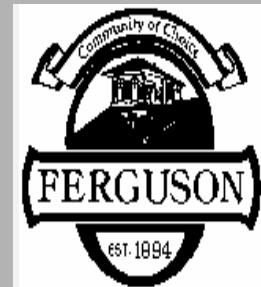


FERGUSON CITY COUNCIL

Council Meeting
June 28, 2005

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 June 28, 2005 by Mayor Brian P. Fletcher, in the Council Chambers 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
Keith Kallstrom
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 Public Hearing Portions, Public Portion and the Business Portion. Mayor Fletcher opened the Public Hearing.

8:00 PUBLIC HEARING

Community Development Block Grant Funds for Fiscal Year 2006

- ❖ Request to sign in
- ❖ Distribution and reading of informational handout (attached)
- ❖ Staff presentation of submitted suggestions or comments
- ❖ Request for public suggestions or comments

City Manager, A.J. Krieger advised that the City is required to hold a public hearing prior to receiving and using Community Development Block Grant (CDBG) funds from St. Louis County. The purpose of the public hearing is to solicit comments and suggestions regarding possible uses of the 2006 CDBG allocation, and for staff to present its proposal for the use of the funds.

Mayor Fletcher stated at the end of the presentation there will be a public comment portion. At that time, the public may sign-in for comments or suggestions.

Community Development Coordinator, Mark Etling, presented the Community Development Block Grant Budget Proposal for Fiscal Year 2006. Mr. Etling explained that the City of Ferguson participates in the federal Community Development Block Grant (CDBG) program. As a CDBG grantee, St. Louis County receives funds directly from the Department of Housing and Urban Development (HUD). Ferguson receives its CDBG funds as a subgrantee of the County. In 2006, Ferguson is scheduled to receive \$155,313 in CDBG funds.

Mr. Etling stated at the present time, the following 2005 CDBG eligible projects are either in progress or approved by City Council. 1) Code Enforcement - City inspectors conduct inspections and re-inspections on low-moderate income areas of the City as part of the City's Neighborhood Agenda, 2) as part of the Neighborhood Agenda the City is overseeing the design and construction of neighborhood entryway identifiers and 3) the City is using CDBG funds for development, re-development and capital improvement projects in low-moderate income areas of the City, including projects undertaken through the line of credit.

Staff proposes the following uses for CDBG funds for FY 2006. 1) Code Enforcement - City inspectors would continue to conduct housing inspections and re-inspections in low-moderate income areas as part of the Neighborhood Agenda, the suggested allocation is \$35,000.00, and 2) Public Facilities and Improvements, the City would use CDBG funds for development, re-development and capital improvement projects in low-moderate income areas of the City including projects undertaken under the line of credit, proposed allocation is \$120,313.00 for a total of all proposed uses of \$155,313.00.

Mr. Etling further stated that written comments and suggestions for the use of 2006 CDBG funds may be submitted to City Hall, 110 Church Street, attention: Mark Etling, no later than 5:00 p.m. on Friday, July 15, 2005. The completed CDBG application must be submitted to St. Louis County by July 31, 2005. The funds are due to be released to the City on January 1, 2006.

Public comments or suggestions for the proposed use of the CDBG funds:

Joe Lonero – 901 Hudson suggested a Skateboard Park.

Walter Coleman – 525 Darst – suggested a traffic-calming device, similar to a rumble strip, on Darst. Mr. Etling advised that part of Darst might not be within the eligible area, and would have to be reviewed for CDBG low-mod income restrictions.

Ms. Faul – concerns and comments regarding code enforcement money and its use.

Code enforcement money, its use and low-moderate areas was discussed.

There being no further public comments, the Mayor declared the CDBG Public Hearing closed at 8:15 p.m.

SPECIAL PRESENTATION

Public Works Director, Terry O'Neil explained the Pride of the City Program and introduced the June and July Pride of the City winners. Mayor Fletcher presented each of the winners present with a certificate and City Flag. The June winners are Ward 1- Fredrick Fletcher at 9725 Venice Dr., Ward 2 - Jerry & Madeline Eggering at 12 N.Clay Ave., and Ward 3 - Douglas & Kathleen Hindle at 356 Suburban Ave. The July winners are Ward 1 - Benjamin & Betty Sanders at 1282 Chateau Woods Dr., Ward 2 - Raymond & Georgia Reiners at 307 S. Harvey Ave. and Ward 3 - JoAnn Huff at 8407 Falmouth Dr. Pride of the City signs will be placed in their yards. Council congratulated the winners.

