

**FERGUSON CITY COUNCIL
Council Meeting Minutes
November 18, 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 November 18, 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

Ms. Brooks declared a quorum was present.

Also present were City Manager John Shaw, City Attorney Stephanie Karr and Deputy City Clerk Sonya Brooks.

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

Mr. Allen Schulte of Botz, Deal and Company provided an update on the recently completed audit process and gave a status report on the official report and Comprehensive Annual Financial Report (CAFR).

Veterinarians Daniel S. & Julie A. Wentz. Mayor provided background information on the City's canine unit and the services provided by Veterinarians Daniel & Julie Wentz. Mayor Fletcher presented a plaque to Dr. Daniel Wentz who was in attendance. Officer Casem also presented a picture of Dan O' to Dr. Daniel Wentz from the City.

PUBLIC COMMENTS

There being no public comments, Mayor Fletcher closed the Public Comments portion at 7:10 p.m.

BUSINESS PORTION **MINUTES**

Council Meeting Minutes – October 28, 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 October 28, 2008 and file as appropriate.

CONSENT AGENDA

Minutes

Pension Board Meeting Minutes – October 27, 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 Neighborhood Improvement Program (FNIP) Minutes – September 22, 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 – September 18, 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 Public Library Minutes – September 15, 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.

Pension Board Meeting Minutes – July 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.

APPOINTMENTS

None at this time.

REQUESTS

Liquor License – the addition of a wine tasting liquor license at Paul's Food Market, 1020 N. Elizabeth. Applicants Gary and Tracy Crump.

A motion was made by Council Member Knowles, seconded by Council Member James and carried to approve the addition of a wine tasting liquor license, with the condition the liquor license is for wine tasting only, at Paul's Food Market at 1020 N. Elizabeth. Motion carried with Mayor Fletcher abstaining. Mayor Fletcher abstained his brother is employed at Paul's Market.

A request to cancel the December 23, 2008 Council Meeting due to the Holiday.

A motion was made by Council Member Faul, seconded by Council Member Grecco and carried to cancel the December 23, 2008 Council Meeting due to the Holiday. Motion carried.

RESOLUTIONS

A motion was made by Council Member Knowles, seconded by Council Member James to approve Resolution No. 2008-29. Motion carried.

2008-29 A RESOLUTION TO HOLD AN ELECTION ON TUESDAY, APRIL 7, 2009 IN THE CITY OF FERGUSON, MISSOURI, FOR ELECTING THREE COUNCIL MEMBERS, ONE FROM EACH WARD, was introduced by Council as a whole and read by City Attorney, Stephanie Karr.

On roll call vote, the motion carried as follows:

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

NOES: 0

Resolution passes.

A motion was made by Council Member Knowles, seconded by Council Member James to approve Resolution No. 2008-30. Motion carried.

2008-30 A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT ON BEHALF OF THE CITY TO PROVIDE SNOW

REMOVAL SERVICE TO THE VILLAGE OF BEL-NOR, was introduced by Council as a whole and read by City Attorney, Stephanie Karr.

On roll call vote, the motion carried as follows:

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

NOES: 0

Resolution passes.

A motion was made by Council Member Knowles, seconded by Council Member Faul to approve Resolution No. 2008-31. Motion carried.

2008-31 A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT ON BEHALF OF THE CITY TO PROVIDE SNOW REMOVAL SERVICE TO THE CITY OF GREENDALE, was introduced by Council as a whole and read by City Attorney, Stephanie Karr.

On roll call vote, the motion carried as follows:

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

NOES: 0

Resolution passes.

A motion was made by Council Member Knowles, seconded by Council Member James to approve Resolution No. 2008-32. Motion carried.

2008-32 A RESOLUTION APPROVING A RECORD PLAT CONSOLIDATING THREE PARCELS, 800 CHAMBERS ROAD, 10 N. HARTNETT AVENUE, AND 831 CERNICEK LANE, INTO ONE LOT TO BE KNOWN AND NUMBERED AS 800 CHAMBERS ROAD, was introduced by Council as a whole and read by City Attorney, Stephanie Karr.

City Manager, John Shaw explained that in March 2008 the applicant was granted a Special Use Permit for the purpose of constructing and operating a new nursing home with an inpatient outpatient medical clinic as an accessory use and in order to continue with the development of the new nursing home the applicant was encouraged to consolidate 800 Chambers Road and 10 N. Hartnett Avenue into a single parcel. The applicant decided to include 831 Cernicek Lane and consolidate all three pieces of properties into one parcel. However, while reviewing the consolidation plat staff noticed that one of the properties was zoned R-1D, while the remaining two properties were zoned R-3. Since technically a lot can exist within two different zoning districts, staff decided, after discussing the discrepancy with the City Attorney and the applicant, to implement a City initiated rezoning of

831 Cernicek Lane, in order to have consistent zoning for the consolidated parcel.

On roll call vote, the motion carried as follows:

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

NOES: 0

Resolution passes.

