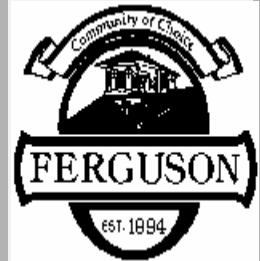


FERGUSON CITY COUNCIL

**Special Meeting
August 19, 2003**

Special Council Meeting, 7:00 P.M.



A special meeting of the Ferguson City Council was called to order at 7:00 p.m. on August 19, 2003 by Mayor, Steven Wegert, in the Council Chambers of City Hall, 110 Church Street, Ferguson, Missouri. 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 Interim City Manager Tom Moonier, City Attorney Rick Bresnahan and City Clerk Debbie Matthies. Mrs. Matthies declared a quorum was present.

Mayor Wegert welcomed all present and explained the meeting would be in two portions, the Public Portion and the Business Portion.

Mayor asked City Attorney Bresnahan to update Council on the Airport issue. Attorney Bresnahan explained that he spoke with Greg Smith who represents the St. Louis Economic Council as to the status of the Redevelopment Agreement as far as Berkeley and Kinloch were concerned. Mr. Smith told Attorney Bresnahan that Berkeley had passed the Ordinance and had approved the Intergovernmental Joint Cooperation Agreement as it was submitted to the City of Ferguson. Kinloch met on August 7, 2003 and a vote was taken to approve the Agreement conditioned upon some changes but the final passage has not occurred. Mayor Wegert asked Attorney Bresnahan if Berkeley's final copy was received and Attorney Bresnahan said no. Attorney Bresnahan explained to Mr. Smith that everything needed to be in place before Ferguson acted. A lengthy discussion ensued and Councilwoman Faul asked about the timeframe with the super TIF. Attorney Bresnahan explained the date late in August that concerned Council is the effective date of the Legislation approving the Super TIF. That date is not a deadline for

passage by the various cities. Mayor thanked Attorney Bresnahan for the update.

PUBLIC COMMENTS

Joe Lonero – 901 Hudson – had comments and concerns regarding the Intergovernmental Agreement and the details of what the City will receive from it as far as thoroughfares, public improvements, etc. Attorney Bresnahan explained that there is a proposal to amend the Agreement to provide additional funding to Ferguson for improvements to Suburban Avenue, but nothing has been accepted by Council. Discussion ensued with regard to the Agreement. Mr. Lonero also had comments and concerns with Bill No. 6664 which deletes term limits. After a lengthy discussion, Mr. Lonero felt the issue appeared to be self serving with the present Council. Mr. Lonero is in favor of leaving the limits as they stand. Mr. Lonero thanked the Council.

Cathy Dahmer - 401 Ruggles – had comments and concerns with occupancy permits and if utility bills were being checked against the permits. Chief Moonier will check the procedures and inform Ms. Dahmer.

Chuck Henson – 1110 Birchgate – addressed the City Manager situation and thanked Council for allowing him the opportunity to be on the citizen panel. Mr. Henson had concerns that the sub-committee's recommendations were not taken. Mayor explained that the committee was formed to review the qualifications of the candidates and offer their pros and cons to Council. Discussion ensued. Mr. Henson also had concerns and comments with the method in which the term limits issue is occurring and needed to hear a strong argument to vote for the issue. Mr. Henson is in favor of leaving the terms as they stand. After a lengthy discussion, Mr. Henson thanked Council.

Meta Glascock - 313 Ruggles Road – Had comments and concerns with the term limit issue. She feels that from past experience groups tend to form a dynasty and when there are term limits the people are forced to look for good people which bring new ideas to the Council. Discussion ensued. Mayor explained the purpose of this Ordinance is to allow the residents to revisit the issue. Mayor thanked Ms. Glascock.

Mayor declared the public portion closed at 7:35 p.m.

MANAGER'S REPORT

Interim City Manager Tom Moonier explained the items on the Agenda.

