

FERGUSON CITY COUNCIL

Council Meeting Minutes May 27, 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 May 27, 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
James W. Knowles, III
Dwayne James
Peggy Faul
Fran Grecco

Mrs. Matthies declared a quorum was present.

*Michael Salant (EXCUSED ABSENCE)

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 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

❖ *Pride of the City Winners – Month of June*

Public Works Director, Terry O'Neil explained the Pride of the City Program. Mr. O'Neil and Mayor Fletcher introduced and congratulated the May Pride of the City winners. The May winners are Ward 1 – Waldemar and Ewa Pyc, 1130 N. Elizabeth Ave., Ward 2 – Mike Lonero, 29 Almeda Place and Ward 3 – Gary & Earlynn Thomas, 5113 Rockingham. Each of the winners will receive a Certificate and City Flag. Pride of the City signs will be placed in their yards. Council congratulated the winners.

❖ *Suburban/Brotherton Streetlights*

City Manager John Shaw explained that Mr. Fred Schreiber from Energy Plus Associates will be presenting a powerpoint presentation regarding the lighting solutions for both the Suburban and Brotherton construction projects. Mr. Schreiber has been working with the City over the last couple of years through different Administrations. Mr. Schreiber will present some insight into the history of these two lighting projects and present to the Council some of the financing options for the streetlights and their installation.

Fred Schreiber – Energy Plus Associates – gave a presentation regarding the streetlights on Suburban Avenue and Brotherton Lane. Mr. Schreiber presented estimated costs of poles, labor and materials and lease purchase amounts for each project separately and together.

Mr. Schreiber also presented and explained the detailed drawings of the two streetlights, which had been previously presented to the City Council as well as the community for comments and was agreed upon approximately 1-1/2 years ago. Mr. Schreiber recommended another banner arm at the bottom to keep the banner from flapping loosely in the wind.

Council discussed the differences between the Suburban Road and Brotherton Lane street light top fixtures. Mr. Schreiber explained the different fixtures available and the pole spacing based upon the performance of the light fixture.

Mr. Schreiber also explained after meeting with and receiving input from City personnel it was then presented to the community and that is why the different fixtures were chosen.

Council discussed the possibility of saving money by reconfiguring of what the City is willing to purchase and questioned what the City would be giving up as far as light intensity from one fixture to the next or are the light intensities approximately the same from fixture to fixture.

Mr. Schreiber commented he would find out the specifics on using the Suburban fixtures on those poles and if it would make a difference on the pole spacing for the Brotherton lights or vice versa. However, he did not believe it would reduce the number of poles required.

Council discussed how to get the best bang with a limited amount of money but still be able to provide an attractive street light. Council questioned if there were certain lights that have more coverage and therefore do not need as many poles.

Mr. Schreiber commented that you do not want hot spots - dark spots in lighting a roadway and explained the light watts and colors and the possibility of pole spacing and reducing the number of poles.

Council commented that the community had a major concern of spotlights shining in their backyards and did not want huge spotlights every 100 yards. Mr. Schreiber explained the cut off fixtures that prevent the lights from evading private property.

Mr. Schreiber will research the light beam, efficiency, and pole spacing and inform Staff of whether any further savings could be achieved by changing the lamps and if the savings would be substantial.

PUBLIC COMMENTS

Martin Pion - #6 Manor Lane – updated Council on National Bicycle Month and upcoming events.

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

Mayor Fletcher moved 4E. Proclamations before 4. Business Portion.

PROCLAMATIONS

North County Inc. 2008 Business Development Award Proclamation was read and presented by Mayor Fletcher to Farzad Faramarzi.

BUSINESS PORTION
MINUTES

Council Meeting Minutes – May 13, 2008. A motion was made by Council Member Knowles, seconded by Council Member Grecco and carried to approve and receive as presented the Council Meeting Minutes of May 13, 2008 and file as appropriate.

Council Budget Work Session Minutes – May 20, 2008 – A motion was made by Council Member Grecco, seconded by Council Member Faul, and carried to approve and receive as presented the Council Budget Work Session Minutes of May 20, 2008 and file as appropriate.

CONSENT AGENDA

Minutes

Ferguson Special Business District (FSBD) Minutes – March 20, 2008. A motion was made by Council Member Knowles, seconded by Council Member James, and carried to receive the minutes as presented and file as appropriate.

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

Ferguson Municipal Public Library Minutes – March 17, 2008. A motion was made by Council Member Knowles, seconded by Council Member James, and carried to receive the minutes as presented and file as appropriate.

