

Approved: 5/26/09

FERGUSON CITY COUNCIL MEETING MINUTES  
CITY HALL, 110 CHURCH STREET  
**May 12, 2009, 7:00 P.M.**

The regular meeting of the Ferguson City Council was called to order at 7:00 p.m. on May 12, 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 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.

**PUBLIC HEARING**

Mayor announced that the Public Hearing is continued to May 26, 2009.

GOD'S CREATION DEVELOPMENT CENTER, to operate God's Creation Development Center located at 497-501 Airport Road. The proposed site is zoned DB-2 Downtown Area Business District, and a child day care center is a Special Use.

**SPECIAL PRESENTATIONS**

*Pride of the City Winners – Month of May*

Public Works Director, Terry O'Neil explained the Pride of the City Program. Mr. O'Neil and Mayor Fletcher introduced and congratulated the May Pride of the City winners. The winners are Ward 1, Peggy & Stephen Gettemeier, 1072 Chatelet, Ward 2, John Roberts, 466 Plaza and Ward 3, Emil & Phyllis Madorin, 21 Randolph. Each of the winners will receive a Certificate and City Flag. Pride of the City signs will be placed in their yards. Council congratulated the winners.

### *American Red Cross Community Lifesaver Award*

Joyce Bathke, Executive Officer for Health and Safety for the American Red Cross and Red Cross Volunteers presented the American Red Cross Community Lifesaver Award to the City and Certificates to the instructors. The award is in recognition for the City's participation in the Examiner Program, the Learn-To-Swim Programs, which included over 400 participants in 2008, and the Staff in-service training programs including certification training programs for lifeguards in Lifeguarding, First Aid, CPR and AED. Council thanked Ms. Bathke and the Volunteers.

### *Police Department*

#### *❖ Federal Recovery Act-Justice Assistance Grants*

Police Chief Tom Moonier discussed the public grant application the City has submitted to the Federal Recovery Act, Justice Assistance Grants. The objective of this grant is to provide overtime pay to expand the Community Services Officers program within the City of Ferguson, Missouri. The Community Services Officers program is a newly established project in the Plaza Heights Neighborhood, which involves proactive policing and resources in the neighborhood. The grant is to expand the program from the first Ward to the third Ward and allow specific officers to be assigned using overtime funds. The grant is non-competitive and requires no local dollars. Council thanked Chief Moonier.

### **PUBLIC COMMENTS**

Bob Meyer, Owner of building 9181 W. Florissant, commented that he has changed his mind since the last meeting in which he spoke to Council about his concerns with conforming to the Special Use Permit restrictions. Mr. Meyer has seen what other business owners have done with their properties and as a result, Mr. Meyer is completely reversing his position regarding the restrictions. Mr. Meyer commented that he can live with the recommendations of the Planning & Zoning regarding landscaping.

Mr. Meyer had concerns and comments with the distance from the property to the existing Church and the crime problem at that location. Mr. Meyer further informed the City Manager and Council that he is willing to give to the City, at no cost, a store front for a Police Department substation and would welcome the Police Department if they would be willing to accept.

Council thanked Mr. Meyer.

### **BUSINESS PORTION**

#### **MINUTES**

Council Meeting Minutes, April 28, 2009

Council Meeting Minutes, April 28, 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 April 28, 2009 and file as appropriate. Motion carried.

### **APPOINTMENTS**

No appointments at this time.

### **BILLS REQUIRING FIRST READINGS**

City Manager, John Shaw explained Bill No. 6884 establishes a fee of \$50.00 for the recall of warrants when requested by defendants in Ferguson Municipal Court. This fee allows the City to recover costs associated with the process undertaken by the Police Department and Municipal Court Staff.

**BILL NO. 6884 AN ORDINANCE AMENDING SECTION 13-70 OF THE MUNICIPAL CODE RELATING TO FEES FOR THE RECALL OF WARRANTS,** was introduced by Council as a whole and read the first time.

City Manager, John Shaw explained Bill No. 6885 increases the fee for the withdrawal of a complaint or charge from \$26.50 to \$75.00. This amount reflects a more appropriate fee to account for the Staff time used in processing and then dismissing charges in such cases.

**BILL NO. 6885 AN ORDINANCE AMENDING SECTION 13-60 OF THE MUNICIPAL CODE RELATING TO FEES AND COURT COSTS UPON THE WITHDRAWAL OF A COMPLAINT OR CHARGE,** was introduced by Council as a whole and read the first time.

### **BILLS REQUIRING SECOND READINGS**

Mr. Shaw explained that Mr. James Robinson has submitted a Special Use Permit application to operate a bar & grill at 9181 W. Florissant Avenue. This relates to what Mr. Meyers was speaking of during Public Comments portion. As conditions of the Special Use Permit, the property owner will be required to provide a detailed landscape plan to be approved by the Director of Planning and Development, before the commercial occupancy permit is issued, which Mr. Meyer is willing to comply with.

A motion was made by Council Member Knowles, seconded by Council Member Grecco and carried to read Bill No. 6883 a second time and place it upon its passage.

