

**FERGUSON CITY COUNCIL
Council Meeting Minutes
October 14, 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 October 14, 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 Hearing Portion at which time you are invited to speak on the specific request or proposal; 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 HEARING - Mayor opened the Public Hearing at 7:00 p.m.

To discuss and consider proposed amendments to Chapter 4 of the Municipal Code pertaining to the requirements for the issuance of a liquor license and suspension and revocation of liquor licenses and to discuss and consider proposed amendments to the zoning code pertaining to special land use permits for establishments located in certain zoning districts which serve alcoholic beverages by the drink for consumption on the premises or sell alcoholic beverages in the original package.

City Manager, John Shaw explained that pursuant to previous discussions with the City Council, a bill was prepared to amend several provisions of the current liquor code.

The major changes included in this amendment include:

- Changing the requirement of a petition to making liquor establishments a Special Use. Therefore, a Public Hearing will be required for any establishment where liquor is served by the drink.
- The addition of language to identify such establishments as nuisances, and thus empower the City to take corrective actions if needed, including the suspension of a liquor license.
- Changes to the provisions under the revocation of liquor licenses, clarifying the circumstances that would call for an establishment to be disciplined (including the nonpayment of taxes or other fees, and acting in way contrary to the new nuisance provisions).
 - With respect to this, a related provision is created to provide for an appeal process for the owner of the establishment.
- Also, the outdated provision requiring a \$10,000 surety bond has been removed as it provided administrative concerns, while not demonstrating a true benefit to the City.

There being no public comments, Mayor closed the Public Hearing at 7:05 p.m.

SPECIAL PRESENTATIONS

PROPOSITION M: METRO - Mr. Sehr who serves as a volunteer with the Transit Alliance, and is a former manager at Metro provided information on Proposition M – which gives more options – more metro link, less traffic and less pollution and moves St. Louis County forward.

PROPOSITION H: FERGUSON POLICE DEPARTMENT - Lieutenant Ray Nabzdyk and Sgt. Bill Mudd provided information on Proposition H, which supports interoperable first responder radio system for St. Louis County.

COMPLETION OF FLORISSANT ROAD, SUBURBAN AVE. AND BROTHERTON LANE - City Engineer, Mr. Tom Weis gave an update on the three major street projects, Florissant Road, Suburban Avenue and Brotherton Lane. All three projects have been closed out with L. Krupp Construction.

PUBLIC COMMENTS

David Conway, 712 Pemberton – concerns and comments regarding young adults cutting through streets, tearing down fences, sitting out in front of his residence and loitering in the neighborhoods.

Council responded that they are aware and attentive of the ongoing problems in that area and are addressing the issues. City Manager's office will speak with Mr. Conway, follow up on the issues, and inform Council of the outcome.

Reshia Holman 420 Shirley Ave. – comments and concerns regarding the recent flooding and problems with MSD. Concerns with the deadline for tree and limb removal from the storm.

Carmen Clemons, 433 Shirley Ave. – comments and concerns regarding the recent flooding and problems with MSD. Concerns with students hanging out not in school during school hours.

Greg Nolde, 613 Pemberton – comments and concerns regarding the recent flooding and problems with MSD. Made Council aware that there are still a lot of tree limbs and debris blocking the creek.

City Manager will inform MSD of the debris in the creek.

There being no further public comments, Mayor Fletcher closed the Public Comments portion at 8:10 p.m.

BUSINESS PORTION
MINUTES

Council Meeting Minutes – September 30, 2008

A motion was made by Council Member Knowles, seconded by Council Member Grecco and carried to approve and receive, the Council Meeting Minutes of September 30, 2008 and file as appropriate.

Council Work Session Minutes – October 7, 2008

A motion was made by Council Member Knowles, seconded by Council Member Grecco and carried to approve and receive, the Council Meeting Work Session Minutes of October 7, 2008 and file as appropriate.

APPOINTMENTS

Motion was made by Council Member James, seconded by Council Member Grecco and carried to appoint, Don Chisholm and Tara Brown, as extra members, on the Dog Park Task Force. Motion carried.

RESOLUTIONS

2008-26 A RESOLUTION SELECTING A BIDDER FOR THE STREET IMPROVEMENT PROJECT 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.

Mr. Shaw explained at the Thursday, September 25th bid opening, Sherrell Construction, Inc. was chosen as the lowest and best bid from a total of nine bids for the Street Improvement Project. Staff recommends that the contract be awarded to Sherrell Construction, Inc. This bid includes street work on Lee Avenue, Patricia Avenue, East Avenue, Oliver Avenue, Adelle Avenue, Adams Street, and Chanslor Avenue (two sections – Scott Ave. to Robert Ave. and Robert Ave. to Thoroughman Ave).

A motion was made by Council Member Knowles, seconded by Council Member James to approve Resolution No. 2008-26. Motion carried.

On roll call vote, the motion carried as follows:

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

NOES: 0

Resolution passes.