Ferguson Municipal Public Library Minutes – April 21, 2008. A motion was made by Council Member Knowles, seconded by Council Member James, and carried to receive the minutes as presented and file as appropriate.

Parks & Recreation Board Minutes – April 29, 2008 (*w/recommendation*) A motion was made by Council Member Knowles, seconded by Council Member James, and carried to receive the minutes as presented and file as appropriate.

Council Member Faul pointed out the Park Board recommendation from the Park Board was made to the City Council to allow the Emerson YMCA to use Hudson Park for their summer day camp program with the same stipulations as previous years and revisit increasing the fee next year based on input of Public Works hours.

Plan Commission Minutes – March 19, 2008. A motion was made by Council Member Knowles, seconded by Council Member James, and carried to receive the minutes as presented and file as appropriate.

Ferguson Neighborhood Improvement Program (FNIP) Minutes - March 24, 2008. A motion was made by Council Member Knowles, seconded by Council Member James, and carried to receive the minutes as presented and file as appropriate.

Board of Adjustment Minutes – February 4, 2008. A motion was made by Council Member Knowles, seconded by Council Member James, and carried to receive the minutes as presented and file as appropriate

Pension Board Minutes – January 29, 2008. A motion was made by Council Member Knowles, seconded by Council Member James, and carried to receive the minutes as presented and file as appropriate

APPOINTMENTS

Mayor appointed Steve Wegert to replace Tom James on the Library Board.

Mayor appointed Peggy Foege to replace Cathy Bindbeutel on the Library Board.

Council appointed the following to the Downtown Vision Update Committee:

John Corson
Michelle Wright
Gene Stephens
Beth Thompson
Joe Lonero
Scott Negwer
Aaron Burnett
Jonathon Yordy
Farzad Faramarzi
Sue O'Dell

REQUESTS

Liquor License – Marley's Bar and Grill located at 500 S. Florissant Road, (formerly The Greek's). Applicants/owners Kelly and Martin Braun.

The Brauns were present and introduced themselves to the Council and gave an update on their plans for big changes to the interior and exterior of the building and the business in general. The Brauns want to make the business attractive and are very excited about having a business in Ferguson. Council thanked and welcomed the Brauns.

City Manager John Shaw explained that this is a conditional liquor license, pending on the final sale and other conditions. The goal is to help keep the Braun's open for business while the transfer is taking place.

A motion was made by Council Member Knowles, seconded by Council Member James to approve Marley's Bar and Grill, (upon conditions being met) located at 500 S. Florissant Road (formerly The Greeks). Motion carried.

RESOLUTION

A motion was made by Council Member Knowles, seconded by Council Member James to read Resolution 2008-10. Motion carried.

2008-10 A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERGOVERNMENTAL COOPERATION AGREEMENT ON BEHALF OF THE CITY TO PROVIDE FUEL SERVICES TO THE CITY OF COOL VALLEY, was introduced by Council Members present and read by City Attorney, Stephanie Karr.

City Manager John Shaw explained that this Resolution allows the City to enter into a contract with Cool Valley to provide fuel services to their fleet. Cool Valley is the first municipality that has officially responded to our offer, and has voiced formal support by their mayor and board of aldermen. We will simply follow each municipality's resolution or ordinance with a resolution such as this. There is some overhead charges taken into consideration that are built in i.e. per vehicle charge and 10 cents a gallon over to provide for those issues. Staff has invited four municipalities to participate.

On roll call vote, the motion carried as follows:

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

Resolution passes.

BILLS REQUIRING SECOND READINGS

BILL NO. 6843 - AN ORDINANCE OF THE CITY OF FERGUSON, MISSOURI GRANTING A SPECIAL USE PERMIT FOR THE PROPERTY LOCATED AT 10 ADAMS STREET SUBJECT TO THE CONDITIONS, RESTRICTIONS AND REQUIREMENTS SET FORTH HEREIN, was introduced by Council Members present 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 James. On roll call vote, the motion carried as follows:

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

Bill No. 6843 was declared passed and sent to the Mayor for signature. Bill No. 6843 thus became Ordinance No. 2008-3356 and is permanently recorded in Book 30 on page 20.

City Manager John Shaw explained the petitioner is requesting a Special Use Permit to establish a beauty salon at 10 Adams St., Suite 102.

The property is located at 10 Adams St. on the corner of Adams St. and S. Florissant Road. The property is currently zoned DB-2, Downtown Area Business District. The proposed beauty salon will be located in Suite #102 and will occupy approximately 500 sq. ft. The entire building is 23,050 sq. ft., and was built in 1966.