PUBLIC COMMENTS

John Raaf – 132 Anabel Ave – handed out maps to Council regarding 1.5 acres of vacant City property located at the end of Beardsley Court. Mr. Raaf suggested the property be used for a new City Hall, new Fire Department, Park, or parking lot for the Bikeway Trail. Discussion regarding the area possibly being in the flood zone. Mr. Raaf further requested the City clean up the remains of a burned house at 700 Beardsley. Staff will investigate the house.

Alvin Zamudio – Owner of Soma's Coffee House, 23 S. Florissant Road – requested an answer from the Council on the outdoor seating Ordinance, which he feels is a conflict of City Ordinances. A lengthy discussion ensued with Council, City Attorney and City Manager with regard to ADA (Americans with Disabilities Act) requirements, Ordinance amendments, Special Use Permits, and City Zoning requirements. City Manager, A.J. Krieger will research and compile information explaining options and variables regarding outdoor seating and forward it to the Council for their review. Mayor Fletcher will notify

Mr. Zamudio upon the receipt of the information.

Kynan Crecelius-20 Mintert Manor Drive – commented he enjoys the outdoor seating at Soma's and has never had any trouble with people passing by. As a solution, Mr. Crecelius suggested anchoring the tables.

John Knowles – 716 N. Elizabeth – commented in University City people are attracted to outdoor seating making it a vibrant location.

Paula Schilling – 56 N. Marguerite – is the General Manager at Soma's Coffee House and commented that customers have missed the outdoor seating. Ms. Schilling feels not having outdoor seating is detrimental to the business and hopes the City can work out a solution.

Attorney Chuck James – 210 Hereford, and Carol Knox owner of the building located at 500 Airport Road presented Council a hand out and development plans for the building. Ms. Knox would like to redevelop the property and enter into a redevelopment agreement with the City, similar to the Lonero redevelopment project. The proposed redevelopment plan and potential tenants were discussed.

City Manager A.J. Krieger advised that the ordinance adopting the redevelopment plan at 500 Airport Road would be placed on the July 26 Council Agenda for first reading.

There being no further public comments, Mayor declared the public portion closed at 8:55 p.m.

BUSINESS PORTION **CONSENT AGENDA**

APPROVAL OF MINUTES

Council Meeting Minutes - June 14, 2005. A motion was made by Mr. Knowles to amend the minutes by inserting the word "then" on page 8, paragraph 5, line 7. The sentence should read, *"The Promise he made to the citizens is to never put this City in debt and then ask citizens for money."*

A motion was made by Council Member Larson, seconded, and carried to approve the Council minutes of June 14, 2005 as amended, and file as appropriate.

Ferguson Municipal Library Minutes – April 18, 2005. A motion was made by Council Member Knowles, seconded, and carried to accept the minutes as presented and file as appropriate.

Landmarks Commission Minutes – April 18, 2005. A motion was made by Council Member Knowles, seconded, and carried to accept the minutes as presented and file as appropriate.

FNIP Minutes – April 25, 2005. A motion was made by Council Member Knowles, seconded, and carried to accept the minutes as presented and file as appropriate.

Plan Commission Minutes – May 4, 2005. A motion was made by Council Member Knowles, seconded, and carried to accept the minutes as presented and file as appropriate.

Senior Citizens Commission Minutes – June 2, 2005. A motion was made by Council Member Knowles, seconded, and carried to accept the minutes as presented and file as appropriate.

Park Board Minutes – June 21, 2005 **w/recommendations.** A motion was made by Council Member Knowles, seconded, and carried to accept the minutes as presented and file as appropriate.

APPOINTMENTS

A motion was made by Mayor Fletcher to reappoint Cathy Bindbeutel to the Library Board, seconded, approved unanimously.

A motion was made by Mayor Fletcher to appoint Jeanne Garofalo to the Library Board, seconded, approved unanimously.

