

## **FERGUSON CITY COUNCIL**

### **Council Meeting Minutes January 8, 2008**



**WORK SESSION, 7:00 P.M.**

**❖ Independent Auditor's Presentation**

**COUNCIL MEETING, 8:00 P.M.**

**CITY HALL**

**110 CHURCH STREET**

### **WORK SESSION – January 8, 2008**

**❖ Independent Auditor's Presentation**

Finance Director, Brian Coyman explained that representatives from the independent auditors, Botz, Deal & Company, P.C., Partner Michelle Graham and Allen Schulte who oversaw the 2006-07 audit for the City of Ferguson and the Ferguson Neighborhood Improvement Program will present an update on the progress of the annual audit and to answer any questions the Council may have at this time.

Ms. Graham provided some insight into the results of the audit and challenges that both staff and the auditor worked through in completing the audit.

Mr. Coyman also noted that the City will be applying for the 23<sup>rd</sup> consecutive annual award for Achievement of Excellence in Financial Reporting from the Government Finance Officer Association for the United States and Canada.

Mr. Coyman further explained the comments staff placed in the document regarding Economic Factors and next year's budget.

In conclusion, the department has been moving forward to expand cross training in an effort to have a fundamental sharing of knowledge environment as well as completing a department accounting manual.

Ms. Graham updated Council on the audit progress, Comprehensive Annual Financial Report (CAFR), final review stages as well as the following four areas of focus: 1) investment accounts; 2) fixed assets; 3) Tax Increment Financing (TIF); and 4) long term debt.

Ms. Graham addressed the complexity of Ferguson's financials, the numerous transitions of personnel during the Fiscal Year 06-07, the training level of personnel and the fact that the Governmental Accounting Standards Board (GASB) regulations now require much greater detail and disclosure than in past years.

Discussion ensued with Ms. Graham, Mr. Schulte and Council regarding the audit and the four areas of focus as well as the auditor's recommendations. The auditors will be available for additional discussion and questions in February.

***COUNCIL MEETING – January 8, 2008***

The regular meeting of the Ferguson City Council was called to order at 8:00 p.m. on January 8, 2008 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  
Kynan S. Crecelius  
Michael Salant  
James W. Knowles III  
Dwayne James (ABSENT)  
Peggy Faul  
Fran Grecco

Mrs. Matthies declared a quorum was present.

Also present were City Manager John Shaw, City Attorney Stephanie Karr, and City Clerk Debbie Matthies.

Mayor Fletcher welcomed all present and explained the Council meeting would have a 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.

**SPECIAL PRESENTATIONS - Holiday Decorating Contest Winners**

Parks and Recreation Director, David Smith explained the Holiday Home Decorating Contest Program. Mr. Smith and Mayor Fletcher introduced the 2007 winners who will receive a plaque. Mayor and Council thanked all who participated in the program.

1 <sup>st</sup> Place	Ward 1	Rauhut Family	716 Larkin
2 <sup>nd</sup> Place	Ward 1	Diblasi Family	806 Chatelet Ct.

1 <sup>st</sup> Place	Ward 2	Cheryl Robbins	201 South Hartnett
1 <sup>st</sup> Place	Ward 2	The Strain Family	201 Olympia
2 <sup>nd</sup> Place	Ward 2	The Harden Family	809 Hentschel

1 <sup>st</sup> Place	Ward 3	The Murphy Family	115 Ruggles
2 <sup>nd</sup> Place	Ward 3	The Conway Family	712 Pemberton

❖ ***TRAILNET, INC.***

*Bikeable/Walkable Study*

*Healthy and Active Communities Initiative pilot program*

The City Council discussed the study and the initiative as part of the Parks and Recreation Departmental Action Plan presentation on December 17, 2007. The study was also discussed when the City Council reviewed the Master Planning Team recommendations and related Parks and Recreation Department Capital Improvement Program (CIP) on December 4, 2007. In addition, the Bikeable/Walkable study was a Planning and Development Departmental Action Plan item.

Parks and Recreation Director, Dave Smith gave a brief background on the study and program then introduced Dan Cross and Phil Valko, Trailnet Project Managers, along with Jim Pona who was the co-founder of Trailnet and currently a trail planner consultant working with Trailnet. The TrailNet representatives then gave presentations and additional details on the Healthy and Active Communities Initiative pilot program and Bikeable/Walkable Study.

**PUBLIC COMMENTS**

Jean Stoll – 412 Hern Ave. – expressed concerns regarding the time cycle set for the stop light at Suburban at Florissant Road, proposes a temporary stop sign at the intersection for people driving south on Clark and parking on Randolph Street.

Stan Caldwell – 900 Dyerdown – complimented how great the rebuilding of Florissant Road looks and feels that the flashing stop lights keep traffic flowing safely. Mr. Caldwell commented he has some ideas regarding the TrailNet program.

Mayor Fletcher – commented that Florissant Road is ahead of schedule but the new traffic lights will not stay flashing but will have an electronic mechanism for side streets which will help safely move the traffic flow.

