

**FERGUSON CITY COUNCIL
Council Meeting Minutes
September 30, 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 September 30, 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 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 COMMENTS

Mike Lonero – 29 Almeda – Thanked everyone involved in Streetfest. Thanked staff, Public Works Department, Police Department and residents in helping with Streetfest. There were no problems, Streetfest was packed both nights and thanked residents for coming out and for their support. Hopefully, next year it will be as big a success.

Council thanked Mr. Lonero and commented it was a great event.

There being no further public comments, Mayor Fletcher closed the Public Comments portion at 7:05 p.m.

BUSINESS PORTION **MINUTES**

Council Meeting Minutes – September 16, 2008

A motion was made by Council Member Knowles, seconded by Council Member Faul and carried to approve and receive, the Council Meeting Minutes of September 16, 2008 and file as appropriate.

CONSENT AGENDA

Minutes

Ferguson Municipal Library Minutes - July 21, 2008. A motion was made by Council Member Knowles, seconded by Council Member Grecco, and carried to receive the minutes as presented and file as appropriate.

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

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

Ferguson Neighborhood Improvement Program (FNIP) Minutes – July 28, 2008. A motion was made by Council Member Knowles, seconded by Council Member Grecco, and carried to receive the minutes as presented and file as appropriate.

Ferguson Senior Citizens Minutes – September 11, 2008. A motion was made by Council Member Knowles, seconded by Council Member

Grecco, and carried to receive the minutes as presented and file as appropriate.

Park Board Minutes *w/recommendation*– September 23, 2008. A motion was made by Council Member Knowles, seconded by Council Member Grecco, and carried to receive the minutes as presented and file as appropriate.

Ms. Faul explained the recommendation of the Park Board is for a Muny Park Grant to partially fund the renovation of the Sports Complex at Forestwood Park tennis courts as in the current budget.

Ms. Faul requested the status on a past Park Board recommendation of converting the Robert Superior Park fields to grass fields to be used for vintage baseball and the cost factor in doing so.

Staff has been in contact with Park Board Chairman, Mike Crawford and has researched what the fields require as far as the type of grass and pricing and feel the fields could be converted to grass fields.

Council consensus was to go forward with the Park Board recommendation of converting the Robert Superior Park fields to grass fields.

APPOINTMENTS

No appointments at this time. Council commented that the Landmarks Commission and the FNIP Board need appointments.

RESOLUTIONS

2008-24 A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE THE NECESSARY DOCUMENTS TO SUBMIT A PROJECT PROPOSAL AND EXECUTE AN AGREEMENT FOR A GRANT-IN-AID UNDER THE MUNICIPAL PARKS GRANT COMMISSION FOR IMPROVEMENTS TO THE FERGUSON SPORTS COMPLEX AT FORESTWOOD PARK TENNIS COURTS, was introduced by Council as a whole and read by City Attorney, Stephanie Karr.

A motion was made by Council Member Knowles, seconded by Council Member Faul to approve Resolution No. 2008-24. Motion carried.

On roll call vote, the motion carried as follows:

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

2008-25 A RESOLUTION SELECTING A BIDDER FOR THE ASPHALT OVERLAY PROJECT AT THE MUNICIPAL GARAGE AND HUDSON PARK AWARDING THE CONTRACT TO SAID BIDDER AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE CONTRACT ON BEHALF OF THE CITY, was introduced by Council as a whole and read by City Attorney, Stephanie Karr.

A motion was made by Council Member Knowles, seconded by Council Member Salant to approve Resolution No. 2008-25. Motion carried.

On roll call vote, the motion carried as follows:

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

BILLS REQUIRING FIRST READINGS

BILL NO. 6860 AN ORDINANCE AMENDING CHAPTER 4 OF THE MUNICIPAL CODE RELATING TO THE ISSUANCE OF LIQUOR LICENSES, REQUIREMENTS FOR MAINTENANCE OF LIQUOR ESTABLISHMENTS AND THE REVOCATION OF SUCH LICENSES; AND AMENDING THE ZONING REGULATIONS PERTAINING TO C-1 AND C-2 COMMERCIAL DISTRICTS RELATING TO SPECIAL USE PERMITS FOR ESTABLISHMENTS SERVING ALCOHOLIC BEVERAGES FOR CONSUMPTION ON THE PREMISES, was introduced by Council as a whole and read the first time.

BILLS REQUIRING SECOND READINGS

A motion was made by Council Member Knowles, seconded by Council Member James and carried to amend Bill No. 6859 as presented.

BILL NO. 6859 (AMENDED) AN ORDINANCE OF THE CITY OF FERGUSON, MISSOURI, REPEALING ARTICLE III OF CHAPTER 19 AND AMENDING CERTAIN SECTIONS WITHIN THE ZONING CODE PERTAINING TO HOME DAY CARES, was introduced by Council as a whole and read the first time.

A motion was made by Council Member Knowles, seconded by Council Member James and carried to read Bill No. 6859 as (AMENDED) a second time and place it upon its passage.

