

**FERGUSON CITY COUNCIL
Council Meeting Minutes
OUT-GOING/IN-COMING COUNCIL
April 21, 2009**

**COUNCIL MEETING, 7:00 P.M.
CITY HALL - 110 CHURCH STREET**

OUT-GOING COUNCIL MEETING

The out-going Council meeting of the Ferguson City Council was called to order at 7:00 p.m. on April 21, 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
James W. Knowles, III
Dwayne James
Peggy Faul
Fran Grecco

Ms. 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 there will be two portions of the meeting. The first Council meeting would be for the Out-Going Council, 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. The second portion of the Council meeting would be for the In-Coming Council, Public Portion and Business Portion.

Mayor announced a Reception at the end of the meeting honoring the elected officials, and everyone is welcome to stay and participate - compliments of United Missouri Bank of Ferguson.

PUBLIC HEARINGS

Mayor opened the Public Hearing at 7:00 p.m.

Jolley Trolley Grant – a project partially funded by the Missouri Department of Transportation and the Federal Transit Administration, pursuant to Section 5309, for the purchase of one van accommodating 16 passengers and a lift for two wheelchairs.

City Manager, John Shaw explained the Public Hearing is a requirement for the grant for a new Jolley Trolley, which goes along with the Second Reading of the related Ordinance. The current Jolly Trolley was purchased in November 2003 and has 107,989 miles. The van was purchased with an 80-20 (80% Federal funds 20% City funds) # 5309 Capital Assistance Grant through MoDOT. MoDOT recommends that the van be replaced after 100,000 miles.

Staff recommends applying for another Trolley through the #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.

Mayor closed the Public Hearing at 7:05 p.m.

Mayor opened the Public Hearing at 7:05 p.m.

Fielder's Choice Sports Bar - Special Use Permit - to operate Fielder's Choice Sports Bar located at 9260 W. Florissant Ave. The proposed site is zoned C-1, General Commercial District, and a sports bar is a Special Use.

City Manager, John Shaw explained that on February 24, 2009, Mr. David Wright contacted City Staff about the possibility of opening a sports bar at 9260 W. Florissant Avenue. After reviewing the zoning request, Staff determined that the proposed use would require both a Special Use Permit and Liquor License.

On February 26, 2009, the applicant/owner submitted a Special Use Permit application to operate a bar & grill at 9260 W. Florissant Avenue. Applicant, Dave Wright was present for questions.

Mayor closed the Public Hearing at 7:08 p.m.

SPECIAL PRESENTATIONS

Live Well Ferguson - Sunday Parkways

Mr. Phil Valko of TrailNet provided an update on LiveWell Ferguson. Community resident and Chair of the Sunday Parkways Committee, Gerry Noll, introduced and explained the Sunday Parkways event being planned for Sunday August 23, September 27 and October 25, 2009.

Council also extended thanks to Emerson for its participation.

Council Member James is very excited and commented Ferguson will be the first City in Missouri to hold this type of event and feels if people can be drawn to Ferguson, it will be huge.

Council Member Faul is excited on how Forestwood Neighborhood is also very excited about this event coming to their beautiful neighborhood and feels it will be a showcase for Ferguson as well.

UMB Bank – UMB Ferguson Branch Banking Center Manager, Marni Sorricks and Senior Vice President for Retail Banking, Gail Sneed talked briefly on the past and future relationship of UMB and the City of Ferguson and thanked the City for its business and partnership over the years.

Council thanked UMB.

PUBLIC COMMENTS

There being no Public Comments Mayor Fletcher closed the Public Comments portion at 7:30 p.m.

BUSINESS PORTION

MINUTES

Council Meeting Minutes – March 24, 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 24, 2009 and file as appropriate. Motion carried.

PROCLAMATION

North County Chamber Business Person of the Year 2008 - Dr. Robyn Lawrence was read by Mayor Fletcher. Mayor congratulated Dr. Lawrence and will present the Proclamation to Dr. Lawrence at a special luncheon on Wednesday April 22, 2009.

BILLS REQUIRING FIRST READINGS

BILL NO. 6879 AN ORDINANCE OF THE CITY OF FERGUSON, MISSOURI GRANTING A SPECIAL USE PERMIT FOR THE PROPERTY LOCATED AT 9260 W. FLORISSANT AVENUE SUBJECT TO THE CONDITIONS, RESTRICTIONS AND REQUIREMENTS SET FORTH HEREIN, was introduced by Council as a whole and read the first time.