BILLS REQUIRING SECOND READING

BILL NO. 6654 (AS AMENDED) AN ORDINANCE FIXING THE RATE OF TAXATION FOR THE YEAR 2003 BY LEVYING A TAX FOR GENERAL AND OTHER PURPOSES ON ALL PROPERTY MADE

TAXABLE BY LAW WITHIN THE CORPORATE LIMITS OF THE CITY OF FERGUSON, MISSOURI; AND LEVYING A TAX FOR FREE PUBLIC PARKS IN THE CITY OF FERGUSON, MISSOURI; EFFECTIVE WHEN, introduced by Council as a Whole and read the first time.

DISCUSSION: Ms. Bordeleau explained that the residents will see their residential real estate taxes go down, commercial slightly up, agricultural will remain the same and personal property will go up and will fluctuate from year to year.

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

Bill No. 6654 (AS AMENDED) was declared passed and sent to the Mayor for signature. Bill No. 6654 (As amended) thus became Ordinance No. 2003 -3187 and is permanently recorded in Book 25, on page 194.

BILL NO. 6663 - DISCUSSION: Ms. Bordeleau explained with the merit system of compensation several people who were entitled to merit increases this year were unable to receive their full percentage they earned because they had reached the maximum salary for their compensation level. This Ordinance increases only those levels where someone reached the maximum salary.

Bill No. 6663 AN ORDINANCE REPEALING ORDINANCE NO. 2003-3179, 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 2003-2004; EFFECTIVE WHEN, introduced by Council as a Whole and read the first time.

A motion was made by Councilman 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. 6663 was declared passed and sent to the Mayor for signature. Bill No. 6663 thus became Ordinance No. 2003-3188 and is permanently recorded in Book 25, on page 196.

BILL No. 6664 AN ORDINANCE OF THE CITY OF FERGUSON, MISSOURI, CALLING FOR AN ELECTION TO AMEND ARTICLE III THE COUNCIL, SECTION 3.2.3 ELECTION AND TERMS OF THE CITY CHARTER BY DELETING LIMITATIONS ON THE TERMS OF COUNCIL MEMBERS AND THE MAYOR; EFFECTIVE WHEN, introduced by Councilman Crinnion and read the first time.

A motion was made by Councilman Crinnion, seconded and carried to read the Bill a second time and place it upon its passage.

DISCUSSION: Councilman Corson indicated that at the last meeting a representative would be at this meeting to present the petition with signatures, that person is not present and, therefore, would like to postpone the reading of Bill No. 6664.

A motion was made by Councilman Corson to postpone Bill No. 6664, seconded and failed 4-3.

AYES : 3 – Corson, Wolf, Duncan

NOES : 4 – Kallstrom, Crinnion, Wegert, Faul

DISCUSSION: City Attorney Bresnahan had a discussion with the Board of Elections Attorney and it was suggested to present the Ordinance with additional changes in a different format to Council for their consideration.

A motion was made by Councilman Crinnion to adopt the revised Bill No. 6664 to include changes to the Proposition denoting it as Proposition 1 and to include the language: *deleting limitations on the terms amending Section 2.3.2 to read as follows*, seconded to amend, the motion carried as follows: 5-2.

AYES: 5 -Kallstrom, Crinnion, Wolf, Wegert, Faul

NOES: 2 – Corson, Duncan

To address Councilman Corson's concern Mayor made a motion to open the meeting to allow Mr. Weiskopf to address the Council on this issue, seconded, motion carried as follows:

AYES: 5 - Kallstrom, Crinnion, Wolf, Wegert, Faul

NOES:2 – Corson, Duncan

Mayor asked Mr. Weiskopf to update the Council on the status of the petition. Mr. Weiskopf explained that the committee is continuing to get signatures for the petition. The initiative petition drive was not started soon enough to get the necessary signatures for the November ballot and that is the reason it was

brought to the Council to address. Discussion ensued and Mr. Weiskopf commented that the citizen responses have been very positive in wanting to revisit this issue. Mr. Weiskopf thanked Council.

Mayor closed the public portion.

