

**FERGUSON CITY COUNCIL**

**Council Meeting Minutes  
February 26, 2008**



**COUNCIL MEETING, 7:00 P.M.**

**CITY HALL**

**110 CHURCH STREET**

The regular meeting of the Ferguson City Council was called to order at 7:00 p.m. on February 26, 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 (ABSENT)  
Dwayne James  
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 Hearing; 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.

## **PUBLIC HEARING**

*Chapter 49 Zoning – a request for a Special Use Permit for 800 Chambers Rd. & 10 N. Hartnett Ave. to construct a state license nursing facility with an accessory medical office. The proposed site is currently zoned R-3, Multiple-Family Residence District.*

City Manager John Shaw explained that the petitioner is seeking a Special Use Permit to construct a new nursing home on the site replacing the existing buildings. The new facility will also contain an in-patient/out-patient medical clinic as an accessory use.

The two properties, 800 Chambers Road and 10 North Hartnett Avenue, are owned by Christian Woman's Benevolent Association and are zoned R-3. This zoning is consistent with the Vision 2015 Plan, which specifies future land use as Urban-Medium Residential for the site. The proposed new facility will be occupied by the same uses as the existing facilities. Although the lot at 231 Cernicek Lane is zoned R-1C and is incorporated in the site plans for the new facility, the lot will only be used for landscaping and buffering purposes and does not have to be zoned to R-3 for this project.

Mr. Shaw further commented that the Plan Commission voted on February 6, 2008 approval of the Staff Report recommending support of the Special Use Permit request by the Christian Woman's Benevolent Association with the conditions outlined in Conditions of Approval to construct a new nursing home with a medical clinic at 800 Chambers Road and 10 North Hartnett Avenue.

Public Works Director Terry O'Neil did perform a Traffic Study of the area because of some initial concerns by members of the Plan Commission.

Mr. Paul Boyer with Civil Engineering Design Consultants, Inc. gave a brief background on the proposed site located on both parcels with the razing of the existing facility. Mr. Boyer explained issues with lighting, landscaping, parking requirements, use of entrances, traffic control, fire access (hydrants/supply lines) and requirements meeting the criteria of MSD.

Discussion regarding storm water, detention, water filtering, and filtration ponds. Council was concerned with bump outs and traffic issues relating to entrances, and additional traffic during construction.

Mr. Todd Watts with Design Alliance Architects explained the construction of the building and aesthetics. The look will be more residential to fit in better with the community. The timeframe for construction of the site is 15 months.

***PUBLIC COMMENTS:***

Charlotte Abberton – 719 Forest concerns with additional traffic, ambulances, parking spaces and the 15 months of construction.

Robert McGrath – 712 Forest – concerns with receiving only one notice regarding the Public Hearing.

Patrick McGrath – 712 Forest – concerns with sewers already caving in on Hartnett and with the streets deteriorating it will only get worse with additional traffic.

There being no further public comments, Mayor Fletcher closed the Public Hearing portion at 7:35 p.m.

**SPECIAL PRESENTATIONS**

*Code Enforcement Sectoring Plan (Action Plan Item)*

Public Works Director Terry O'Neil gave a presentation on a new Sectoring Plan, by dividing the City into three sectors, and how it will impact the manner in which Code Enforcement is performed in the City. Staff feels that it is crucial that homeowners maintain their property and, hopefully, working with homeowners will reduce the number of citations. This item was included in the Action Plans and discussed during the Strategic Planning Sessions.

*2007 Sports Complex at Forestwood Park Annual Report*

Parks and Recreation Director Dave Smith presented the findings from the comprehensive 2007 Sports Complex Annual Report, which was submitted and reviewed by the Park Board at their February 19 meeting.

**PUBLIC COMMENTS**

There being no public comments, Mayor Fletcher closed the Public Comments at 7:55 p.m.

**BUSINESS PORTION**  
**MINUTES**

Council Meeting Minutes – February 12, 2008. A motion was made by Council Member Grecco, seconded by Council Member Faul and carried to approve and receive as presented the Council Meeting Minutes of February 12, 2008 and file as appropriate.

