

**FERGUSON CITY COUNCIL
Council Meeting Minutes
March 24, 2009**

**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 24, 2009 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 (ABSENT)
James W. Knowles, III
Dwayne James
Peggy Faul
Fran Grecco

Ms. Matthies declared a quorum was present.

Council Member Salant was an 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 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.

SPECIAL PRESENTATIONS

METRO Transit Services – Director of Communications, Dianne H. Williams gave an update on METRO's service reduction, which will happen, on March 30, 2009 and how it will affect Ferguson, and North St. Louis County as a whole.

PUBLIC COMMENTS

General Manager, Jeff Houran of Ferguson Roofing Company, a 70-year-old family owned company, started 1939 in Ferguson. Mr. Houran read about the City's initiative to save energy and the 25% reduction by the year 2010. Mr. Houran thought about ways to affiliate Ferguson Roofing with the City on their 70-year anniversary by giving something back to the community that originally started their company and gave them their name.

Mr. Houran presented and discussed a flyer that would be mailed to Ferguson residents where Ferguson Roofing would offer a discounted service. From any sales, Ferguson Roofing would donate 10% up to \$25.00 of each contract back to the City of Ferguson to use towards energy research.

Mr. Houran feels that by allowing their company, in no way financially, to affiliate themselves with the City will also help the City fulfill their goals in looking to reduce energy consumption. Mr. Houran then discussed the use of the City logo and annual donations.

Council appreciates Ferguson Roofing having a long history with the City and does want to work with their company regarding the Ferguson discount, but has concerns with the use of the Ferguson Logo and some wording in the flyer.

Council Member Crecelius had concerns with wording and suggested using the wording *Ferguson Roofing supports the City of Ferguson in their energy conservation* rather than saying *partnered with the City*.

Mayor further commented that the City does not lend out their Logo and Council recommends removal of the Logo on the flyer.

Council discussed and agreed that Ferguson Roofing is not to use the Ferguson Logo and an annual donation/contribution be made to the Ferguson Neighborhood Improvement Program (FNIP), which helps low-

income people with resources to do improvements to their homes that they might not otherwise be able to do in lieu of donations to the City. Council Member James commented that once the City comes up with a 5-year plan of trying to reduce energy, there will be some cost implications towards it so he is not totally against the idea of donations coming to the City to go towards helping with the initiative.

Mr. Houran agreed to see how this year goes and revisit it again next year. Mr. Houran also mentioned the possibility of using it towards solar panels on streetlights, so the lights are no longer running on energy.

Mr. Houran agreed to removing the City Logo and the donation to the FNIP and as the City progresses forward with its 5-year plan revisit it again next year. Mr. Houran thanked Council for their consideration. Council thanked Mr. Houran.

Mayor Fletcher closed the Public Comments portion at 7:25 p.m.

BUSINESS PORTION

MINUTES

Council Meeting Minutes – March 10, 2009. A motion was made by Council Member Knowles, seconded by Council Member Grecco and carried to approve and receive, the Council Meeting Minutes of March 10, 2009 and file as appropriate. Motion carried.

CONSENT AGENDA

Minutes

Senior Citizens Commission Minutes – March 12, 2009. A motion was made by Council Member Knowles, seconded by Council Member Faul and carried to receive the Senior Citizens Commission Minutes as presented and file as appropriate. Motion carried.

Council Member Faul explained the Park Board's recommendations to erect a memorial in memory of Dave Smith in the form of a lighthouse on January Wabash Memorial Park Lake Island. The memorial will be funded by a trust fund, separate from the City, to take donations for the memorial. Motion passed voice vote 7-0, with more information to follow.

Park Board Minutes – February 17, 2009 *w/recommendations*. A motion was made by Council Member Knowles, seconded by Council Member

Faul and carried to receive the Park Board Minutes w/recommendations as presented and file as appropriate. Motion carried.

Ferguson Municipal Public Library Minutes – January 26, 2009. A motion was made by Council Member Knowles, seconded by Council Member Faul and carried to receive the Library Minutes as presented and file as appropriate. Motion carried.

Ferguson Special Business District (FSBD) Minutes – February 19, 2009. A motion was made by Council Member Knowles, seconded by Council Member Faul and carried to receive the FSBD Minutes as presented and file as appropriate. Motion carried.

APPOINTMENTS

Mayor Fletcher appointed Stan Caldwell to the Senior Citizens Commission.