There being no further public comments, Mayor Fletcher closed the Public Comments at 8:50 p.m.

**BUSINESS PORTION**  
**MINUTES**

Council Meeting Minutes – December 11, 2007. A motion was made by Council Member Knowles, seconded by Council Member Faul and carried to approve and receive as presented the Council Meeting Minutes of December 11, 2007 and file as appropriate.

Council Special Work Session Strategic Planning Action Plans – December 17, 2007. A motion was made by Council Member Knowles, seconded by Council Member Faul and carried to approve and receive as presented the Council Special Work Session Strategic Planning Action Plans – December 17, 2007, and file as appropriate.

**APPOINTMENTS**

City Manager, John Shaw explained the concept of the 2+2 program which originally originated on the West Coast, but are finding more and more municipalities and school districts forming organized working groups to address issues that are impacting both entities. One of the Strategic Planning Initiatives developed by the City Council was to engage the Ferguson-Florissant School District more often to formally discuss a host of issues. Staff response was to work with the Ferguson-Florissant School Superintendent to create a setting to facilitate this forum for communication. A committee comprised of 2 members of the Ferguson City Council, 2 members of the Ferguson-Florissant School District, the School Superintendent and City Manager was created to set up semi-regular meetings where the committee can engage in these types of discussions and be able to then bring back

recommendations to the decision-making bodies for implementation of solutions.

Council appointed Mayor Fletcher and Council Member Faul to represent the Council and Ferguson residents Chuck Henson and John Knowles to represent the School District.

Mr. Shaw commented that he is very excited to get started with this group and is currently working on scheduling a kick-off meeting for sometime at the end of this month.

**REQUEST** Alcoholic Beverages Ord. Art. II. Div. 1. Sec. 4-34. *Transfer and assignment.*

A motion was made by Council Member Knowles, seconded by Council Member Crecelius to approve the Liquor License transfer of ownership of Ferguson Supermarket & More, Inc., 9101 W. Florissant Road from current owner Said Jaraba to new owner Bassam Hamed. Motion carried.

Said Jaraba and Bassam Hamed were present for questions and expressed their appreciation for the support of Council and the community.

**RESOLUTIONS**

A motion was made by Council Member Knowles, seconded by Council Member Grecco to read Resolution No. 2008-01. Motion carried.

2008-01 A RESOLUTION APPROVING A LEASE-PURCHASE AGREEMENT WITH FIRST MUNICIPAL LEASING CORPORATION FOR THE PURPOSE OF FINANCING THE ACQUISITION OF ONE GENERAL DIVISION CUSTOM PUMPER TRUCK AND ONE GENERAL DIVISION AERIAL LADDER TRUCK DEVICE FROM ROSENBAUER FIREFIGHTING TECHNOLOGY COMPANY FOR THE FERGUSON FIRE DEPARTMENT, was introduced by Council Members Crecelius, Salant, Knowles, Mayor Fletcher, Faul, Grecco and read by City Attorney, Stephanie Karr.

City Manager, John Shaw explained in order to complete the purchase of the two new fire trucks included in the Budget, the financing mechanism needs to be approved. This is something that has been discussed in great detail at various Work Sessions with the City Council. After consideration of a number of options presented by different companies, the City has elected to go with First Municipal Leasing Corporation to handle the lease purchase of the two vehicles.

On roll call vote, the motion carried as follows:

AYES: 6–Crecelius, Salant, Knowles, Mayor Fletcher, Faul, Grecco  
NOES: 0  
ABSENT: 1 – James  
Resolution 2008-01 passed.

A motion was made by Council Member Knowles, seconded by Council Member Faul to read Resolution No. 2008-02. Motion carried.

2008-02 A RESOLUTION ENCOURAGING THE CITY OF FERGUSON TO ENGAGE TRAILNET, INC. TO COMPLETE A BIKEABLE/WALKABLE STUDY, was introduced by Council Members Salant, Knowles, Mayor Fletcher, Faul, Grecco, Crecelius and read by City Attorney, Stephanie Karr.

On roll call vote, the motion carried as follows:

AYES: 6-Salant, Knowles, Mayor Fletcher, Faul, Grecco, Crecelius  
NOES: 0  
ABSENT: 1 – James  
Resolution 2008-02 passed.

A motion was made by Council Member Knowles, seconded by Council Member Faul to read Resolution No. 2008-03. Motion carried.

2008-03 A RESOLUTION ENCOURAGING THE CITY OF FERGUSON TO ENGAGE TRAILNET, INC. TO COMPLETE A HEALTHY AND ACTIVE COMMUNITIES INITIATIVE PILOT PROGRAM, was introduced by Council Members Knowles, Mayor Fletcher, Faul, Grecco, Crecelius, Salant and read by City Attorney, Stephanie Karr.

On roll call vote, the motion carried as follows:

AYES: 6 - Knowles, Mayor Fletcher, Faul, Grecco, Crecelius, Salant  
NOES: 0  
ABSENT: 1 – James  
Resolution 2008-03 passed.