On roll call vote, the motion carried as follows:

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

Bill No. 6859 (AMENDED) was declared passed and sent to the Mayor for signature. Bill No. 6859 (AMENDED) thus became Ordinance No. 2008-3372 and is permanently recorded in Book 30 on page 36.

OLD BUSINESS

501 S. Florissant Site Design

A motion was made by Council Member James, seconded by Council Member Salant and carried to move forward with the 501 S. Florissant Site Design as presented. The project would be funded \$100,000 from the Capital Improvement Bond and \$300,000 plus the remaining amount (approximately \$350,000) from the Downtown TIF Fund, and to move the rest rooms and storage into Phase I. Motion carried.

Finance Director, Jeffrey Blume explained that the Capital Improvement Bond fund would be used to fund this project. The thought of setting up the Capital Improvement Bond was to try to segregate and thereby identify all of the projects that would be funded by the Bond Fund. In this budget cycle, it was planned to transfer \$200,000 from the Downtown TIF fund to the Capital Improvement Sales Tax Fund and then fund the 501 S. Florissant project out of the Capital Improvement Bond Fund, which are separate funds.

Mr. Blume briefly summarized that in the process of reconciling what was remaining in each of the funds at the end of fiscal year 2008 there will be approximately \$1.3 million remaining in the Capital Improvement Bond Fund. Two projects were allocated to the Bond Fund and then approximately \$230,000 would be remaining and transferred to the Capital Improvement Sales Tax Fund at the end of fiscal year 2009.

During the budget preparation process, the Council indicated a desire to have \$200,000 specifically in the Downtown TIF Fund as one of the revenue sources for the improvements to be made at 501 S. Florissant. Funds should be paid out of one fund by transferring money from the Downtown TIF Fund to the Capital Improvement Sales Tax Fund, whatever is left in the Capital Improvement Bond Fund will be transferred into the Capital Improvement Sales Tax Fund.

Mr. Blume commented currently there are sufficient funds in the Downtown TIF Fund. The current TIF Fund balance is approximately \$500,000. The annual income is approximately \$512,000 for fiscal 08-09.

Mr. Blume commented that the Capital Improvement Bond Fund, based upon this budget, was anticipated at the end of this fiscal year having paid off the two projects to transfer \$235,000. Now with this change, in addition, there will be \$280-\$300,000 at the end of the year so there will be a surplus in the fund.

The Capital Improvement Bond Fund is not a statutory fund and the City is not required to maintain it separate and apart from all other funds, this was done to make it clear what the funds were spent on.

Council Member Knowles questioned why there continued to be money in the fund and why the money was not used for the lighting on Suburban/Brotherton.

Mayor commented that at least \$500,000 was borrowed for the financing of the lights, but allows the City to have this money for other street overlays. The City may not have the money otherwise in a lean budget next year.

City Manager commented the choice was to finance the lights on Suburban/Brotherton because it made more fiscal sense.

Mr. Blume commented it is better leasing the streetlights. The City now has two different lending sources, and can go to either lender and secure additional financing within a week or two for future projects.

Council Member Grecco stated that she is supportive but wants it reflected that her view is that the maximum amount of money (\$100,000) be taken out of the Capital Improvement Bond and anything else comes out of the Downtown TIF Fund. So, if this project morphs into a \$500,000 or more entity the morphing comes out of the Downtown TIF Fund. That is her fervent desire.

Council Member Salant commented that he does not see a problem with that happening.

Mr. Shaw stated that any change order of that magnitude, because it is not within the budget, would come before Council prior to any authorizations.

Mayor commented he hoped that there would be a savings doing the rest rooms and storage now opposed to later.

Council Member Knowles feels this is frustrating because it is being referred to as a \$400,000 project. It needs to be realized that \$150,000 has been spent to acquire the property, approximately \$150,000 to acquire possibly more properties and demo then another \$400,000 spent on this project.

Mr. Knowles is worried that talk regarding the downtown area, in trying to adhere to the downtown vision, included money set aside for land acquisitions, demolitions, replacement of businesses i.e. car lots, etc. and feels this is a funding source that could be doing this but instead the City is building a giant park. If this is the return on your investment that you and the business district want, then fine.

Mr. Knowles commented that the City has spent millions for Suburban, Florissant Road, sidewalks, streetlights, over the past years, which is a significant part of the budget. Mr. Knowles feels that if this is what is wanted for the rest of the downtown area to focus on this one little corner, fine, but put into perspective that it is a lot of money and not just \$400,000.

Council Member James commented that because of the millions coming on Florissant Road the investment received on Florissant Road has been tremendous. This corner would actually get some return on this investment. There is a lot more that the City could actually do in doing these projects and will accumulate to actually getting more money so the City can do more for the downtown area and for the City.

Council Member Knowles questioned if it will bring in more revenue.

Council Member Crecelius commented that at the offset, he did not want to see a park or that much green space that would be unusable but he feels that the plan presented is much more of a plaza and a much more dynamic usage for businesses.