A motion was made by Council Member Knowles, seconded by Council Member James to approve Resolution No. 2008-33. Motion carried.

2008-33 A RESOLUTION APPROVING A RECORD PLAT SUBDIVIDING A 30,020 SQ. FT. PARCEL OF LAND, LOCATED AT 402 S. FLORISSANT ROAD, INTO TWO SEPARATE PARCELS, was introduced by Council as a whole and read by City Attorney, Stephanie Karr.

City Manager, John Shaw explained that on October 1, the City entered into a contract to purchase two properties with the expectation that they would be used for public parking for the Downtown Business District.

One of the properties will be the rear portion of 402 S. Florissant Road (Meineke site), which is zoned DB-2. In order to meet the minimal lot size requirements, the rear portion of 402 S. Florissant Road needs to be rezoned from DB-2 to R-2 and subdivided to create a lot that can be purchased by the City for a parking lot. Andy Wurm Tire Company is the current property owner and had originally consolidated separate residential parcels to form 402 S. Florissant.

On roll call vote, the motion carried as follows:

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

NOES: 0

Resolution passes.

A motion was made by Council Member Knowles, seconded by Council Member Faul to approve Resolution No. 2008-34. Motion carried.

2008-34 A RESOLUTION APPOINTING UMB ASSET MANAGEMENT AS AN INVESTMENT MANAGER FOR THE CITY OF FERGUSON PENSION PLAN, was introduced by Council as a whole and read by City Attorney, Stephanie Karr.

City Manager, John Shaw explained that this resolution authorizes UMB to take over as the sole investment manager for the Pension Plan. Historically, UMB has performed well with their portion of the pension fund assets, and consolidating fund management into one firm makes financial sense. It is important to note, the City will save about \$20,000 annually in fees by using UMB Bank as the sole manager of the pension funds.

On roll call vote, the motion carried as follows:

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

NOES: 0

Resolution passes.

BILLS REQUIRING FIRST READINGS

BILL NO. 6863 AN ORDINANCE OF THE CITY OF FERGUSON, MISSOURI AMENDING THE ZONING MAP TO REFLECT A CHANGE IN THE ZONING CLASSIFICATION FROM, DB-2, DOWNTOWN AREA BUSINESS DISTRICT, TO R-2, TWO-FAMILY RESIDENTIAL DISTRICT, FOR LOT #2, THE NEWLY CREATED PARCEL PRODUCED FROM THE SUBDIVISION AT 402 S. FLORISSANT ROAD, was introduced by Council as a whole and read the first time.

BILL NO. 6864 AN ORDINANCE OF THE CITY OF FERGUSON, MISSOURI AMENDING THE ZONING MAP TO REFLECT A CHANGE IN THE ZONING CLASSIFICATION FROM R-1C, SINGLE FAMILY RESIDENTIAL DISTRICT TO R-3, MULTI-FAMILY RESIDENTIAL DISTRICT FOR THE PROPERTY LOCATED AT 831 CERNICEK LANE, was introduced by Council as a whole and read the first time.

BILLS REQUIRING SECOND READINGS

BILL NO. 6861 - AN ORDINANCE REPEALING ORDINANCE 2008-3355 AND PROVIDING FOR THE ACCEPTANCE BY THE CITY OF FERGUSON OF CERTAIN RIGHT-OF-WAY FROM THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION WHICH CONSISTS OF PORTIONS OF FLORISSANT ROAD, was introduced by Council Members present and read the first time.

Mayor commented that he voted against an earlier Bill because of concerns about future costs for the City and Mayor will not support Bill NO. 6861.

A motion was made by Council Member Knowles, seconded by Council Member James and carried to read Bill No. 6861 a second time and place it upon its passage.

On roll call vote, the motion carried as follows:

AYES: 6 – Grecco, Crecelius, Salant, Knowles, James, Faul

NOES: 1 – Mayor Fletcher

Bill No. 6861 was declared passed and sent to the Mayor for signature. Bill No. 6861 thus became Ordinance No. 2008-3374 and is permanently recorded in Book 30 on page 38.

BILL NO. 6862 – AN ORDINANCE AMENDING ARTICLE I OF CHAPTER 40 OF THE MUNICIPAL CODE BY THE ENACTMENT OF A NEW SECTION 40-8 RELATING TO THE CITY'S "COMPLETE STREETS" POLICY, was introduced by Council Member Dwayne T. James and read the first time.

A motion was made by Council Member James, seconded by Council Member Faul and carried to read Bill No. 6862 a second time and place it upon its passage.

