

APPROVED: 7/28/09

**FERGUSON CITY COUNCIL MEETING MINUTES
CITY HALL, 110 CHURCH STREET
June 23, 2009, 7:00 P.M.**

The regular meeting of the Ferguson City Council was called to order at 7:00 p.m. on June 23, 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.

*Council Member Faul is 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 Hearing Portion at which time you are invited to speak on the specific request or proposal; 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 opened the Public Hearing at 7:00 p.m.

Community Development Block Grant Funds for Fiscal Year 2010

- ❖ Request to sign in
- ❖ Distribution and reading of informational handout
- ❖ Staff presentation of submitted suggestions or comments
- ❖ Request for public suggestions or comments

City Manager, John Shaw explained that annually, Ferguson submits an application for Community Development Block Grant Funds to the St. Louis County Planning Department. These funds are for projects that benefit low and moderate-income residents of the City.

Planning and Development Director Rosalind Williams presented the Community Development Block Grant Budget Proposal for Fiscal Year 2010. Ms. Williams gave a brief presentation on the particulars of the grant, and the intended expenses to be covered by those funds.

This year the allocation available to the City is \$155,300.

Ms. Williams pointed out that there were a list of eligibility activities, handouts and sign-in sheet at the back of the Council Chamber. A public notice was given that comments and suggestions for the use of the 2010 CDBG funds will be heard at the public hearing or may be submitted in writing to City Hall, 110 Church Street, attention: Natasha C. Ramey, Community Development Coordinator before June 19, 2009. Ms. Williams explained the informational handout of eligible activities.

In summary, the proposed budget includes:

Public Facilities and Improvements – \$100,300

The City will use CDBG funds primarily for new sidewalks and streets in low and moderate-income areas.

Public Facilities and Improvements - \$35,000

For code enforcement in low and moderate-income areas, to offset some of the salaries of code enforcement employees.

Clearance Activities - \$20,000

These funds will contribute towards the demolition of properties purchased in the land-banking program that will not be paid for with neighborhood stabilization funds.

There being no public comments or suggestions for the proposed use of the CDBG funds, Mayor Fletcher declared the CDBG Public Hearing portion closed at 7:08 p.m.

SPECIAL PRESENTATIONS

Pride of the City Winners – Month of July

Public Works Director, Terry O'Neil explained the Pride of the City Program. Mr. O'Neil and Mayor Fletcher introduced and congratulated the July Pride of the City winners. The winners are Ward 1, Ms. Stacey Scales, 2124 Vitadale Ct., Ward 2, Ms. Vianne Crain & James and Eula Hines, 115 N. Elizabeth Ave. and Ward 3, Mr. Willie Holmes, 5153 Wallingford Dr. 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.

PUBLIC COMMENTS

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

BUSINESS PORTION

MINUTES

Council Meeting Minutes, June 9, 2009. A motion was made by Council Member Knowles, seconded by Council Member James and carried to approve and receive, the Council Meeting Minutes of June 9, 2009 and file as appropriate. Motion carried.

CONSENT AGENDA

MINUTES

Senior Citizens Commission Minutes – May 14, 2009. A motion was made by Council Member Knowles, seconded by Council Member Grecco and carried to receive the Senior Citizens Commission Minutes as presented and file as appropriate. Motion carried.

Plan Commission Minutes – April 1, 2009. A motion was made by Council Member Knowles, seconded by Council Member Grecco and carried to receive the Plan Commission Minutes as presented and file as appropriate. Motion carried.

Plan Commission Minutes – April 15, 2009. A motion was made by Council Member Knowles, seconded by Council Member Grecco and carried to receive the Plan Commission Minutes as presented and file as appropriate. Motion carried.

Dog Park Task Force Minutes – April 16, 2009. A motion was made by Council Member Knowles, seconded by Council Member Grecco and carried to receive the Dog Park Task Force Minutes as presented and file as appropriate. Motion carried.

Ferguson Municipal Public Library Minutes - June 18, 2009. A motion was made by Council Member Knowles, seconded by Council Member Grecco and carried to receive the Ferguson Municipal Public Library Minutes as presented and file as appropriate. Motion carried.

Ferguson Special Business District (FSBD) Minutes – May 21, 2009. A motion was made by Council Member Knowles, seconded by Council Member Grecco and carried to receive the FSBD Minutes as presented and file as appropriate. Motion carried.

APPOINTMENTS

Council Member Knowles abstained from any considerations and discussions regarding the list of Boards and Commission re-appointments.
(Darci Knowles/Personnel Board).