PROCLAMATION

Arbor Day – April 3, 2009 was read by Mayor Brian P. Fletcher.

RESOLUTIONS

A motion was made by Council Member Knowles, seconded by Council Member James and carried to approve Resolution No. 2009-04. Motion carried.

2009-04 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FERGUSON ESTIMATING NONBINDING PROJECTED TAX RATES PURSUANT TO SECTIONS 137.180 AND 137.243 R.S.MO., was introduced by Council Members present and read the first time.

City Manager, John Shaw explained this year, all political subdivisions within any county with a charter form of government (including St. Louis County and St. Charles County), must establish a nonbinding projected tax rate and provide notice of that rate to the County by April 8, 2009. The projected tax rates are needed because the County Assessor is under the new obligation to provide written notice to property owners of the projected tax liability relative to the owner's property.

City Attorney, Stephanie Karr commented the taxes will probably change quite a bit because they are preliminary and since it is a

reassessment year there is going to be a lot of board of equalization action starting around April/May.

Mayor commented that the St. Louis County website does have the assessments for this year. Mayor believes you can appeal after the mailing goes out sometime early May.

Council Member Knowles commented it is important that people realize there are over a dozen different taxing districts on your property tax, so keep that in mind, the City is only one small part of it.

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 FIRST READINGS

BILL NO. 6876 AN ORDINANCE AFFIRMING ADOPTION OF A REDEVELOPMENT PLAN, REDEVELOPMENT AREA, REDEVELOPMENT PROJECT; AUTHORIZING THE EXECUTION OF A REDEVELOPMENT AGREEMENT BETWEEN THE CITY AND MIKE LONERO RELATIVE TO PROPERTY AT 423 S. FLORISSANT ROAD; PRESCRIBING THE FORM AND DETAILS OF SAID AGREEMENT; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AUTHORIZING OTHER RELATED ACTIONS IN CONNECTION WITH THE REDEVELOPMENT OF CERTAIN PROPERTY WITHIN THE REDEVELOPMENT AREA; AND CONTAINING A SEVERABILITY CLAUSE, was introduced by Council Members present and read the first time.

City Manager, John Shaw explained that Bill No. 6876 creates a redevelopment agreement between the City of Ferguson and Mike Lonero for the establishment of a Wine Bar at 423 S. Florissant Road. The total amount of funding from the Downtown TIF is \$13,000. The requirements from the City include a 3-year commitment with a prorated payback of the grant if the business does not remain open, and in compliance with design standards.

BILL NO. 6877 AN ORDINANCE AMENDING SECTION 44.85 OF THE CODE OF ORDINANCES FOR THE CITY OF FERGUSON RELATING TO DRIVING ON THE RIGHT SIDE OF ROADWAYS, was introduced by Council Members present and read the first time.

City Manager, John Shaw explained the state statute was amended in 2008 and contains largely the same provisions. However, the most notable change of the newly amended state statute is the restriction on trucks with a gross weight of forty-eight thousand (48,000) pounds or more from traveling in the left lane. Specifically, such trucks may not travel in the left or "fast" lane of urban divided highways with three or more lanes. It is relevant to the City of Ferguson because of Interstate 270 and the law may also apply to three-lane divided sections (turn lanes) of Florissant Road.

Therefore, the Ordinance has been prepared to amend Section 44.85 of the City Code to reflect the new legislation.

BILL NO. 6878 AN ORDINANCE TO AUTHORIZE THE CITY MANAGER TO APPLY FOR FEDERAL FINANCIAL ASSISTANCE ON BEHALF OF THE CITY OF FERGUSON AND TO EXECUTE ANY CONTRACT(S) RESULTING FROM SUCH APPLICATION FOR ANY GRANTS BETWEEN THE CITY OF FERGUSON AND THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION PROVIDING FOR CAPITAL, OPERATING, AND/OR MARKETING ASSISTANCE, COMPRISED OF FEDERAL FUNDS TO BE EXPENDED FOR COMMISSION-APPROVED TRANSIT PROJECTS, was introduced by Council Members present and read the first time.

City Manager, John Shaw explained the current Jolly Trolley was purchased in November 2003 and has 107,989 miles and has recently experienced numerous problems and has incurred a considerable amount of labor from the City mechanics in the last year.