2008-27 A RESOLUTION SELECTING A BIDDER FOR THE JESKE PARK GROUNDS RENOVATION PROJECT 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.

Mr. Shaw explained at the Tuesday, September 23rd bid opening for the Jeske Park Grounds Renovation Project, a total of three (3) bids for the project was received. This project was bid for two separate tasks; 1) - vegetation and tree removal and 2) - landscaping. Two bids were received for the removal process and one for the landscaping process.

Staff recommends that the contracts be awarded to Hansen's Tree, Lawn and Landscaping Inc. for the vegetation and tree removal and to A. Waldbart & Son's Nursery for landscaping materials. The bidders were chosen as the lowest and best bids for the projects.

The brush removal is scheduled to begin next week.

A motion was made by Council Member Knowles, seconded by Council Member James to approve Resolution No. 2008-27. Motion carried.

On roll call vote, the motion carried as follows:

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

NOES: 0

Resolution passes.

BILLS REQUIRING SECOND 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.

A motion was made by Council Member Knowles, seconded by Council Member Faul and carried to read Bill No. 6860 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. 6860 was declared passed and sent to the Mayor for signature. Bill No. 6860 thus became Ordinance No. 2008- 3373 and is permanently recorded in Book 30 on page 37.

REQUESTS

Thyme Table Liquor License – Applicant withdrew the Liquor License application at this time.

OLD BUSINESS

None at this time.

MISCELLANEOUS

Mr. Crecelius – reminded everyone of the importance of disaster preparedness. Urged all involved in the flooding to follow up with MSD, send out letters and phone campaigns to your state senator and state representatives. As a group, it will have a much higher effect and return ratio.

Mr. Knowles – re-iterated on contacting MSD and engaging in as many different avenues as possible in order to achieve your goal. Urged in documenting everything to do with the flooding. Please feel free to contact the Council with questions or additional information.

Mr. James – thanked Public Works Department on delivering trash canisters along Florissant Road, the City and business district did a great job. Special thanks to Ann Chisholm who held a summit for the alumni UMSL leadership association, residents across the St. Louis area visited the City. Thanks to City Staff and businesses who opened and gave them a tour. Congratulated Maid-Rite Grand Opening.

Announced Sunday, November 2, 2008 3-5 p.m. in the City Hall Council Chamber - PROUD in partnership with the Senior Citizen Committee will hold a courageous conversation on senior citizens getting organizations and businesses across the St. Louis area, County area, and State organizations to come and speak on how the City can keep senior

citizens in town and how us as children can help our parents, grandparents, aunts and uncles find the resources so they can live a great life for the rest of their years.

Ms. Faul – announced Tree Dedication on October 25, 2008 at 9:00 a.m. – January Wabash Memorial Park. Thanked Staff for including high school student comments and input for the Downtown Vision; Live Well Ferguson meeting - October 29, 2008; Ferguson Kiwanis Pancake Day at the Savoy, Sunday October 26, 2008, 7a.m.-1p.m.; 3rd Annual United Way Chili Cook-off Friday, October 24, 2008 5:30-8:00 p.m. at the Savoy.

Ms. Grecco – announced Flu vaccines will be available at City Hall, October 30, 2008, 9-12 noon, \$30; annual Chili cook-off October 24, 2008; annual free household chemical disposal (paint, thinners, oil, etc.) November 8, 2008, 8 a.m. - 3 p.m. - Florissant Valley Community College. Ammunition, combustible materials and fluorescent light bulbs which contain mercury vapor may also be disposed at the site.

City Manager, John Shaw updated Council of the new trash canisters on Airport Road; the 501 site, former Turner's Custard Stand building was demolished today (10/14/08); new lights were installed in the rear of the City Hall Parking; the January Lake Wall project is underway; the Jeske Park renovation and brush removal is scheduled to begin next week and the Dog Park committee met for a third time, and are very enthused and off to a good start.

Mayor Fletcher - announced 3rd Annual United Way Chili Cook-off Friday, October 24, 2008 5:30-8:00 p.m. Savoy Banquet Center, proceeds benefit the United Way's 2008 campaign, which is the same day as the Fourth of July Committee All You Can Eat Ham & Bean Dinner, October 24, 4-7 p.m. St. Stephen's Episcopal Church; Pumpkin Walk October 31, 2008 and welcomed all kids to visit Mayor's home at 202 S. Elizabeth.

Mayor announced a closed session.

ADJOURNMENT

At 8:35 p.m., a motion was made by Council Member Knowles, seconded by Council Member James, to enter into closed session in accordance with RSMo 610.021/610.022 Section(s) (1) (2) (9) and (13). Motion carried.

Having concluded the closed session at 9:20 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.

There being no further business to consider, Council Member Knowles, seconded by Council Member Salant moved to adjourn the meeting. The meeting adjourned at 9: 20 p.m.

Brian P. Fletcher – Mayor
City of Ferguson, Missouri

ATTEST:

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