**CONSENT AGENDA**  
**MINUTES**

Ferguson Senior Citizens Commission Minutes – February 14, 2008. A motion was made by Council Member Grecco, seconded by Council Member Faul, and carried to receive the minutes as presented and file as appropriate.

Parks & Recreation Board Minutes – February 19, 2008. A motion was made by Council Member Grecco, seconded by Council Member Faul, and carried to receive the minutes as presented and file as appropriate.

**APPOINTMENTS**

No appointments at this time.

**RESOLUTIONS**

Mr. Shaw explained that this contract would allow Ms. Ronna Alaniz, of Muni Financial, to provide accounting assistance and to act in the Interim-Finance Director capacity during the search for a permanent Finance Director.

2008-07 – A RESOLUTION OF THE CITY OF FERGUSON, MISSOURI, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT FOR CONSULTING SERVICES WITH RONNA ALANIZ D/B/A MUNI FINANCIAL was introduced by Council Members present and read by City Manager, John Shaw. On roll call vote, the motion carried as follows:

AYES: 6 – Crecelius, Salant, James, Mayor Fletcher, Faul, Grecco  
NOES: 0  
ABSENT: 1 - Knowles

Resolution passes.

**BILLS REQUIRING FIRST READING**

BILL NO. 6830 - 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, was introduced by Council Members present and read the first time.

BILL NO. 6831 - 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, was introduced by Council Members present and read the first time.

BILL NO. 6832 - 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, was introduced by Council Members present and read the first time.

Mr. Shaw explained that Bill No. 6833 allows the City to sell beer through the concession stands at the Sports Complex and removes the sunset clause.

BILL NO. 6833 - 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 ENACTING A NEW SECTION 30.66(a)(4), was introduced by Council Members present and read the first time.

BILL NO. 6834 - AN ORDINANCE OF THE CITY OF FERGUSON, MISSOURI GRANTING A SPECIAL USE PERMIT FOR THE PROPERTY LOCATED AT 800 CHAMBERS ROAD AND 10 N. HARTNETT AVENUE SUBJECT TO THE CONDITIONS, RESTRICTIONS AND REQUIREMENTS SET FORTH HEREIN, was introduced by Council Members present and read the first time.

Mr. Shaw explained that Bill No. 6835 addresses several traffic related issues and was presented to the City Council as part of the Strategic

Planning Action Plan for Public Works. The change would designate S. Maple Avenue, Lewis Street, and Birlin Avenue as one-way streets. S. Maple Avenue from Church Street to Lewis Street would be southbound only, Lewis Street from S. Maple Avenue to Church Street would be northbound only, and Birlin Avenue from the City Hall parking lot to Lewis Street would be eastbound only.

These one-way designations were recommended to address several traffic issues including the dangerous crossing to the Vogt School playground on S. Maple, the two blind spots located at the curves between S. Maple Avenue and Lewis Street, and to assist with the drop off site for Vogt School students on Lewis Street.

Mr. Shaw further commented that this change would also assist with the flow of traffic when the City Hall parking lot becomes one way with the entrance being on Church Street and directing all traffic to exit by way of Birlin Avenue to Lewis Street.

These designations have been reviewed and recommended by the Traffic Commission.

BILL NO. 6835 - AN ORDINANCE AMENDING SECTION 44-510 "ONE WAY STREETS" OF THE CODE OF THE CITY OF FERGUSON, AS AMENDED, BY ADDING CERTAIN STREETS AS ONE WAY STREETS, was introduced by Council Members present and read the first time.

Mr. Shaw explained Bill No. 6836 is part of the Phase II Storm Water Permitting requirements, which the City is obtaining in cooperation with MSD and several other municipalities. This is the final year of the five (5) year process and the final requirement for Storm Water Management permitting.

It addresses storm water quality and management requirements for subdivisions and land development for new subdivisions or new development. It sets standards for creek bank setbacks, post-construction water control/quality, storm water ponds/retention, filtration/infiltration, filtering, and open channels all based on best management practices (BMP). It has been approved to meet the necessary requirements for the permitting process and is similar to one that is being used by several other municipalities and is endorsed by the Home Builders Association.

