

## FERGUSON CITY COUNCIL

**Regular Council Meeting, February 24, 2004**

**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 February 24, 2004 by Mayor, Steven Wegert, in the Council Chambers of City Hall, 110 Church Street, Ferguson, Missouri. Mayor Wegert 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 Steven Wegert  
John Corson  
Keith Kallstrom  
Mark Crinnion  
Tom Wolf  
Peggy Faul  
Bill Duncan

Also present were City Manager A.J. Krieger, City Attorney Richard Bresnahan and Deputy City Clerk, Sonya Brooks. Ms. Brooks declared a quorum was present.

Mayor Wegert welcomed all present and explained the meeting would be the Public Portion and the Business Portion.

### **SPECIAL PRESENTATIONS**

A.J. Krieger welcomed Sonya Brooks who was sitting in on her first official Council Meeting as Deputy City Clerk.

Chief Tom Moonier introduced Major Richard Henke who recognized ten Police Personnel: Dispatcher Dawn Burkett, Officers Michael Wood, Mark Leone, and Glenn Norwood; Detectives John Beaird, Timothy Harris, Kevin Hammond, Harry Dilworth, Todd Mink, and Dominic Scarpinato who all received commendations.

## **INTRODUCTION OF NEW EMPLOYEES**

New employees were introduced to the Council, John Carpenter, Robert Dutton, and Joseph Krabbe, all Code Enforcement Officers.

## **PUBLIC COMMENTS**

Pastor Larry Jones, on behalf of the Greater Grace Church (on Pershall Road) updated the Council on the progress of the water main project. Majority of water pipe installation has been laid. Mr. Jones anticipates the installation to be completed by mid-week next week. Mr. Jones indicated Mr. Krieger may receive a letter from Martha Browsky, Missouri American Water Company, regarding a dispute between the engineers and inspectors – which has been resolved. By next week the Church should have water flowing.

Terri House, President of FSBA, and Manager of the Ferguson License Bureau - Congratulated the police officers. Shared her appreciation for the Police Officers and expressed how we depend on their cooperation. Wanted everyone to realize how they are so good to us on a regular basis. Ms. House also wanted to remind everyone of the dance this Saturday night at the Savoy featuring Bob Kuban. Tickets available at City Hall and at the License Office for \$12.50 each. They will also begin selling tickets for Power Play at that event. Power Play will be March 27<sup>th</sup> at the Savoy. Ms. House also shared they have added a third engagement and scheduled Javier Mendoza. Mr. Mendoza should be a nice addition to the concert series.

Ms. House wanted to comment on FSBD's visit to the University City Loop, the city did not support them in a monetary way. However, what the City did provide on a regular basis was the need for foot patrol by the Police Department, which is needed when developing that level of arts and entertainment district.

Ms. House believes the Bandshell is under utilized and is a beautiful facility. Anything that the FSBA can do to partner with the City to create more use of that park and more entertainment throughout the City let them know. That is exactly the direction they want to go.

There being no further public comments, Mayor declared the public portion closed at 8.25p.m.

## **APPROVAL OF MINUTES**

## **Minutes**

Regular Council Meeting – February 10, 2004 – A motion was made by Mr. Crinnion, seconded and carried to accept the minutes as presented.

Closed Council Meeting – February 10, 2004 – A motion was made by Mr. Crinnion, seconded and carried to accept the minutes as presented.

Landmarks Commission Meeting – January 12, 2004 – A motion was made by Mr. Crinnion, seconded and carried to accept the minutes as presented.

FNIP Meeting – January 26, 2004 - A motion was made by Mr. Crinnion, seconded and carried to accept the minutes as presented.

Park Board Minutes – February 17, 2004 **with recommendations** - A motion was made by Mr. Crinnion, seconded and carried to accept the minutes as presented.

## **MANAGER'S REPORT**

City Manager, A.J. Krieger explained the items on the Agenda.

### **SPECIAL USE PERMIT** – 1470 ALICIA AVENUE

Special Use Permit for The Sisters of St. Joseph of Carondelet to operate the property located at 1470 Alicia Avenue was explained by Attorney Bresnahan. A motion was made by the Mayor Wegert to approve the Special Use Permit for 1470 Alicia Avenue, seconded, and granted by Council.

Councilman Wolf asked was there an effort being made by the petitioners to talk to their neighbors. Mr. Krieger believes there were conversations between the current landowner and petitioner with some of the adjacent neighbors. It was suggested to the petitioner's attorney that there might be some use in conducting a meeting as a result of our last Council Meeting, February 10<sup>th</sup>, if nothing else but to answer questions. Mr. Krieger did relay that message to the petitioner's attorney – however, no meeting was held.

