

FERGUSON CITY COUNCIL

Regular Council Meeting, March 23, 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 March 23, 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 - ABSENT
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 Hearing, Public Portion and the Business Portion.

FSBD PRESENTATION (Work Session cont'd)

Mr. Chuck James, President, Ferguson Special Business District (FSBD), 210 Hereford Avenue, provided a handout and updated Council on the latest activities of the FSBD.

SPECIAL ANNOUNCEMENT

Dr. Chris Wright, Superintendent Hazelwood School District, discussed Hazelwood 1st which are two specific proposals on the April 6th ballot. Proposition H: a 98-cent tax increase – to staff and equip the new Arrow point Elementary School and staff and equip four new middle schools, and protect against future state budget cuts.

Proposition 1st: a \$65 million bond issue which is phase one of a three phase program for a 10-year period. It will build four new middle schools. The Proposition will also allow Hazelwood to move their sixth graders into the middle schools and out of elementary schools, which will free up space for Hazelwood to provide full-day kindergarten.

Dr. Wright emphasized three main points of the Propositions: 1) The need is real, 2) The Plan is developed by the Community, and 3) The Propositions are important for the future of our district, the North County community and the quality of education for our children.

Additional questions please call (314) 953-VOTE or visit the website at www.hazelwoodschools.org

PUBLIC HEARING

Special Use Permit – 6185 Bermuda Road

City Manager, A.J. Krieger explained the purpose of a Special Use Permit for a restaurant at 6185 Bermuda Road which is zoned M1. The Plan Commission has recommended approval for the Special Use Permit with three stipulations.

Petitioner, Redmond Harris of 4042 90th Avenue, Florissant, Missouri stated his plans to open a barbecue restaurant and sell the best barbecue in St. Louis. He feels he found a home in Ferguson. Mr. Harris stated he originally started selling barbecue on Ferguson streets and was successful.

Councilman Corson questioned the hours of operation and if the business was strictly carryout. Mr. Harris noted his hours of operation will be 10:00 a.m. to 7:00 p.m. (Monday through Friday) and 10:00 a.m. to 10:00 p.m. (Saturday). His restaurant will be strictly carry-out and no sit down dining. Mr. Harris will use the drive behind the building as his cooking area. His business will be open year round and parking should not be a problem since it is carry-out only.

Councilman Kallstrom asked if there will be a pathway between the restaurant and the Trailnet area. Mr. Harris indicated if something could be worked out with Trailnet he would like a pathway. There will be no vending machines outside the building, only fountain soda will be served inside.

There being no additional comments at this time Mayor Wegert closed the Public Hearing at 8:29 p.m. and discussion will resume under the Manager's Report.

PUBLIC COMMENTS

Chana Wooden on behalf of Pastor Larry Jones, of the Greater Grace Church (on Pershall Road) 3650 – 3684 Pershall Road updated the Council on the progress of the water main project. The water main is officially finished. Missouri American Water Company is now responsible for control of the water.

There being no further public comments, Mayor declared the public portion closed at 8.31 p.m.

APPROVAL OF MINUTES

Minutes

Regular Council Meeting – March 9, 2004 – A motion was made by Mr. Crinnion, seconded and carried to accept the minutes as presented.

Closed Council Meeting – March 9, 2004 – A motion was made by Mr. Crinnion, seconded and carried to accept the minutes as presented.

Park Board Minutes – March 16, 2004 **with recommendations** – held out for discussion.

Ferguson Senior Citizens Commission Minutes – March 11, 2004 **with recommendations** - A motion was made by Mr. Crinnion, seconded and carried to accept the minutes as presented.

Landmarks Commission Meeting – March 15, 2004 – A motion was made by Mr. Crinnion, seconded and carried to accept the minutes as presented.

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

Discussion on Park Board Minutes:

Councilman Corson - with regards to the recommendations wanted confirmation that the City will follow the right steps and federal guidelines regarding the addling of geese eggs. The City must show that other steps have been taken to effect the geese population. Mr. Corson is requesting that the Parks and Recreation Department follow all federal guidelines.

Park Board Minutes – March 16, 2004 **with recommendations** - A motion was made by Mr. Crinnion, seconded and carried to accept the minutes as presented.

APPOINTMENTS - No Boards and Commissions appointments at this time.

MANAGER'S REPORT

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

SPECIAL USE PERMIT – 6185 Bermuda Road

A motion was made by Mayor Wegert to approve the Special Use Permit for 6185 Bermuda Road, seconded. Discussion ensued regarding the noise in setting up and cleaning up the business on a daily basis.

Mayor Wegert opened the floor for discussion to the applicant to address specific questions with regard to the business and hours of operation. Mr. Harris explained when the business closes at 7 p.m. the cooking will be complete by 4:30 – 5:00 p.m. and cleanup begins.

On roll call vote the motion carried as follows:

AYES – 6 – Corson, Kallstrom, Crinnion, Wolf, Wegert, Duncan
NOES – 0

The Special Use Permit for 6185 passed and is approved. Council congratulated and wished Mr. Harris good luck.