Council Member Knowles commented that from the outset, there have been two or three drawings and this is obviously the best drawing he has seen. He feels something that needs to be kept in mind for next year's budget is all of these great ideas that were presented about programming and planning, festivals, parades, concert series, etc. are

not free and are going to cost staff and the business district time and money.

Mr. Knowles feels that if the City is going to make this type of investment to start thinking now about the events at the plaza and funding sources in which the City is willing to do without in order to make this happen.

On roll call vote, the motion carried as follows:

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

NOES: 0

Mayor commented that the vote to move forward with the 501 S. Florissant project was unanimous.

JANUARY WABASH LAKE WALL UPDATE

City Manager, John Shaw explained that work would begin at January Wabash Lake to repair the Lake Wall that has shown some deterioration over the last few years in particular. Ideal Landscaping has stated that they will begin construction no later than October 8th, and is scheduled to be completed no later than 60 days from October 1st. However, staff expects it to be finished well beforehand. Fishing and water activities will be put on hold while the project is being completed.

MISCELLANEOUS

Ms. Grecco – thanked everyone, citizens, staff, Police and Fire Departments, Downtown Business District for such a wonderful Streetfest event and concurs with Mike Lonero's evaluation – it was wonderful, large turnout and just a nice event. Ms. Grecco requested that in this season of falling leaves, etc. to please volunteer to help senior citizens, handicapped neighbors or mobility-impaired neighbors in cleaning up leaves, etc. Thanked the Fire Department for a wonderful Safety Day event located at the Home Depot lot, thank you to the corporate and citizen sponsors and many thanks to the Fire Department for a nice event. Voter registration deadline is Wednesday, October 8, 2008. Ms. Grecco encouraged everyone to register to vote at various locations, the Public Library, on-line, Board of Elections, City Hall. Ms. Grecco reminded everyone of the digital TV converter box coupon deadline.

Ms. Faul – echoed the comments regarding Streetfest, it was beautiful weather and thanked everyone involved. Please continue visiting the Farmers' Market great events for October. Ms. Faul commented she was leery of the 501 S. Florissant project, but listening to people regarding the corner helped sway her decision and she now feels better in the way it is being financed. Ms Faul agrees with Council Member James and others that the TIF money needs to be used for the project. It is not going to be of any use if it is not being used for the different events held their. Ms. Faul has requested an event schedule to make sure that 501 is being used for the events.

Mr. James – Update on the Live Well Task Force and encourages more citizens to participate. Bike Tour Sunday October 5, 2008 at 2 pm start at the Whistle Stop, please participate in taking a bike trip to St. Vincent Park and back (9 miles).

The first Dog Park Task meeting was held and went well with a very active group and are touring other Dog Parks in the area. Mr. James informed dog owners that dogs need to be registered with the City (\$3.00) to bring in proof of rabies shot.

Mr. Knowles – feels that the 501 project is a long time coming and is an on-going issue. At its onset, Mr. Knowles had serious issues with its original uses, designs and pricing. But is glad to see Council has come to a much more functional and reasonable priced useable design for the project. Mr. Knowles applauded the people who worked very hard on the project from the business district and Council Member James who led this from the Council's standpoint. The funding issue was a huge issue for Mr. Knowles and did not want it to come from the Park Fund or General Fund. Mr. Knowles expects the business district to uphold their end. The project is not just a drawing, there was a promise of concerts, festivals, parties, etc. that this might be used for and feels that this is what the project is being built for not just for people to have a place to sit. Mr. Knowles hopes that Council can get with the City and business district to work out a good plan for events to bring people to Ferguson and make this an actual investment that does have returns and that does not just sit there.

Mr. Salant – is happy to see the 501 project move forward and feels it is another piece of the puzzle that the City needs to keep Ferguson moving forward and feels it will be well utilized.

Mr. Crecelius – Thanked everyone involved with Streetfest and echoes all of the sentiments that Council has already expressed.

City Manager, John Shaw – echoed comments, commended, and thanked everyone involved with Streetfest, the committee, staff, and every department helped in some way to contribute to its success. Mr. Shaw felt everything ran smoothly and felt that the event went over well and was enjoyed by all.

Mayor Fletcher – Thanked the Fire and Police Departments for their work with Safety Day, complimented the Streetfest committee and everyone involved with Streetfest, it was a wonderful event.

Thanked and commended the Community Emergency Response Team (C.E.R.T.) volunteers for all of their help with the September 14, flooding and in helping guard the Streetfest grounds overnight.

Thanked Council for their support in getting through some of their concerns and their unanimous support in going forward with the 501 S. Florissant project. Mayor is looking forward for Council, FSBD and Staff in working together creating a calendar of events for the site.

ADJOURNMENT

There being no further business to consider, Council Member Knowles, seconded by Council Member Grecco moved to adjourn the meeting. The meeting adjourned at 7:35 p.m.

Brian P. Fletcher - Mayor
City of Ferguson, Missouri

ATTEST:

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