Council (Knowles abstained) re-appointed the following Boards and Commission members.

Peter Carson	Board of Adjustment
Beverly Walker	FNIP
Mike Lonero	Ferguson Station Business District (FSBD)
Jessica Hensiek	Ferguson Station Business District (FSBD)
Bob McCarty	Ferguson Station Business District (FSBD)
Mike Crawford	Park Board
Kathy Shafstall	Park Board
Darci Knowles	Personnel Board
William Dehmer	Senior Citizens Committee
Shirley McDermott	Senior Citizens Committee
Sean Stollhaus	Library Board
Dennis Callahan	Library Board

Mayor named remaining vacancies on the Traffic Commission, Park Board, Housing Board of Appeals, FNIP, Building Board of Appeals, Board of Adjustment and Architectural Review Board.

REQUESTS

LIQUOR LICENSES/RENEWALS:

The following businesses have applied for Liquor License Renewals for the 2009-2010 Fiscal Year: Mimi's Subway Bar & Grill, Merello Convenience, Inc., and The Big Easy.

A motion was made by Council Member Knowles, seconded by Council Member James and carried to approve the liquor license renewals as presented. Motion carried.

Liquor License Transfer – Liquor license transfer of ownership of Smoke Stop at 67 N. Florissant Road to new owner AndSon LLC; managing officer Roosevelt Hayes.

A motion was made by Council Member Knowles, seconded by Council Member James and carried to approve the liquor license transfer to AndSon, LLC, with conditions. Motion carried.

Liquor License Transfer – Grab & Go Ferguson (f/k/a Ferguson Amoco), 10633 New Halls Ferry Road transfer of ownership to GT Investments Group LLC; managing officer Carrie Carrow.

A motion was made by Council Member Knowles, seconded by Council Member James and carried to approve the liquor license transfer to GT Investments Group LLC, with conditions. Motion carried.

PROCLAMATIONS – Ferguson Fourth of July Festival Committee Awards. Mayor read the Proclamations that will be presented to the recipients at the 4th of July festivities.

Ferguson's Citizen of the Year

- ❖ Kathy Noelker
- ❖ Dave Walters

Len Winters Youth Achievement Awards

- ❖ Sean Hamre
- ❖ Olivia Lahman
- ❖ Emily Moll

RESOLUTIONS

A motion was made by Council Member Knowles, seconded by Council Member James and carried to approve Resolution No. 2009-08. Motion carried.

2009-08 - A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE NECESSARY APPLICATION DOCUMENTS TO FORWARD TO ST LOUIS COUNTY TO RECEIVE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS AND ENTER INTO A SUPPLEMENTAL AGREEMENT FOR THE EXPENDITURE OF THESE FUNDS, introduced by Council Members present and read by City Attorney, Stephanie Karr.

On roll call vote, the motion carried as follows:

AYES: 6 - Crecelius, Salant, Knowles, James, Mayor Fletcher, Grecco

NOES: 0

ABSENT: 1 - Faul

Resolution passes.

A motion was made by Council Member Knowles, seconded by Council Member James and carried to approve Resolution No. 2009-09. Motion carried.

2009-09 - A RESOLUTION AUTHORIZING THE ACQUISITION OF CERTAIN PROPERTIES ELIGIBLE FOR PURCHASE UNDER THE NEIGHBORHOOD STABILIZATION PROGRAM; AUTHORIZING THE CITY MANAGER TO EXECUTE SALE CONTRACTS AND OTHER DOCUMENTS RELATING TO SAME; AND AUTHORIZING AN AGREEMENT WITH CLAYTON INVESTMENT CORP. PERTAINING TO PROGRAM-ELIGIBLE PROPERTIES IN THE FORESTWOODNEIGHBORHOOD, introduced by Council Members present and read by City Attorney, Stephanie Karr.

City Manager, John Shaw explained that Although Council approved Resolution 2009-01 on January 13, 2009, which allows the City to participate in the Neighborhood Stabilization Program; a specific Resolution needs to be approved for the agreement with Clayton Investment Corp. in the Forestwood Neighborhood. Clayton Investment Corp. is the parent company for Robert Wood Realty who has been approved as a participating entity in the NSP by St. Louis County. A contract is now required for them to fulfill some of the City's responsibilities under the program. Those responsibilities being holding property, code abatement and enhancement to prepare for resale of the property.

Staff is getting specific Council approval for acquisition of properties in certain neighborhoods, as previously outlined by Council, within the confines of this program.

