

FERGUSON CITY COUNCIL

Council Meeting Minutes March 25, 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 March 25, 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
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 Deborah 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.

Mayor explained that the Agenda needed to be amended to add Bill No. 6838. A motion was made by Council Member Grecco, seconded by Council Member Faul to amend the Agenda to add Bill No. 6838. Motion carried.

SPECIAL PRESENTATION

REJIS – Information Technology (IT) Needs Assessment

City Manager John Shaw explained that Ferguson contracted with Regional Justice Information Services (REJIS), during the current Fiscal Year to evaluate the City's current level of technology and to produce an Information Technology Needs Assessment for the City.

Trudi Reason, Client Representative; Paul Klover, Client Site Manager, St. Louis County; Don Owens, Manager, Network Services; and Robert Perkins, REJIS all helped in different roles in the production of the final report and were present for questions.

Paul Klover presented the process and results of the study. Mr. Klover's presentation included objectives of a Needs Assessment for the City, General position of Ferguson, overview of opportunities and risks, discussion of recommendations, support options, action plan and next steps were discussed.

PUBLIC COMMENTS

There being no public comments, Mayor Fletcher closed the Public Comments at 7:40 p.m.

BUSINESS PORTION **MINUTES**

Council Meeting Minutes – March 11, 2008. A motion was made by Council Member Grecco seconded by Council Member Knowles and carried to approve, receive as *amended* and file as appropriate the March 11, 2008 minutes to include the last line under the SPECIAL PRESENTATIONS – Phase II (MSD) to read:

"The creekway mapping options that were suggested by the MSD Representative were: MSD Map, "USGS Map, or a City created version of a creek map."

CONSENT AGENDA

Minutes

Ferguson Senior Citizens Commission Minutes – March 13, 2008. A motion was made by Council Member Knowles, seconded by Council Member Crecelius, and carried to receive the minutes as presented and file as appropriate.

Ferguson Special Business District (FSBD) Minutes – January 17, 2008. A motion was made by Council Member Knowles, seconded by Council Member Crecelius, and carried to receive the minutes as presented and file as appropriate.

Ferguson Municipal Library Minutes – February 25, 2008. A motion was made by Council Member Knowles, seconded by Council Member Crecelius, and carried to receive the minutes as presented and file as appropriate.

Ferguson Municipal Library Minutes – January 28, 2008. A motion was made by Council Member Knowles, seconded by Council Member Crecelius, and carried to receive the minutes as presented and file as appropriate.

Board of Adjustment – November 28, 2007. Council Member Grecco noted a typo on page 3 to read *460 square feed instead of 460 square feet*. A motion was made by Council Member Knowles, seconded by Council Member Crecelius, and carried to receive the minutes as noted and file as appropriate.

Ferguson Special Business District (FSBD) Minutes – February 21, 2008. A motion was made by Council Member Knowles, seconded by Council Member Crecelius, and carried to receive the minutes as presented and file as appropriate.

APPOINTMENTS – no appointments at this time.

Mayor Fletcher commented that the City is in need for volunteers for Boards & Commissions and if anyone is interested in serving on a Board or Commission please contact their Council Member.

PROCLAMATIONS

Arbor Day – April 4, 2008 – was read by Mayor Fletcher.
Dorris Anna Logan - 100th Birthday – was read by Mayor Fletcher.

BILLS REQUIRING FIRST READINGS

BILL NO. 6837 - AN ORDINANCE OF THE CITY OF FERGUSON MISSOURI, AMENDING ARTICLE III OF TITLE 41, AMENDING SECTION 41-77 OF TITLE 41, AMENDING SECTION 28.0 OF TITLE 49, AND AMENDING ARTICLE I OF TITLE 7 OF THE MUNICIPAL CODE RELATING TO FEES FOR THE FILING AND REVIEW OF PLATS, PLANS FOR PLANNED DEVELOPMENTS AND SITE PLANS, AND PLANS AND APPLICATION MATERIALS FOR VARIOUS PERMITS, was introduced by Council as a whole and read the first time.

City Manager John Shaw explained that this amendment addresses the fees associated with the plan review contract the City entered into with Weis Design Group for plats, plans for developments, site plans, plans and applications for building permits, grading and other various permits. The contract was entered into with Council approval to fulfill certain duties of the former building official position.

Mr. Shaw explained that the amendment allows the City to recuperate the cost of the review from Weis Design group by the applicant, property owner or developer. The current fee structure does not cover the cost for review, which would cost the City additional funds above those charged to the applicant, property owner or developer submitting the application.

Mr. Shaw further explained that the building permit applications that are for smaller projects such as room additions, sheds, decks, etc, are still reviewed in-house by the Code Enforcement staff that is qualified for these types of reviews.

BILL NO. 6838 - AN ORDINANCE APPROVING A SETTLEMENT AGREEMENT WITH SPRINT AND ASSIGNING A PERCENTAGE OF THE SETTLEMENT PROCEEDS TO THE ST. LOUIS COUNTY MUNICIPAL LEAGUE, was introduced by Council as a whole and read the first time.