**BILL NO. 6883 AN ORDINANCE OF THE CITY OF FERGUSON, MISSOURI GRANTING A SPECIAL USE PERMIT FOR THE PROPERTY LOCATED AT 9181 W. FLORISSANT AVENUE SUBJECT TO THE CONDITIONS, RESTRICTIONS AND REQUIREMENTS SET FORTH HEREIN,** was introduced by Council Members present and read the first time.

On roll call vote, the motion carried as follows:

AYES:           6       Crecelius, Salant, Knowles, Mayor Fletcher, Faul, Grecco  
NOES:           1       James

Bill No. 6883 was declared passed and sent to the Mayor for signature. Bill No. 6883 thus became Ordinance No. 2009-3396 and is permanently recorded in Book 31 page 10.

### **OLD BUSINESS**

City Manager, John Shaw updated Council on several City projects:

#### **501 S. Florissant**

MSD has requested a slight change in the plans with respect to the rain gardens, changes have been made and staff returned back to MSD, the City Engineer does feel that it should proceed fairly quickly and are optimistic that plans should be approved shortly. Staff will update Council.

### **Tennis Courts**

The contractor for the Forestwood Tennis Court resurfacing project informed Staff that they are planning to begin preliminary work on June 1, 2009, provided no weather setbacks.

### **City Caboose(s)**

The caboose is getting a complete overhaul and work has started on that project. Replacing roofs on both cars, cleaning and re-staining the Pavillion and bidding on the painting of the caboose(s), with the logos etc.

### **Parking Lot**

The parking lot directly behind the Old St. John's Building and Meineke, Council approved additional funds given to the City for Community Development Block Grant and Staff is waiting on the release for all of the funds, no actual date has been given. Staff is waiting on approval of funds, prior to bid. The City Engineer is drawing the plans, it will be a more scaled down and easier project to complete.

### **Landmarks, Century Sunday**

Planning Director, Rosalind Williams, explained the 28<sup>th</sup> Century Sunday event May 17, at 1:00 p.m. Plaques will be presented to two homes, 224 Tiffin and 421 Church Street. After the presentation, there will be festivities at Victorian Plaza. The trolley will be available for transportation.

### **Federal Recovery Act, Justice Assistance Grants**

Regarding the Police Department's Assistance Grants, Council Member Grecco commented that she and Council Member Faul are strong in their views that the Robert Superior Neighborhood in Ward 1 needs attention, with the grant funds and this is their public plea.

### **Dog Park Name, Voting**

Council Member James reminded everyone to vote for the Dog Park Name at the Whistle Stop, Corner Coffee House and the Animal Hospital.

### **MISCELLANEOUS**

Ms. Grecco, congratulated the Pride of the City winners, all should strive to maintain their properties in the form and fashion the winners do. Farmers' Market on Saturday, great things going on and encouraged involvement. Thank you to the Red Cross for recognizing all of the work the City has done. Thanks to Staff for doing the work necessary in receiving the award, which is deeply and greatly appreciated. Suburban lights are up and look good. In the height of severe storms and weather, be careful and aware, take care of neighbors and families.

Ms. Faul, congratulated all graduates from pre-school on, congratulated the Pride of the City winners and congratulated the City and the Parks Department on receiving the Red Cross Lifesaving Award. Thanked the Police Department for a great proactive idea with the initiative regarding the grant and increasing it throughout the City. Reminder, Movie Nights begin the end of May.

City Manager, John Shaw updated Council on several items.

**Ferguson Promotional Video**

At Council's request, Assistant to the City Manager, Sam Anselm has placed the Ferguson Video on the cable channel and it will be shown every day at 9AM, 4:30 PM, and 8 PM, from now until June 1<sup>st</sup>. At that time, Staff will re-evaluate the showing schedule. Please pass the word along to other residents who have Charter, so they can watch the video. Mr. Shaw is eager to hear people's feedback.

Mayor and Council – kudos to Sam Anselm for getting the program necessary to get the Video on the cable channel and hope to enhance it in the future.

**North County Inc. 's Annual Breakfast**

A reminder that Friday, May 15, is North County Inc.'s Annual Breakfast, anyone attending can contact Debbie to carpool.

**St. Louis Economic Council Annual Luncheon**

Thursday, May 14, the Mayor and Mr. Shaw will be attending the St. Louis Economic Council Annual Luncheon and Meeting, 11:30 a.m. in Clayton.

Mayor Fletcher reminded everyone of the City's Biggest Yard Sale, Saturday, May 16, and to attend the Farmers' Market, so far attendance has been wonderful.

Mayor announced a closed session.

*At 7:45 p.m. a motion was made by Council Member Knowles, seconded by Council Member Grecco and carried to enter into closed session in accordance with RSMo 610.021/610.022 to discuss matters relating to matters as provided under Section(s) 610.021 (1) and (3) RSMo. Motion carried.*

*Having concluded the closed session at 8:20 p.m., a motion was made by Council Member Knowles, seconded by Council Member Salant and carried to convene to open session. On roll call vote, the motion carried.*

*There being no further business to consider, Council Member Grecco, seconded by Council Member Knowles, moved to adjourn the meeting. Motion carried. The meeting adjourned at 8:20 p.m.*

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ATTEST:

Brian P. Fletcher – Mayor  
City of Ferguson, Missouri

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Deborah Matthies – City Clerk  
City of Ferguson, Missouri

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