City Attorney Bresnahan in reviewing the introduction language suggested that the language mirror the language in the heading so it would state: *Shall the Charter for the City of Ferguson be amended by deleting limitations on the terms of Council members and the Mayor by amending Section 3.2.3 to read as follows:* Attorney Bresnahan suggested this language would be more clear and would also mirror the introductory language of the Ordinance.

A motion was made by Councilman Crinnion to amend Bill No. 6664 as suggested by the City Attorney, seconded, passed 5-2.

AYES: 5 – Kallstrom, Crinnion, Wolf, Wegert, Faul
NOES: 2 – Corson, Duncan

A motion was made by Mayor Wegert, seconded and carried to read Bill No. 6664 a second time and place it upon its passage. On roll call vote, the motion carried as follows:

AYES: 5 – Kallstrom, Crinnion, Wolf, Wegert, Faul
NOES: 2 – Corson, Duncan

Councilman Wolf respects all sides of this issue and announced that he will not seek another term for the second Ward Council in 2004. Councilman Wolf's intention is to let the voters have their choice.

On roll call vote, the motion carried as follows:

AYES: 5 - Wolf, Wegert, Faul, Kallstrom, Crinnion
NOES: 2 – Corson, Duncan

Bill No. 6664 passes.

BILL No. 6665 (AS AMENDED) AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AN EMPLOYMENT AGREEMENT FOR THE POSITION OF CITY MANAGER; EFFECTIVE WHEN, introduced by Council as a Whole and read the first time.

Mr. Bresnahan announced a signed Agreement was received.

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

Mayor Wegert commented that the City looks forward to having A.J. Krieger join the City, October 1, 2003 as City Manager.

Bill No. 6665 was declared passed and sent to the Mayor for signature. Bill No. 6665 thus became Ordinance No. 2003-3185 and is permanently recorded in Book 25, on page 190.

MISCELLANEOUS

Bill Duncan – nothing at this time.

John Corson – respects Mr. Weiskopf and the committee's efforts to bring the term limit issue to the Council, but cannot support this issue in the requested timeframe. He commented that the Southwest Ferguson Group met again and they will continue forward with their diligence. Councilman Corson also discussed the importance of residential rental inspections and would like to see an Ordinance written to move forward the rental inspections at the earliest convenience of the Council.

Keith Kallstrom – Councilman Kallstrom feels that the freedom of choice of letting the citizens choose is important and that is why he voted in favor of the recommendation to put this issue on the City's November ballot.

Mark Crinnion – The citizens group came before Council to show there was an interest in this issue. This Ordinance will give the citizens an opportunity to decide if they still think the term limits are appropriate for a community of our size.

Tom Wolf – nothing further at this time.

Peggy Faul – Councilwoman Faul is in favor of placing this issue on the ballot and giving the citizens a chance to revisit the issue and decide for themselves. Councilwoman Faul would like Council to move forward with the residential rental inspections as well as implementing the occupancy procedures. There were concerns with some citizens about the proposed changes of the North County Recreation Center and the elimination of the ice skating rink. Discussion ensued and Councilwoman Faul will follow-up on the issue.

Mayor Wegert – commented that in the most recent election approximately 200 people voted and passed the \$200.00 fee for vacant properties with code violations. Mayor asked

Chief Moonier when and how the City will proceed with this issue. Chief will get the information, details and when it will be implemented for Council.

City Attorney Bresnahan – nothing at this time.

Chief Moonier – Reminded everyone about Festival Latina that will be at January Wabash on September 14, 2003. Chief complimented De'Carlton Seewood on an excellent job of bringing the committee together. Chief was contacted by a feature writer of the St. Louis Review, Catholic Newspaper, to review Ferguson's accomplishments with the Hispanic community. Chief reminded Council of the ice cream social at Parc Monceau, Thursday (8/21/03) evening. Flik the wonder dog is in California and is scheduled to be on the Jay Leno Show. Chief will let everyone know the exact date it will be televised.

Mayor Wegert announced that there will be a Special Meeting, Tuesday, August 26, 2003 at 7:00 p.m. in the Council Chambers.

There being no further business to consider, the meeting adjourned at 8:20 p.m.

Debbie Matthies, City Clerk