A motion was made by Council Member Knowles to appoint Martin Pion to the Traffic Commission, seconded, approved unanimously.

A motion was made by Council Member Faul to reappoint Tim Seldon to the Personnel Board, seconded, approved unanimously.

A motion was made by Council Member Kallstrom to appoint Annette Jenkins to the Park Board, seconded, approved unanimously.

Boards and Commission appointment procedures were discussed. Council consensus is to email the Mayor appointments prior to the Council meeting and the Mayor will announce the appointments at the meeting for Council approval.

PROCLAMATIONS

A Proclamation recognizing Ferguson's Citizen of the Year Award to "Jerry Thayer" by the Fourth of July Festival Committee was read by Mayor Fletcher.

A Proclamation recognizing Ferguson's Len Winters Youth Achievement Award to Laura Foster by the Fourth of July Festival Committee was read by Mayor Fletcher.

A Proclamation recognizing Ferguson's Len Winters Youth Achievement Award to Michael Hundelt by the Fourth of July Festival Committee was read by Mayor Fletcher.

A Proclamation recognizing Good Shepherd Parish was read by Mayor Fletcher and presented to Good Shepherd Parish representatives.

A Proclamation recognizing Sts John and James Parish was read by Mayor Fletcher and presented to Sts John and James Parish representative.

REQUEST

A motion was made by Council Member Knowles, seconded, to approve the Liquor License for Frontier Petroleum, Inc., located at 10620 New Halls Ferry Road (formerly Huck's Food Store). New owner and applicant Mohammad K. Paracha has met the requirements and was present for Council questions. Mr. Paracha requested Council to consider placing a Police Substation at the location. Motion passed unanimously.

BILLS REQUIRING FIRST READING

BILL NO. 6714 AN ORDINANCE AMENDING ORDINANCE 2004-3211; A REDEVELOPMENT AGREEMENT BETWEEN THE CITY AND JOE LONERO. Introduced by Council as a Whole.

City Manager, A.J. Krieger discussed the amendments to the Ordinance.

BILL NO. 6715 AN ORDINANCE AFFIRMING ADOPTION OF A REDEVELOPMENT PLAN, REDEVELOPMENT AREA, REDEVELOPMENT PROJECT; AUTHORIZING THE EXECUTION OF A REDEVELOPMENT AGREEMENT BETWEEN THE CITY AND LOUISE CAROL, INC., AT 500 AIRPORT ROAD; PRESCRIBING THE FORM AND DETAILS OF SAID AGREEMENT; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AUTHORIZING OTHER RELATED ACTIONS IN CONNECTION WITH THE REDEVELOPMENT OF CERTAIN PROPERTY WITHIN THE REDEVELOPMENT AREA; AND CONTAINING A SEVERABILITY CLAUSE.

Bill No. 6715 will be introduced for first reading at the July 26 Council Meeting.

BILLS REQUIRING SECOND READING

BILL NO. 6711 AN ORDINANCE REPEALING ORDINANCE NO. 2004-3215, AND ADOPTING AN ORDINANCE FIXING THE SALARIES AND OTHER COMPENSATION OF ALL OFFICERS AND EMPLOYEES OF THE CITY AS PROVIDED IN SECTION 2-47. COMPENSATION, OF CHAPTER 2. ADMINISTRATION, OF THE CODE OF THE CITY OF FERGUSON, FOR THE FISCAL YEAR 2005-2006; EFFECTIVE WHEN introduced by Council as a Whole and read the first time.

City Manager, A.J. Krieger explained that as part of the City code the City is required to

adopt a salary schedule for all full-time employees. This Ordinance sets the minimum and maximum pay levels.

A motion was made by Council Member Corson, seconded, and carried to read the Bill a second time and place it upon its passage. On roll call vote, the motion carried as follows:

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

Bill No. 6711 was declared passed and sent to the Mayor for signature. Bill No. 6711 thus became Ordinance No. 2005-3238 and is permanently recorded in Book 27 on page 100.

BILL NO. 6712 AN ORDINANCE REPEALING ORDINANCE NO. 2004-3216, AND ADOPTING AN ORDINANCE FIXING THE SALARIES OF PART-TIME EMPLOYEES OF THE PARKS AND RECREATION DEPARTMENT OF THE CITY OF FERGUSON; FOR THE FISCAL YEAR 2005-06; EFFECTIVE WHEN, introduced by Council as a Whole and read the first time.