The transportation program is for Ferguson senior citizens at least 60 years old or residents with a disability. The van is also used for special events and programs, including but not limited to: Gala Dance, parades, Holiday Home Decorating Contest, Landmarks Tour, Park Board Tour, teen excursions and neighborhood association activities. The program is in its 20th year of playing an active role in the lives of many Ferguson residents.

This Ordinance would authorize Staff to apply for another Trolley through #5309 Federal Capital Assistance Grant. The cost of the vehicle is \$52,689; with the grant paying \$42,151 in federal funds and \$10,538 in local funds.

Council Member Knowles questioned if local funds would count if the City were able to raise some money from sponsors, etc.

Mr. Shaw commented that the City could choose however they wanted to pay that amount.

BILLS REQUIRING SECOND READINGS

Mayor Fletcher explained that Bill No. 6875 allows the City to buy certain properties from St. Louis County for a fee of \$27.00. In 2006 the City bought six properties where a developer constructed new homes in Southwest Ferguson. These properties will be earmarked for different uses.

A motion was made by Council Member Knowles, seconded by Council Member Faul and carried to read Bill No. 6875 a second time and place it upon its passage. Motion carried.

BILL NO. 6875 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FERGUSON, MISSOURI, ON BEHALF OF THE CITY TO ACCEPT FOR CITY DEVELOPMENT AND BEAUTIFICATION, REAL PROPERTIES IDENTIFIED AS LOCATOR NUMBERS 11H520748, 12J241991, 12J241827, 12J540302, HELD IN TRUST BY THE TRUSTEE OF ST. LOUIS COUNTY. A FEE OF \$27.00 (TWENTY SEVEN DOLLARS), PER PROPERTY, TO COVER THE RECORDING OF THE DEED IS REQUIRED, was introduced by Council Members present and read the first time.

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. 6875 was declared passed and sent to the Mayor for signature. Bill No. 6875 thus became Ordinance No. 2009-3388 and is permanently recorded in Book 31 page 2.

OLD BUSINESS

Council Member Knowles questioned if Staff has put together earmarks for the stimulus package and gave Staff credit for putting it together in three days.

City Manager, John Shaw explained Staff is waiting to hear back from Senator Bond's office and every department is monitoring stimulus related websites to seize any opportunities that present themselves.

MISCELLANEOUS

Ms. Grecco urges everyone to vote on April 7, 2009.

Ms. Faul reminded everyone of the Kiwanis Prayer Breakfast on April 8, 2009, 7:00 a.m. at the Savoy, tickets may be purchased from any Kiwanis members or call City Hall. Also, there is a group registered for the Go St. Louis 5K run, April 18, 2009 and will be representing Live Well Ferguson, anyone is welcome to register by contacting Ms. Faul through City Hall.

Mr. Knowles – thanked everyone who attended the First Presbyterian's Spaghetti supper and to vote on April 7, 2009.

Mr. Crecelius – urges everyone to vote on April 7, 2009 and challenges everyone to be an educated voter by learning about the issues, who you want to represent you and whether or not the Propositions on the ballot are in the best interest of the community at heart, not just the surface level of whether or not it is something that will help you.

Mr. Shaw reported that he and Public Works Director, Terry O'Neil attended a half-day seminar on energy efficiency by Ameren UE. Both found the seminar to be very interesting and worthwhile, as Staff begins to work through some suggestions outlined in the Environmental Ordinance and overall Budget concerns.

Mayor commented that he was contacted by a resident who works with Boeing who has an organization called Build Together, which takes an individual who needs assistance with home repairs, etc. On the first Saturday in May, there are working on a home on Renshaw, if interested in volunteering with painting, yard work, etc. please contact Mayor Fletcher.

Stream Clean – Saturday, March 28, 2009 meet at Ferguson Ave. by the Public Works Garage.

Second Annual Adult Easter Egg Hunt – Friday, April 3, 2009 - \$3.50 residents, \$5.00 non-residents - need to register – Mayor attended last year and found it to be a lot of fun.

Mayor announced the closed session scheduled is postponed to March 31, 2009.

There being no further business to consider, a motion was made by Council Member Knowles, seconded by Council Member Grecco and carried to adjourn the meeting. The meeting adjourned at 7:50 p.m.

Brian P. Fletcher – Mayor
City of Ferguson, Missouri

ATTEST:

Deborah Matthies – City Clerk
City of Ferguson, Missouri