BILL NO. 6880 AN ORDINANCE AMENDING DIVISION 3 (ENTITLED "HOTELS, MOTELS, BOARDINGHOUSES AND PRIVATE CLUBS") OF ARTICLE II OF CHAPTER 42 PERTAINING TO BUSINESS LICENSES FOR SUCH BUSINESSES, was introduced by Council as a whole and read the first time.

City Manager, John Shaw explained that Bills No. 6880, 6881, and 6882 are all in conjunction with the voter-approved Proposition A, increasing the landlord license fees to \$50. The Bills are amendments to existing codes.

Council Member Knowles suggested, in the future, having amendments highlighted on all Ordinances, Council agreed.

BILL NO. 6881 AN ORDINANCE AMENDING PROVISIONS OF DIVISION 4 OF ARTICLE II OF CHAPTER 42 RELATING TO BUSINESS LICENSES FOR RESIDENTIAL RENTAL REAL ESTATE, was introduced by Council as a whole and read the first time.

BILL NO. 6882 AN ORDINANCE AMENDING PROVISIONS OF ARTICLE II OF CHAPTER 25 RELATING TO REQUIREMENTS FOR RESIDENTIAL RENTAL REAL ESTATE, 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 Grecco and carried to read Bill No. 6876 a second time and place it upon its passage. Motion carried.

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.

On roll call vote, the motion carried as follows:

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

Bill No. 6876 was declared passed and sent to the Mayor for signature. Bill No. 6876 thus became Ordinance No. 2009-3389 and is permanently recorded in Book 31 page 3.

Council congratulated owner, Mike Lonero.

A motion was made by Council Member Knowles, seconded by Council Member James and carried to read Bill No. 6877 a second time and place it upon its passage. Motion carried.

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.

On roll call vote, the motion carried as follows:

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

Bill No. 6877 was declared passed and sent to the Mayor for signature. Bill No. 6877 thus became Ordinance No. 2009-3390 and is permanently recorded in Book 31 page 4.

A motion was made by Council Member Knowles, seconded by Council Member James and carried to read Bill No. 6878 a second time and place it upon its passage. Motion carried.

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.

On roll call vote, the motion carried as follows:

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

Bill No. 6878 was declared passed and sent to the Mayor for signature. Bill No. 6878 thus became Ordinance No. 2009-3391 and is permanently recorded in Book 31 page 5.

CERTIFICATION OF APRIL 7, 2009 ELECTION RESULTS

The results of the April 7, 2009 election were presented and Council Members present certified the Election results. Mayor read the results:

Ward 1 - **Frances E. Fran Grecco – 372**, Jeffery T. Appel – 142, Invalid write-in votes – 2.

Ward 2 – Nick Kasoff – 168, **James W. Knowles, III – 402**, Christopher Jaurigui – 65, Invalid write-in votes – 2.

Ward 3 – **Kynan S. Crecelius – 147**, Invalid write-in votes – 4.

Mayor commented that the write-in votes were invalid because no one registered as a write-in participant.

Mayor announced Prop A passed. PROPOSITION A - Shall the City increase the current annual business license fee on owners of rental property (landlords) to \$50.00 per dwelling unit? **YES-799** NO-562

ADJOURNMENT- SINE DIE

A motion was made by Council Member Knowles, seconded by Council Member Grecco and carried to adjourn sine die at 7:45 p.m. Motion carried.

IN-COMING COUNCIL MEETING

The in-coming Council meeting of the Ferguson City Council was called to order at 7:45 p.m. on April 21, 2009 by Mayor, Brian P. Fletcher, in the Council Chamber of City Hall, 110 Church Street, Ferguson, Missouri.

OATH OF OFFICE

City Clerk, Deborah Matthies administered the Oath of Office to the re-elected Council Members Grecco, Knowles and Crecelius.

Council congratulated the re-elected Council Members.

On roll call, the following Council Members were present:

Mayor Brian P. Fletcher
Kynan S. Crecelius
Michael Salant
James W. Knowles III
Dwayne T. James
Peggy Faul
Fran Grecco

Ms. Matthies declared a quorum was present.

Also present were City Manager, John Shaw, City Attorney, Stephanie Karr and City Clerk, Deborah Matthies.

PUBLIC COMMENTS

Stan Caldwell – commented that he (and wife, Margaret) have lived in Ferguson since 1940 and he feels, as did Margaret, this is one of the best City Council's the City has had. Margaret loved Ferguson and its residents and he wished she could have seen the next few years. Ferguson is a good place to live, the best.