Mr. Shaw stated that there would be a presentation before the second reading of Bill No. 6836.

BILL NO. 6836 - AN ORDINANCE OF THE CITY OF FERGUSON, MISSOURI, AMENDING CHAPTER 7 OF THE MUNICIPAL CODE BY ADDING A NEW ARTICLE AND A NEW SECTION RELATING TO THE STORMWATER QUALITY MANAGEMENT AND ILLICIT DISCHARGE CONTROL REQUIREMENTS, was introduced by Council Members present and read the first time.

### **BILLS REQUIRING SECOND READINGS**

BILL NO. 6828 AN ORDINANCE AMENDING SECTIONS 6-1 AND 6-22 OF TITLE 6 OF THE CODE OF ORDINANCES FOR THE CITY OF FERGUSON DISTINGUISHING BETWEEN HORSES AND MINIATURE HORSES AND REGULATING THE KEEPING OF MINIATURE HORSES WITHIN THE CITY, was introduced by Council Member James W. Knowles, III and read the first time.

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

AYES: 6 – Salant, James, Mayor Fletcher, Faul, Grecco, Crecelius  
NOES: 0  
ABSENT: 1 - Knowles

Bill No. 6828 was declared passed and sent to the Mayor for signature. Bill No. 6828 thus became Ordinance No. 2008- 3342 and is permanently recorded in Book 30 on page 6.

### **SPECIAL PRESENTATIONS (II)**

Mr. Shaw explained that an opportunity has been explored by City Staff for a grant that would provide assistance to various improvements to Forestwood Drive. Staff felt that because of the many deficiencies of the pavement and sidewalks this was an appropriate project to consider. Council can then decide if they feel that this a desirable project to proceed into the grant process and to then place into the CIP for 2013.

Tom Weis from the Weis Design Group gave a background on the grant and the preliminary estimate expenses to the City and explained the 70/30 and 80/20 Financial option plans.

After a lengthy discussion, Council consensus was to proceed with the grant process with the 70-30 financial option plan.

### **MISCELLANEOUS**

Ms. Faul – had concerns with boarded up buildings in the City and questioned options.

Director of Public Works, Terry O'Neil – explained that the new sectoring plan will help.

Ms. Faul – feels that the new Landlord Initiative is working well and would like to offer another Landlord meeting for additional updates.

Mr. Shaw – commented that property owners would receive a new fold out to explain their responsibilities.

Ms. Grecco – invited everyone to participate in the Parks & Recreation Easter Egg Hunt on Friday, March 14, 2008 at 7 p.m. Ms. Grecco suggested that the City Council enter as a team led by Council Member Salant and challenged City Staff.

Mr. Shaw informed Council of the TrailNet, Healthy & Active Communities Kick-off event March 6, 2008 at 6128 Delmar and to let staff know if any Council Member is interested in attending.

Mr. Shaw announced that every year in April, the St. Louis Area Police Chief's Association holds a Prayer Breakfast to honor police officers who have been killed in the line of duty. This year, staff would like to invite any Council Members who are able to attend. It will be held on April 25, at the Airport Renaissance Hotel and to let staff know if any one is able to attend. All of the proceeds from this year are going to the victims from the tragedy that occurred at the Kirkwood City Council Meeting.

Mayor Fletcher – requested a list of streets and sidewalks that need repair throughout the City. Reminded everyone to please clean up their yards of debris and downed tree limbs, and that a neighborhood clean up day is being planned and will be announced at a later date.

### **ADJOURNMENT**

*At 9:00 p.m. a motion was made by Council Member Faul, seconded by Council Member Grecco, to enter into closed session in accordance with RSMo 610.021/610.022 Section(s) (1) (3) and (9). Motion carried.*



*Having concluded the closed session at 10:30 p.m., a motion was made by Council Member Salant, seconded by Council Member Faul to convene to open session. On roll call vote, the motion carried.*

A motion was made by Council Member Salant, seconded by Council Member Faul to adjourn the meeting at 10:30 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