On roll call vote, the motion carried as follows:

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

NOES: 0

Bill No. 6862 was declared passed and sent to the Mayor for signature. Bill No. 6862 thus became Ordinance No. 2008-3375 and is permanently recorded in Book 30 on page 39.

OLD BUSINESS

Mr. Shaw updated Council on the following:

2+2 Program

Mr. Shaw feels that the meetings with the 2+2 Program between the City and the Ferguson-Florissant School District has gone tremendously well. A lot of ideas have been generated and have definitely increased our level of cooperation, and continue to strengthen our relationship with the School District. A few of the items that have been credited as a result of this relationship include the (1) the School District's funding of our School Resource Officer, (2) the greater cooperation and cross-promotional efforts of School District and City activities (Public Relations Specialist Beth von Behren has

been working more and more with the School District on projects and events), (3) the participation of students from McCluer South Berkeley in the City's Downtown Strategic Visioning Process, (4) offering of EMT assistance at football games, (5) participation in their events such as their Car Show and the Festival of the Young Child, and (6) the Parks Department began the swimming lessons at McCluer South Berkeley, which were filled at 24 swimmers. Began the lap swim after the lessons, had three participants, and have received a number of other inquiries, which we believe will add to that number.

Mr. Shaw also commented there has been discussion of the current Plaza Heights Initiative, and how the City can work with the School District to battle truancy and issues with suspended students. Additional ideas have been generated and Mr. Shaw feels it is great that these are turning into actions.

Downtown Vision Update

Planning and Development Director, Rosalind Williams updated the Council on the Downtown Vision Update process. Ms. Williams explained the different focus groups, their discussions and ideas, which are being used to determine the strategic strategy in developing the goals and action steps. Ms. Williams invited everyone to the next Open House on December 17th at 6:00 p.m. in the Council Chamber.

January Lake Wall Repair

Mr. Shaw explained that the repair work has been completed on the January Wabash Park lake wall as well as the addition of a new fountain and aerator. The work went very smoothly, and is happy with the finished product. Pleased to say that this amount falls well below the budgeted amount, and are looking for additional assistance from the original engineer on the project, that may increase our savings even more.

Molly Rockamann and co-founder of Earth Dance, Colleen Wilson thanked the City and City Council for their support of Earth Dance and their Pesto Festo event, which was a success. The event introduced new people to the Ferguson area. Ms. Rockamann further shared with Council the group's plans and efforts going forward.

MISCELLANEOUS

Mr. Crecelius – Wished everyone Happy Holidays. Encouraged everyone to be safe and take care of your loved ones.

Mr. Salant – Wished everyone a happy and safe holiday. Looking forward to seeing the new fire trucks arrive in the City.

Mr. Knowles – Congratulated Molly Rockamann on a great job with Pesto Festo. Thanked Council for allowing him the opportunity to attend the National League of Cities Conference. Mr. Knowles felt it was a great experience and very impressive.

Mrs. Faul – Thanked Molly Rockamann and Colleen Wilson for their efforts with Pesto Festo. Mrs. Faul reminded everyone of the next Live Well Ferguson meeting which will be held on December 3, 2008 in the Council Chamber.

Ms. Grecco – Wished everyone a safe and happy holiday. Encouraged residents to attend Northern Lights on November 30, 2008.

Ms. Grecco – Thanked Dr. Daniel and Julie Wentz for the great care of the City's animals and canine unit.

Ms. Grecco – Gave Kudos to the Public Works Department on the new and improved Jeske Park.

Ms. Grecco – Thanked Molly Rockamann for her great presentation.

Mr. Shaw – Thanked Council for the opportunity to attend the National League of Cities Conference.

Mr. Shaw – stated that residents can visit the City's website for information on flood assistance through FEMA. Mr. Shaw shared contact information: 800-621-3362 or visit www.fema.gov and, to avoid any confusion, suggested residents inform the operator that Ferguson is in St. Louis County.

Mr. Shaw – shared that the City will be participating in the AMEREN UE Thanksgiving Day Parade.

Mayor Fletcher – further praised Pesto Festo on its tremendous success. Wished the group well in its future endeavors.

Mayor Fletcher – encouraged residents to participate in the Northern Lights celebration, November 30, 2008 and shared the day's schedule of events.

ADJOURNMENT

At 7:50 p.m., a motion was made by Council Member Knowles, seconded by Council Member Salant, to enter into closed session in accordance with RSMo 610.021/610.022 Section(s) (1) (9) and (14). Motion carried.

Having concluded the closed session at 8:22 p.m. a motion was made by Council Member Knowles, seconded by Council Member Faul 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 Faul moved to adjourn the meeting. The meeting adjourned at 8:22 p.m.

Brian P. Fletcher – Mayor
City of Ferguson, Missouri

ATTEST:

Sonya Brooks – Deputy City Clerk
City of Ferguson, Missouri