, they are upset about it, and she lives on the north side and feels the north side is frequently ignored and they do not matter. Ms. Whitson further requested Council to thoroughly investigate the price of the Pershall land, then they will understand if Council has to make another decision. Ms. Whitson asked Council to consider the north side of Ferguson as a true gateway to the City and feels it is the side of Ferguson which is seen the most. Ms. Whitson asked Council to keep the R-1B neighborhood as it is.

Linda Lipka – 818 Le Maisson Court – informed Council that she spoke with the representative of Pace Properties representing the property on Pershall who gave her the authority to emphatically state to Council that the owners of the land are eager to sell as residential and are very willing to be flexible on the price. Questioned why this is not being considered by the Council and wondered if the City only wants to sell it as commercial. Ms. Lipka further had comments on the Pershall property, financial commitment, the developer and the proposed project in general.

Eugene Dokes – Real Estate Agent with Coldwell Banker Gundaker representing the family at 1250 N. Elizabeth Avenue was asked to speak, on record, on behalf of the family. Mr. Dokes explained that the family has an offer for an option to purchase from the City of Ferguson and it is significantly less than what was allowed. The family has a signed option and felt that they were taken advantage of because of their age and the value of their property before they signed the option. Mr. Dokes further commented that the major issue is that the family asked about getting the property appraised and sold with it being a different zoning than what it currently is and were told they can not.

Jerry Kettenbach - 1123 Chatelet Drive – has concerns and comments regarding the proposed Brookfield Manor Subdivision and issues with lot sizes, road safety and the tree line.

Chuck James – 210 Hereford – FSBD President – on behalf of client Beth Thompson d/b/a Cose Dolci Bakery Restaurant (Bill No. 6765 - Financial Assistance Agreement) located at 100 S. Florissant Road – Ms. Thompson was present for questions and explained the type of business and hours of operation and looks forward to coming to Ferguson.

Stan Caldwell – 900 Dyerdown – commented on how pleased he is with the PROS presentation and hopes Council moves forward with the proposal.

Mary Cobb Martin -739 Hudson Road – concerns and comments regarding people driving too fast and safety issues with Hudson Road.

Bill Whitson – 3652 Knollstone – had comments regarding the Church property not being kept up.

Shannon Howard – 408 Tiffin – reminded everyone there are three weeks left of the Farmers' Market and anyone wishing to get involved with the planning of Northern Lights Festival may contact her on the Citywalk website.

There being no further public comments, Mayor declared the Public Comment portion closed at 8:35 p.m.

BUSINESS PORTION

MINUTES

Council Meeting Minutes – September 26, 2006. A motion was made by Council Member Larson, seconded by Council Member Knowles and carried to approve and receive as presented the Council Meeting Minutes of September 26, 2006 and file as appropriate.

PROCLAMATIONS

Red Ribbon Week - October 23-31, 2006 and October 2006 Community Planning Month Proclamations were read by Mayor Brian Fletcher.

RESOLUTIONS

Council Member Faul made a motion to table Resolution No. 2006-34 to the November 14, 2006 Council Meeting, seconded by Council Member Larson. Ms. Faul feels that after the purchase of the property it would be premature to pass the Resolutions without the Ordinance supporting them.

Motion passed unanimously by voice vote.

Council Member Faul made a motion to table Resolution No. 2006-35 to the November 14, 2006 Council Meeting, seconded by Council Member Larson. Ms. Faul feels that after the purchase of the property it would be premature to pass the Resolutions without the Ordinance supporting them.

Motion passed unanimously by voice vote.

City Manager, A.J. Krieger explained the ramifications involved with tabling the two Resolutions to purchase property at 1250 N. Elizabeth Avenue and 1308 Alicia Avenue. The Resolutions only authorize the purchase of the properties, Council can further instruct staff to delay closing on the properties. Mr. Krieger explained the process and the options.

Discussion regarding the purchase of the properties, options and the process.

2006-32 – A Resolution approving an amendment to the City Manager Agreement was introduced by Council as a whole and read by City Attorney, Stephanie Karr. On roll call vote, the motion carried as follows:

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

NOES: 0

Resolution passes. 7-0

2006-33 – Municipal Parks Grant Program – Ferguson Sports Complex was introduced by Council as a whole and read by City Attorney, Stephanie Karr. On roll call vote, the motion carried as follows:

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

NOES: 0

Resolution passes. 7-0

Mayor announced that there would be no second reading of Tabled Bill No. 6761 due to the fact that the applicant has formally withdrawn the request for the application for rezoning of property. Therefore, Bill No. 6761 is now moot. The Council journal and records shall reflect that the Bill was introduced but was not acted upon by the Council and shall include a copy of the applicant's statement formally withdrawing the request for rezoning.