## **BILLS REQUIRING FIRST READING**

BILL NO. 6813 AN ORDINANCE AMENDING SECTION 2-26 OF ARTICLE II OF TITLE 2 OF THE CODE OF ORDINANCES FOR THE CITY OF

FERGUSON RELATING TO MEETINGS OF THE COUNCIL, was introduced by Council Members Crecelius, Salant, Knowles, Mayor Fletcher, Faul, Grecco and read the first time.

Mr. Shaw explained that since the Strategic Planning last June, and Council has endorsed in recent weeks, this Ordinance will officially change the Council's meeting time from a 7 PM Work Session and an 8 PM Meeting to a 7 PM Regular Meeting start time. Mr. Shaw feels that this will be far more efficient and also brings the City in line with the typical meeting times for not only most St. Louis County municipalities, but also Ferguson's own boards and commissions. Council has established a successful track record over the past few months of scheduling off-night Work Sessions which have been very valuable and productive. Additionally, the need for special presentations and information will still exist as agenda items in the very beginning of the regular City Council Meetings to facilitate those requests. Mr. Shaw feels that all around, this move appears to make the most sense for both Council and Staff's use of time and meetings.

**BILL NO. 6814 AN ORDINANCE AMENDING ARTICLE III OF CHAPTER 29 OF THE CODE OF ORDINANCES OF THE CITY OF FERGUSON, MISSOURI, TO PROHIBIT THE OFFENSES OF STALKING, HARASSMENT AND CYBER-HARASSMENT AND ESTABLISH PUNISHMENT FOR VIOLATIONS THEREOF**, was introduced by Council Member Knowles and read the first time.

Discussion ensued whether or not the City should model their language after the state's model language regarding the harassment ordinance.

City Attorney, Stephanie Karr commented it would be reviewed when it is in its final version to make sure the City was consistent.

Mr. Shaw explained and as the Council has recently discussed and Council Member Knowles recommended, the City is going to take proactive measures to address cyber harassment. Ferguson's Ordinance will mirror many of the existing or newly passed ones in other St. Louis area communities and will protect our residents against the misuse of modern electronic forms of communication.

### **MISCELLANEOUS**

Ms. Grecco – Congratulations to all of the Holiday Home Decoration winners and encourages participation in the contest. Wishes everyone

a Happy New Year and hoped everyone had wonderful Holidays. On a personal note, Ms. Grecco thanked everyone for their prayers for her mom, she is doing much better.

Ms. Faul – Happy New Year to everyone. Ms. Faul appreciated the Auditors presentation at the work session and after Council reviews the documents appreciates the Auditors returning for additional questions. Congratulations to all of the Holiday Home Decoration winners. Ms. Faul is very excited in cooperating and joining with the School District as well as with TrailNet and feels that that this community is out to engage in keeping all citizens healthy and active. Ms. Faul commented that the idea of Bill No. 6814 is to continue to keep citizens safe.

Mr. Crecelius – Thanked everyone for making it a safe Holiday and enjoyed the Northern Lights Festivities.

Mr. Knowles – feels that TrailNet is an excellent opportunity for the City and hopes residents take advantage of the TrailNet system. Mr. Knowles hopes Bill No. 6814 will help with internet harassment.

Mr. Shaw – announced that the Cole County Circuit Court Judge ruled that Proposition B (minimum wage law) did not apply to municipalities which does provide a great deal of relief to municipalities, fire and police departments.

Mr. Shaw reminded Council that there will be a special Council Meeting January 15, 2008 at 7 p.m.

Mayor Fletcher – thanked Dave Smith and the Senior Citizens committee for supplying the Jolly Trolley report which was found to be very informative.

Mayor explained that there are two different types of income from sales tax, a B City which is a pool of cities throughout St. Louis County or a point of sale City like Ferguson. A point of sale City means that every sales dollar spent in Ferguson stays in Ferguson. If you shop in a B City that sales tax goes into a pool and then divided among the different communities in that pool.

Mayor reminded everyone that by shopping at a Ferguson located business it helps keep that business in Ferguson and helps the City finances. Please think about shopping in Ferguson which extends into the Halls Ferry Crossings and to also participate with Ferguson restaurants to give the opportunity to Ferguson merchants.

**ADJOURNMENT**

*At 9:25 p.m. a motion was made by Council Member Knowles, seconded by Council Member Grecco to enter into closed session in accordance with RSMo 610.021/610.022 Sections (1) (2) and (13). Motion carried.*

*Having concluded the closed session at 10:10 p.m., a motion was made by Council Member Knowles, seconded by Council Member Faul to convene to open session. On roll call vote, the motion carried.*

A motion was made by Council Member Knowles, seconded by Council Member Grecco to adjourn the meeting at 10:10 p.m.

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Brian P. Fletcher - Mayor  
City of Ferguson, Missouri

ATTEST:

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Deborah L. Matthies - City Clerk  
City of Ferguson, Missouri

*APPROVED: 1/22/08*

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