## **RESOLUTIONS**

Resolution No. 2004-04 – A Resolution recognizing the selection of Charlie A. Dooley – North County Chamber of Commerce Citizen of the Year was introduced by Council as a Whole and read by Attorney Bresnahan. On roll call, the motion carried as follows:

AYES: 7 – Corson, Kallstrom, Crinnion, Wolf, Wegert, Faul, Duncan  
NOES:0

## **BILLS REQUIRING FIRST READING**

**BILL NO. 6681 AN ORDINANCE OF THE CITY OF FERGUSON TO OPT OUT OF STATE IMPOSED SALES TAX HOLIDAY; EFFECTIVE WHEN,** introduced by Council as a whole and read the first time.

**BILLS REQUIRING SECOND READING**

**BILL NO. 6676 AN ORDINANCE LEVYING SPECIAL TAX BILLS AGAINST CERTAIN PROPERTIES FOR COSTS OF CUTTING AND REMOVING WEEDS AS PROVIDED UNDER CHAPTER 46. VEGETATION, ARTICLE III. WEEDS AND VINES, OF THE CODE OF THE CITY OF FERGUSON, MISSOURI, EFFECTIVE WHEN;** introduced by Council as a whole and read the first time.

A motion was made by Mr. 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 – Kallstrom, Crinnion, Wolf, Wegert, Faul, Duncan, Corson  
NOES – 0

Bill No. 6676 was declared passed and sent to the Mayor for signature. Bill No. 6676 thus became Ordinance No. 2004-3203 and is permanently recorded in Book 26 on page 20.

**BILL NO. 6677 AN ORDINANCE LEVYING SPECIAL TAX BILLS AGAINST CERTAIN PROPERTIES FOR COSTS OF BOARDING UP BUILDINGS AS PROVIDED UNDER CHAPTER 7. BUILDINGS AND BUILDING REGULATIONS, OF THE CODE OF THE CITY OF FERGUSON, MISSOURI; EFFECTIVE WHEN;** introduced by Council as a whole and read the first time.

A motion was made by Mr. 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 – Crinnion, Wolf, Wegert, Faul, Duncan, Corson, Kallstrom  
NOES – 0

Bill No. 6677 was declared passed and sent to the Mayor for signature. Bill No. 6677 thus became Ordinance No. 2004-3204 and is permanently recorded in Book 26 on page 27.

**BILL NO. 6678 AN ORDINANCE LEVYING SPECIAL TAX BILLS AGAINST CERTAIN PROPERTIES FOR COST OF REMOVING TRASH AND DEBRIS AS PROVIDED UNDER CHAPTER 28. NUISANCES, OF THE CODE OF THE**

CITY OF FERGUSON, MISSOURI; EFFECTIVE WHEN; introduced by Council as a whole and read the second time.

A motion was made by Mr. Crinnion, 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 – Wolf, Wegert, Faul, Duncan, Corson, Kallstrom, Crinnion  
NOES – 0

Bill No. 6678 was declared passed and sent to the Mayor for signature. Bill No. 6678 thus became Ordinance No. 2004-3205 and is permanently recorded in Book 26 on page 31.

**BILL NO. 6679 AN ORDINANCE PURSUANT TO SECTIONS 70.210-70.325 OF THE REVISED STATUTES OF MISSOURI (2000); AUTHORIZING AND DIRECTING THE CITY MANAGER ON BEHALF OF THE CITY OF FERGUSON (THE “CITY”) TO EXECUTE AND DELIVER AN INTERGOVERNMENTAL COOPERATION AGREEMENT (THE “COOPERATION AGREEMENT”) AND AN ACCESS AND PARKING AGREEMENT (THE “ACCESS AND PARKING AGREEMENT”) BY AND BETWEEN THE PERSHALL ROAD TRANSPORTATION DEVELOPMENT DISTRICT AND THE CITY, CONCERNING THE DEVELOPMENT OF A TRANSPORTATION PROJECT BY THE PERSHALL ROAD TRANSPORTATION DEVELOPMENT DISTRICT AND PRESCRIBING AND APPROVING THE FORM AND DETAILS OF SAID COOPERATION AGREEMENT AND ACCESS AND PARKING AGREEMENT; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; DETERMINING AND DECLARING THE OFFICIAL INTENT OF THE CITY WITH RESPECT THERETO; AND ACTIONS RELATED THERETO; EFFECTIVE WHEN; introduced by Council as a whole and read the first time.**

A motion was made by Mr. 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 – Wegert, Faul, Duncan, Corson, Kallstrom, Crinnion, Wolf  
NOES – 0

Bill No. 6679 was declared passed and sent to the Mayor for signature. Bill No. 6679 thus became Ordinance No. 2004-3206 and is permanently recorded in Book 26 on page 35.

**BILL NO. 6680** AN ORDINANCE OF THE CITY OF FERGUSON AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE COUNTY OF ST. LOUIS FOR THE HOUSING OF MUNICIPAL INMATES IN THE ST. LOUIS COUNTY JUSTICE CENTER, EFFECTIVE WHEN; introduced by Council as a whole and read the first time.