There being no further public comments, the Mayor closed the Public Comment Portion at 7:50 p.m.

BUSINESS PORTION

ELECTION OF MAYOR PRO-TEM

A motion was made by Council Member Grecco, seconded by Council Member Knowles and carried to nominate Council Member Faul, as Mayor Pro-Tem. Motion carried.

A motion was made by Council Member Knowles, seconded by Council Member James and carried to accept Council Member Faul's nomination by acclamation. Motion carried.

Council congratulated Council Member Faul.

APPOINTMENTS

There is no change in Council Representatives to Boards and Commissions.

OLD BUSINESS

501 S. Florissant Road Update – Mayor explained that the project is located at the corner of Suburban and Florissant Road, formally the old Turner custard stand. In addition, the City acquired two additional properties directly behind the area, for the purpose of an outdoor plaza, concert area and multi-purpose use. The funding has been authorized by the Council and the City is waiting for MSD approval of construction.

Mr. Shaw commented that MSD is in the process of reviewing, and the City did receive approval from DNR.

Council Member James commented that three names have been selected for the Dog Park. A contest will be held to select the Dog Park name held at three different locations. They are accepting pennies,

coins as a vote and the money will be donated towards a dog rescue organization. Locations have been published in The Ferguson Times. Hopefully, the Dog Park grand opening will be held on July 4.

MISCELLANEOUS

Mr. Crecelius – congratulated Council Members Knowles and Grecco on their re-election and looks forward to working with Council.

Mr. Salant – congratulated Council Members Crecelius, Knowles and Grecco on their re-election. Feels the City is looking good with the lights on Suburban and the new Dog Park, lot of positives for Ferguson.

Mr. Knowles – reminded everyone of Splash sign-ups for pass holders, encourages everyone that it is inexpensive entertainment for this tough economic time and it helps the City. Congratulated Council Members Crecelius and Grecco on their re-election. Thanked everyone involved with his campaign and for the support of the residents and the community. During his campaign, knocking on doors, Mr. Knowles enjoyed speaking with residents. There were issues brought to his attention that hopefully can be addressed over the next three years. Thanked everyone for the support.

Mr. James – congratulated Council Members Knowles, Crecelius and Grecco on their re-election and looks forward to working with them. Thanked Phil and Gerry (TrailNet) for their presentation. Thanked Stan Caldwell for bringing his plans and ideas to Council. Thanked Council Member Faul for encouraging his participation in the 5K run. He and Ms. Faul finished the race and received medals. Ferguson was well represented.

Ms. Faul – Ferguson was well represented and it was a great day for a 5K run. Ms. Faul has received several resident complaints regarding satellites placed in front yards of residents and asked Council to have City Attorney, Stephanie Karr prepare an Ordinance on the positioning of satellites. Council agreed. Thanked Phil and Gerry for their presentation. Ms. Faul challenged neighborhood associations, in some little way, to volunteer in helping with the Sunday Parkways. Also thanked Emerson for their help. Encouraged more participants in Live Well Ferguson. Noticed how nice the recycle containers look around the City. Congratulated Council Members Grecco, Knowles and Crecelius on their re-elections.

Ms. Grecco – congratulated Council Members on their re-election. Congratulations to Council Member James and Faul for finishing the 5K run. If residents receive letters from the trash service regarding a potential price increase, disregard - it does not apply to Ferguson residents. Thanked Phil and Gerry for the presentation, effort and sponsorship and thanked Emerson for its involvement. Ms. Grecco has received citizen concerns regarding the erosion on Millman and advised residents that Public Works and MSD are aware of the problems and are working on a solution.

Mr. Shaw – congratulations to Council Members Grecco, Knowles and Crecelius on their re-elections and looks forward to working with them.

Mayor Fletcher – thanked the citizens for passing PROPOSITION A and is glad the citizens read through the literature and listened to the facts. Shared comments of longtime resident Margaret Caldwell. Council will keep Stan active in the community.

Mayor invited everyone to attend the reception following the Council Meeting and thanked UMB Bank for providing the refreshments.

ADJOURNMENT

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 8:10 p.m.

*****OUT-GOING/IN-COMING COUNCIL RECEPTION*****

Brian P. Fletcher – Mayor
City of Ferguson, Missouri

ATTEST:

Deborah Matthies – City Clerk
City of Ferguson, Missouri