RESOLUTIONS

Resolution No. 2004-05 – A Resolution which places on file a Memorandum of Understanding between the City of Ferguson and Emerson Branch of the Y.M.C.A. regarding the 2004 Carnival to be held Friday, April 2, 2004 – April 11, 2004 was introduced by Council as a Whole and read by Attorney Bresnahan. On roll call, the motion carried as follows:

AYES: 6 – Kallstrom, Crinnion, Wolf, Wegert, Duncan, Corson
NOES:0

Resolution passes.

BILLS REQUIRING FIRST READING

**BILL NO. 6683 AN ORDINANCE AMENDING CHAPTER 2,
ADMINISTRATION, ARTICLE IV DEPARTMENTS BY ENACTING A NEW**

DIVISION 8 DEPARTMENT OF PLANNING AND DEVELOPMENT AND NEW SECTIONS 2-370 ESTABLISHED: DIRECTOR, 2-371 POWERS AND DUTIES OF DIRECTOR OF PLANNING AND DEVELOPMENT AND 2-372 POWERS AND DUTIES OF THE PLANNING AND DEVELOPMENT COORDINATOR; TO PROVIDE FOR PLANNING AND DEVELOPMENT ACTIVITIES FOR THE CITY OF FERGUSON; EFFECTIVE WHEN

BILL NO. 6684 AN ORDINANCE AFFIRMING ADOPTION OF A REDEVELOPMENT PLAN, REDEVELOPMENT AREA, REDEVELOPMENT PROJECT; APPROVING AN ASSIGNMENT OF REDEVELOPMENT RIGHTS FROM R & H INVESTMENTS AS ASSIGNOR TO JOE LONERO AS ASSIGNEE; DESIGNATING JOE LONERO, AS DEVELOPER OF THE SPORTSPRINT PROPERTY; AUTHORIZING THE EXECUTION OF A REDEVELOPMENT AGREEMENT BETWEEN THE CITY AND JOE LONERO; 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.

BILLS REQUIRING SECOND READING

BILL NO. 6682 AN ORDINANCE AMENDING CHAPTER 30 - PARKS AND RECREATION, ARTICLE IV - USE REGULATIONS, SECTION 30.66 - ALCOHOLIC BEVERAGES, OF THE CODE OF THE CITY OF FERGUSON, MISSOURI, BY REPEALING SECTION 30.66 (a) (4) CONCERNING ALCOHOLIC BEVERAGES IN FORESTWOOD PARK AND CONTAINING A SUNSET CLAUSE FOR SAID ORDINANCE AND ENACTING A NEW SECTION 30.66(a) (4); EFFECTIVE WHEN, introduced by Councilman Crinnion and read the first time.

A motion was made by Mayor Wegert, and seconded to postpone the ordinance until such time that all Council members are present to discuss. On voice vote motion approved unanimously.

MISCELLANEOUS

John Corson – regarding Bill No. 6682, would like to know the City's associated costs (i.e. equipment, product, and additional staff) over the last three years and net sales during the same timeframe? What the anticipated future sales and future costs for replacement of

product? Mr. Krieger will follow-up and advise Council.

Keith Kallstrom - emphasized the need for everyone to go out and vote on April 6th, not only for the candidates but for the other issues on the ballot (i.e. School Board members, Proposition P, etc.) Mr. Kallstrom – highlighted information regarding airport noise – 2003 = 4 calls of complaints, 2002 = 29 calls, 2001 = 55 calls and stated there has been improvements in the number of complaints. Noise complaints can be directed to 314-551-5156. Mr. Kallstrom – received a sample Resolution opposing tax cuts for millionaires. Councilman Corson recommended the Resolution be forwarded to Attorney Bresnahan for review. Mr. Kallstrom – stated that East-West Gateway requires a Resolution be passed and forwarded to them by April 5th regarding eligibility to receive federal and state hazard mitigation grants.

Mark Crinnion – recommended that the City try to have a Neighborhood Association or Leadership Forum where the City would get representatives from the various neighborhood associations together to discuss common issues/problems/solutions and can be a way for citizens to find guidance to establish their association, this has been a City goal. Councilman Duncan asked if it could be incorporated into Neighborhood watch. Mr. Crinnion thought the President or a representative from each association would be able to share their issues and solutions. Mr. Krieger stated that the City has already begun to assemble a roster of neighborhood leadership and have talked about the objective of the formulation of a Neighborhood Coalition/Group – which would be largely comprised of the leadership of various neighborhood organizations.

Tom Wolf – agreed with Mr. Crinnion that it would be a good idea and believes it should be more of a formal Board. Mr. Wolf thanked Mr. James and Dr. Wright for their presentations and encouraged the City to invite other school superintendents to future Council Meetings.

A.J. Krieger – informed the Council that the advertising for the Director of Planning and Development is currently advertised on the American Planning Association website, an upcoming issue of ICMA, and possible other publications.

A.J. Krieger – reminded the Council of a Special meeting for Tuesday, March 30, 2004 at 7 p.m.

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

Sonya D. Brooks, Deputy City Clerk