A motion was made by Council Member Kallstrom, seconded, and carried to read the Bill a second time and place it upon its passage. On roll call vote, the motion carried as follows:

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

Bill No. 6712 was declared passed and sent to the Mayor for signature. Bill No. 6712 thus became Ordinance No. 2005-3239 and is permanently recorded in Book 27 on page 107.

BILL NO. 6713 AN ORDINANCE OF THE CITY OF FERGUSON, MISSOURI, CREATING A NEW ZONING DISTRICT TO BE KNOWN AS THE “AIRPORT DISTRICT”, ENACTING REGULATIONS AND RESTRICTIONS THEREFORE AND RENUMBERING CERTAIN OTHER SUBCHAPTERS WITHIN CHAPTER 49. Introduced by Council as a Whole and read the first time.

A motion was made by Council Member Corson, seconded, and carried to read the Bill a second time and place it upon its passage. On roll call vote, the motion carried as follows:

Mr. Krieger briefly explained that this Ordinance is amending Chapter 49 by creating the Airport Development District as part of the larger Intergovernmental Cooperation Agreement that the City entered into in the summer of 2002. The City agreed to adopt a uniform zoning amendment for the purpose of the cities of Kinloch, Berkeley and Ferguson adopting the same zoning language, permitting the same uses, establishing a uniform site plan review and approval process and establishing a uniform set of land development guidelines that can effectively cross jurisdictions.

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

Bill No. 6713 was declared passed and sent to the Mayor for signature. Bill No. 6713 thus became Ordinance No. 2005-3240 and is permanently recorded in Book 27 on page 108.

MISCELLANEOUS

Tim Larson – commented that the Traffic Commission met to discuss the Florissant Road project and several members of the former streetscape committee were present. The Darst neighborhood will have their first meeting on Thursday June 30, discussing the speed problem on Darst.

Peggy Faul – Thanked the Parish representatives for being present to receive their Proclamations. Both Parishes have been here quite awhile and have contributed to the spiritual guidance and dedication to the citizens of Ferguson. Ms. Faul applauded the Pride of the City winners and asked everyone to keep up with their properties as well as the City's. Ms. Faul reminded everyone of the 4th of July festivities and the fireworks display which has been moved to Hudson Park. Ms. Faul had comments regarding the timely manner in receiving certain Board "draft" minutes and first bill readings.

James Hines – apologized for being late as he was returning from Colorado where his daughter received her Master's Degree. Mr. Hines requested that microphones be tested before the Council meetings.

James Knowles – congratulated all of the Proclamation and Pride of the City recipients.

Keith Kallstrom – wished everyone a safe and sane July 4th and congratulated the Pride of the City winners who set the examples for all property owners. Mr. Kallstrom commented that Park Board appointments are needed.

John Corson – congratulated the Pride of the City recipients who take pride in their property, and the Proclamation recipients. Mr. Corson wished everyone a happy 4th of

July!

City Manager, A.J. Krieger – commented that the Traffic Commission discussed the Florissant Road project and the question will be to median or not to median. Mr. Krieger further gave updates on the Suburban project, the January Wabash building band-aid repairs and the responsible landlord initiative in response to interior rental inspections, code amendments and inspection procedures. Further discussion will take place during the July 26, 2005 Council Meeting.

Mayor Fletcher – congratulated all of the Proclamation and Pride of the City recipients. With regard to Midwest Waste's monthly billing the Mayor asked that everyone check their bills and contact Midwest Waste regarding any errors this month. City staff is working on correcting the billing errors. Mayor further stated that the City is doing the best they can, under the circumstances, in obtaining the 60-gallon containers and asked that residents please be patient. Mayor Fletcher wished everyone a safe and happy 4th of July. This year's fireworks display will be held at Hudson Park and suggested that the higher levels of the parking lots at Florissant Valley Community College would be the best place to view the fireworks.

ADJOURNMENT

There being no further business to discuss, a motion was made by Council Member Larson, seconded, to adjourn the meeting at 9:35 p.m.

Debbie Matthies, City Clerk