The business is located in an existing multi-tenant building. The applicant will occupy a currently vacant suite within the building. The site is completely paved and the building is built into a hillside. The property to the immediate north is separated by Adams St. and the property to the immediate west is separated by S. Florissant Rd. A chain link fence and creek separates the property of 10 Adams St. from a residential property to the east, as well as providing separation from the Ferguson Police Department to the south.

At their April 16, 2008 meeting, the Plan Commission accepted the staff report recommending approval of a Special Use Permit with conditions at 10 Adams Street. The applicant will occupy a currently vacant suite on the lower floor of the building. As one of the conditions of approval, the owner of the property agreed to work with the Planning and Development Director on a detailed landscaping plan for the site and submit it for approval before the occupancy permit is issued.

Council Member Knowles commented that he appreciates the staff taking the time to try and get improvements to new business sites.

OLD BUSINESS

Public Works Director Terry O'Neil gave an update on the Suburban project. Phase I portion of the project starts from Florissant Road to Georgia and has been completed except for the final course of asphalt and the plantings in the medians.

Phase II starts from Georgia to the City Limits. The previous surface has been removed and grading has been completed. On the south side of the road, the base course of asphalt is down. It is not on the north side due to the fact that there is a section that had soil testing that was unsuitable and a one-inch clean rock will be placed in it to stabilize; once it is stabilized, the asphalt can be placed down.

Mr. O'Neil summarized that Phase I is almost finished, still working on Phase II, and will go back to Phase I to finalize some things.

Council Member James questioned if the same streets along Suburban Ave. will be closed.

Mr. O'Neil responded that nothing has changed in that area; if a street was open before the project, it will be open. If it was a closed street or dead-end it will stay closed.

Mr. Shaw commented that Council Member Crecelius requested additional information on the sex offender Ordinance and the impact it would have on the Staff and how it could better the City Occupancy Permit issues.

Mr. Shaw will forward a memo explaining the three departments that will be affected the most. Staff distributed maps to Council showing

the buffers around the day cares, schools and City parks as now amended by the Ordinance. The map shows the areas that sexual offenders could live in Ferguson and the overall impact of the Ordinance.

Council Member Crecelius requested a list of the current Occupancy permits in order to give a better idea of where the gaps and coverages are on the map.

MISCELLANEOUS

Ms. Grecco – congratulated the Pride of the City Winners and Farzad Faramarzi on his North County, Inc. award and thanked him for all of his years of dedicated services to the City and for many more years.

Ms. Faul – was absent at the last Council Meeting and wanted to congratulate all of the officers who received commendations as well as all Police Officers and Fire Fighters in the City of Ferguson for all of their hard work and dedication to the City.

Ms. Faul – commented that Council asked Staff to start increasing cooperative efforts with other municipalities. Staff has started efforts by coordinating with school districts and different municipalities as far as the fuel center, snow removal, 2+2 program, etc. Ms. Faul thanked John and the Staff in working towards beginning all of these cooperations. Ms. Faul feels it has been a real plus to the City.

Mr. Knowles – congratulated Staff in increasing the cooperative efforts with other municipalities.

Mr. Knowles commented of a tragic fire in his neighborhood and congratulated both Fire and Police Departments for their excellent work both for the speed of their response and the way in which they conducted themselves and interacted with the residents who were very thankful.

Mr. Crecelius – welcomed the new business owners to Ferguson. Reminded everyone with the storm, flood and tornado season to review their emergency preparedness plans.

Mr. Shaw reminded Council that the St. Louis County Municipal League Installation Dinner is Friday May 30, 2008 at 7:00 p.m. at Norwood Hills Country Club. If Council is interested in attending please let staff know.

Mayor Fletcher will be attending the North County Chamber luncheon, where different area Mayors will be giving updates on the North County communities. Mayor will be giving an update on the progress taking place in Ferguson.

Mayor welcomed the Brauns and reminded everyone, with all of the rain, to please take the opportunity with a dry day to keep up with their yards.

Mayor announced a closed session.

ADJOURNMENT

At 8:20 p.m. a motion was made by Council Member Knowles, seconded by Council Member Faul, to enter into closed session in accordance with RSMo 610.021/610.022 Section(s) (1) (2) and (12). Motion carried.

Having concluded the closed session at 10:20 p.m., a motion was made by Council Member Faul, seconded by Council Member Grecco to convene to open session. On roll call vote, the motion carried.

There being no further business to consider, Council Member Knowles, seconded by Council Member Grecco moved to adjourn the meeting. The meeting adjourned at 10:20 p.m.

Brian P. Fletcher - Mayor
City of Ferguson, Missouri

ATTEST:

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

Approved: 6/10/08