A motion was made by Mr. 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 – Faul, Duncan, Corson, Kallstrom, Crinnion, Wolf, Wegert  
NOES – 0

Bill No. 6680 was declared passed and sent to the Mayor for signature. Bill No. 6680 thus became Ordinance No. 2004-3207 and is permanently recorded in Book 26 on page 92.

## **MISCELLANEOUS**

John Corson – Congratulated the Officers and also welcomed the new employees. Mr. Corson commented on attending the FEMA grant presentation held on Friday and the great job done by Staff. Due to the fact the City does not host many events like this one we may need to tweak some things in the future. The make up was very professionally done.

Keith Kallstrom - Congratulated the Police officers and welcomed the new inspectors to our team. Mr. Kallstrom also commented on attended the FEMA grant presentation and enjoyed the event. Mr. Kallstrom observed Channel 5 in attendance but did not see anything on the news.

Mr. Kallstrom stated that the Council introduced a new tax bill to his understanding that would be effective August 13-14-15 of this year.

Mr. Kallstrom highlighted an invitation received in his Council packet from the Zion Lutheran Church regarding a community concert they will be hosted by McCluer South-Berkeley High School Gospel Choir on Sunday, March 7<sup>th</sup>, 3:30-5:30p.m.

Mr. Kallstrom commented that at the last Municipal League meeting one of the items they added to the agenda was a proposed change to the Community Improvement District Act.

Currently, Kansas City is the only city in Missouri that is able to enjoy taxing themselves an extra 1%. The Community Improvement District (CID) throughout the rest of Missouri, all they can do is get improvements off their property tax. If we can get Legislature to let the entire State of Missouri enjoy the same benefit of a CID by being able to impose their own sales tax in that district. Ferguson Business District could get some additional

funding for some of the little projects.

Mark Crinnion – Congratulated the Police officers on receiving commendations and welcomed the new employees.

Tom Wolf – Congratulated the Police officers and welcomed the new employees and commented on the impressive list of qualifications of the inspectors. Mr. Wolf also commented on the Alicia property situation and was disappointed that the purchasers decided not meet with the residents around them who had concerns. Hopefully, they have made some effort to do so. Mr. Wolf emphasized what makes a great neighborhood and great community is good communication between the neighbors.

Mayor Steven Wegert – Extended compliments to the men and women that protect and serve within the Police and Fire Department. Mayor Wegert indicated it has been two weeks since Charter made their presentation, and wanted to know the status of the list of issues they had to come back with us on. Mr. Krieger responded that Charter does not have a complete answer at this time but it is still in progress. Updated information will be provided in this week's Council packets.

Mayor Wegert reminded the Council that the City Manager has requested an Executive session.

Attorney Rick Bresnahan – Congratulated the Police Officers and welcomed the new inspectors.

A.J. Krieger – announced the Intergovernmental Commission Meeting scheduled for Thursday with the Airport redevelopment oversite group has been canceled.

Mr. Krieger asked does the Council have any thoughts on how they want to name the Trolley. Mayor Wegert recommended that we send it back to the Park/Seniors Board to review and have them pick something and make a recommendation to the Council. The Council will handle the recommendation similar to other presented from a Board.

Mr. Krieger reminded the Council of the North County Chamber Dinner to be held on March 4<sup>th</sup> – please respond back to his office if you wish to attend.

Mr. Krieger informed the Council of the Image Art Here workshop which is proposing a date of Saturday, May 15<sup>th</sup>. Mr. Krieger inquired if the Council will be available. Mr. Krieger will start to finalize some arrangements.

Mr. Krieger invited the Council to attend a combined meeting of the Downtown Revitalization and Downtown Streetscape Committee Meeting to be held February 25<sup>th</sup>.

The meeting will be held to discuss the conceptual redevelopment plan for a Town Center. The joint meeting will show the plan on how we will incorporate true Streetscape elements into a redevelopment plan and, vice versa, for the Revitalization Committee to begin to understand how we can incorporate streetscape into the larger effort.

There being no further business to consider, the meeting recessed at 8:50p.m.

Sonya D. Brooks, Deputy City Clerk

Council at 9:00 p.m. entered into closed session in accordance with RSMo 610.021 to discuss matters relating to litigation, legal actions, and/or communication from the City Attorneys as provided under Section 610.021(1) RSMo, and/or personnel matters under Section 610.021(13) RSMo, and/or employee matters under Section 610.021(3) RSMo, and/or real estate matters under Section 610.021(2) RSMo.

A motion was made by Mayor Wegert and seconded to enter into closed session under Section 610.021 (13) RSMo. The motion passed unanimously by roll call vote.

Also in attendance were City Manager, A.J. Krieger, Assistant to the City Manager, De'Carlon Seewood and City Attorney, Richard Bresnahan.

Personnel matters were discussed.

There being no further business to discuss, a motion was made by Mayor Wegert, seconded, to return to open session. The motion passed unanimously by roll call vote.

There being no further business to consider the meeting adjourned at 9:30 p.m.