Mr. Shaw explained that both the City Attorney and the Attorney handling the class action suit against the telecommunication companies recommended that Bill No. 6838 be read twice because the attorneys for Sprint have asked for an Ordinance in addition to the Resolution passed by the City Council accepting the Sprint settlement.

BILLS REQUIRING SECOND READINGS

BILL NO. 6838 - AN ORDINANCE APPROVING A SETTLEMENT AGREEMENT WITH SPRINT AND ASSIGNING A PERCENTAGE OF THE SETTLEMENT PROCEEDS TO THE ST. LOUIS COUNTY MUNICIPAL LEAGUE, was introduced by Council as a whole 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 Knowles, seconded by Council Member Grecco. On roll call vote, the motion carried as follows:

AYES: 7 – Crecelius, Salant, Knowles, James, Mayor Fletcher, Faul, Grecco
NOES: 0

Bill No. 6838 was declared passed and sent to the Mayor for signature. Bill No. 6838 thus became Ordinance No. 2008-3350 and is permanently recorded in Book 30 on page 14.

MISCELLANEOUS

Mr. Knowles – thanked staff for taking care of the Chamber audio system. Reminded everyone to vote at the April 8, 2008 Election, which also includes City Charter Amendments.

Ms. Faul – reminded everyone to vote on April 8, 2008 which includes City Charter Amendments, and to please clean up their yards.

Ms. Faul questioned if Staff has a list of residences that do not have trash services i.e. when a resident moves out of Ferguson.

Public Works Director Terry O’Neil explained when trash service is cancelled Allied Waste will notify staff and staff sends out a ten day letter giving them ten days to be reinstated or the property owner is issued a summons.

When a property is sold, the new owner must set up trash service with Allied Waste through the City. Trash service cannot be stopped until a new owner sets up trash service. The City does not stop trash service when someone moves out.

If a property owner has a property for sale, they need to keep trash service until the property changes ownership. Staff will change the service over for the new **owner** when they apply for their occupancy permit. The trash canisters stay at the property.

Ms. Faul questioned limits on how long a place can be boarded up.

Mr. O'Neil explained that technically they cannot be boarded up. Board ups are a temporary situation, normally for safety issues to protect children, animals etc. from getting into the residences. Staff generally gives the owner seven days before being cited then it works through the Court system.

Ms. Faul thanked staff for taking care of the Chamber audio system.

Ms. Grecco requested an update on the sinkhole at Hartnett at Frost.

Mr. O'Neil checked with MSD for a second time and MSD had re-tested using die-testing. Mr. O'Neil commented that Public Works has excavated the area down to solid base and backfilled the area with gravel for base. As soon as the weather holds out it will be completed properly with concrete and asphalt.

Ms. Grecco thanked staff for taking care of the Chamber audio system.

Ms. Grecco – reminded and encouraged everyone to clean up their yards and encouraged everyone to vote at the April 8, 2008 election. The Charter Amendments have been published in the Ferguson Times and may also be viewed on the City website.

Mr. Shaw - announced that the Chamber Audio mixers have been replaced and hope both public in attendance and home viewers have experienced a significant upgrade in the quality of the sound of the meeting. Staff also is in the process of soliciting bids for the replacement of the projector and an additional screen.

Mr. Shaw also announced that the safety measures Council requested have been installed.

Mr. Shaw - introduced Mr. Jeffrey Blume as the new Director of Finance who will participate with Ronna Alaniz in the entire budget process, and Ken Barnadyn as the City's new Zoning Administrator. Mr. Shaw explained that Ken will be extremely important in the City's new planning ventures and providing updates to the City's Zoning Code. Ken will be working closely with the Plan Commission, assuming the role that the former Zoning Administrator had filled.

Mr. Shaw reminded Council to review both the proposed Pay Day Loan and Sexual Predator Ordinances, which were included in their packet and to let him know if there are questions or concerns.

Mr. Shaw also reminded Council that the 2+2 Meeting with the Ferguson Florissant School District will be held Wednesday March 26, 2008 at 5:00 p.m. in the Council conference room.

Mayor thanked the Parks & Recreation Department, staff and everyone involved for a well-attended first annual Adult Easter Egg Hunt.

Mayor addressed the issue of requiring landlords to pre-pay trash service on a yearly basis or for the entire period of the lease term. Mayor referred to the City of Jennings as an example and asked Council and City Attorney Karr to look into it.

Mayor suggested the Budget set funds aside to hire a professional to work with the Landmarks Commission and Historical Society to capture and record some of the history of the City from residents as well as preserving of historical photos and items of interest.

Mayor encouraged everyone to please clean up their yards.

Mayor Fletcher reminded Council of the closed session.

ADJOURNMENT

At 8:20 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 Section(s) (2)(3) and (13). Motion carried.

Having concluded the closed session at 10:45 p.m., a motion was made by Council Member Knowles, seconded by Council Member Grecco 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 10:45 p.m.

Brian P. Fletcher - Mayor
City of Ferguson, Missouri

ATTEST:

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

Approved: 4/15/08