BILLS REQUIRING FIRST READING

Mayor announced that he will recuse himself on Bill No. 6765 because of a conflict of interest and will not be a part of introducing or voting on it.

BILL NO. 6764 AN ORDINANCE OF THE CITY OF FERGUSON, MISSOURI, TO RATIFY AND AFFIRM THE RATE AND COLLECTION OF MUNICIPAL TELECOMMUNICATIONS TAXES AND REPEAL CONFLICTING ORDINANCES, introduced by Council as a whole and read the first time.

BILL NO. 6765 AN ORDINANCE AUTHORIZING THE EXECUTION OF A FINANCIAL ASSISTANCE AGREEMENT, PROMISSORY NOTE AND SECURITY AGREEMENT WITH BETH THOMPSON D/B/A COSE DOLCI BAKERY RESTAURANT REGARDING THE IMPROVEMENT AND OPERATION OF A NEW RESTAURANT/BAKERY WITHIN A REDEVELOPMENT AREA WITHIN THE CITY was introduced by Council Members John Corson, Michael Salant, James Knowles, James Hines, Peggy Faul and Tim Larson and read the first time. Mayor Fletcher recused himself from Bill No. 6765.

BILL NO. 6766 AN ORDINANCE AUTHORIZING THE EXECUTION OF A FAÇADE EASEMENT IMPROVEMENT AGREEMENT WITH HOME ANNEX III, LLC REGARDING THE FAÇADE IMPROVEMENT AND RESTORATION OF 305 SOUTH FLORISSANT ROAD was introduced by Council as a whole and read the first time.

MISCELLANEOUS

Mr. Larson – Commented that Wayside Park has been cleared and would like staff to follow up regarding the Church Property.

Ms. Faul – reminded everyone of the Front Porch Discussion on October 12, 2006 at St. Stephens Church and to attend the last three weeks of the Farmers' Market. Ms. Faul questioned if the City has an Ordinance on how long a large dumpster may stay in a resident driveway.

Ms. Karr will follow up with some proposed provisions regarding large dumpsters.

Mr. Hines – commented he would like the City to enforce the Ordinance regarding the walking of dogs and people cleaning up after their dogs.

Mr. Knowles – commented his support of the residents concerns regarding Brookfield Manor. Mr. Knowles' concern is with the governing body only focusing on the entrances to the City.

Mr. Knowles feels that another consideration should be what Ferguson is, how the community looks, how the subdivisions look, and why many live here as opposed to other communities. Mr. Knowles feels there is a look and feel to this community which makes Ferguson unique and sets it apart from other north county neighbors. Mr. Knowles further commented that the look and feel of the community is something that needs to be preserved and needs to be taken to the developer and continue to make an issue out of, not just by the residents, but also the Council who are working on behalf of the residents. Mr. Knowles' contention from the start is that he feels the developer is coming to Ferguson to make money then leave, they are not here to make the residents happy.

Mr. Knowles also feels the other issue is severe traffic with Hudson being a very dangerous street and feels other options should be looked at.

Mr. Knowles feels that the Pershall option is something that Council needs to continue to look into and not to take the first offer. The community has done well without that property being developed for many years and feels the City will be fine if they wait longer.

Mr. Corson – announced the United Way Chili Cook-off on October 20, which is a great way in helping the community and children at large and congratulated the City on Red Ribbon Week, alcohol and drug abuse is rampant and does affect the children and families of our community.

Mr. Corson asked that everyone support these efforts to the extent that they can.

Mayor Fletcher – announced the United Way Chili Cook-off Friday, Oct. 20 – 5:30 p.m. – 9:00 p.m. at the Savoy Banquet Center. City employees are cooking their best Chili recipes to raise money for the United Way of Greater St. Louis and the community is invited to taste, judge and enjoy. There will be complimentary beverages and deserts. Advanced tickets are available at City Hall \$10.00/person and \$12.00 at the door. All ticket sales will benefit the United Way of Greater St. Louis. Sponsors are the City of Ferguson and The Savoy Banquet Center.

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

Deborah L. Matthies, City Clerk