On roll call vote, the motion carried as follows:

AYES: 6 – Salant, Knowles, James, Mayor Fletcher, Grecco, Crecelius

NOES: 0

ABSENT: 1 - Faul

Resolution passes.

A motion was made by Council Member Knowles, seconded by Council Member James and carried to approve Resolution No. 2009-10. Motion carried.

2009-10 - A RESOLUTION OF THE CITY OF FERGUSON, MISSOURI, APPROVING AND ADOPTING A BUDGET FOR THE 2009-2010 FISCAL YEAR, introduced by Council Members present and read by City Attorney, Stephanie Karr.

On roll call vote, the motion carried as follows:

AYES: 6 - Knowles, James, Mayor Fletcher, Grecco, Crecelius, Salant

NOES: 0

ABSENT: 1 - Faul

Resolution passes.

A motion was made by Council Member Knowles, seconded by Council Member James and carried to approve Resolution No. 2009-11. Motion carried.

2009-11 - A RESOLUTION OF THE CITY OF FERGUSON, MISSOURI, ADOPTING A CAPITAL IMPROVEMENT PROGRAM FOR THE CITY FOR THE FISCAL YEARS OF 2010 – 2014, introduced by Council Members present and read by City Attorney, Stephanie Karr.

City Manager, John Shaw explained that the Capital Improvement Program (CIP) is a five-year plan for capital improvement expenditures and accompanies the Budget, like a guideline to allow Council and Staff to plan ahead for large expenditures, such as large pieces of equipment, vehicles, and facilities.

On roll call vote, the motion carried as follows:

AYES: 6 - James, Mayor Fletcher, Grecco, Crecelius, Salant, Knowles
NOES: 0
ABSENT: 1 - Faul
Resolution passes.

BILLS REQUIRING FIRST READINGS

BILL NO. 6889 - AN ORDINANCE REPEALING ORDINANCE NO. 2008-3358,
AND ADOPTING AN ORDINANCE FIXING THE SALARIES AND OTHER
COMPENSATION OF ALL OFFICERS AND EMPLOYEES OF THE CITY AS
PROVIDED IN SECTION 2-47. COMPENSATION, OF CHAPTER 2.
ADMINISTRATION, OF THE CODE OF THE CITY OF FERGUSON, FOR THE
FISCAL YEAR 2009-2010, was introduced by Council Members present and read
the first time.

BILL NO. 6890 - AN ORDINANCE REPEALING ORDINANCE NO. 2008-3359,
AND ADOPTING AN ORDINANCE FIXING THE SALARIES OF PART-TIME
EMPLOYEES OF THE PARKS AND RECREATION DEPARTMENT OF THE CITY OF
FERGUSON; FOR THE FISCAL YEAR 2009-2010, was introduced by Council
Members present and read the first time.

BILLS REQUIRING SECOND READINGS

BILL NO. 6888 AN ORDINANCE OF THE CITY OF FERGUSON, MISSOURI
GRANTING A SPECIAL USE PERMIT FOR THE PROPERTY LOCATED AT 1116 N.
FLORISSANT ROAD SUBJECT TO THE CONDITIONS, RESTRICTIONS AND
REQUIREMENTS SET FORTH HEREIN, introduced by Council Members present and
read the first time.

City Manager, John Shaw explained On May 6, 2009 Mr. Norman Smith submitted a Special Use Permit Application to operate an automotive repair shop at 1116 N. Florissant Road. Plan Commission approved the staff report recommending a Special Use Permit with conditions on May 20, 2009. Staff recommended that the property owner provide a detailed landscape plan to be approved by the Director of Planning and Development, before a Commercial Occupancy Permit may be issued. To ensure that exterior lighting will not bleed into adjacent residential properties.

This location is the former gas station across from the Calverton Park Water Tower. The gas tanks have been removed.

A motion was made by Council Member Knowles, seconded by Council Member James and carried to read Bill No. 6888 a second time and place it upon its passage.

On roll call vote, the motion carried as follows:

AYES: 6 – Mayor Fletcher, Grecco, Crecelius, Salant, Knowles, James
NOES: 0
ABSENT: 1 – Faul

Bill No. 6888 was declared passed and sent to the Mayor for signature. Bill No. 6888 thus became Ordinance No. 2009-3401 and is permanently recorded in Book 31 page 15.

OLD BUSINESS

Mr. Shaw gave an update on the Nesbit-Newton Park. The following has been done:

Gumballs picked up, playground mulched, and pavilion supports have been fortified.

Painting of the pavilion will take place in the upcoming weeks.

Police Chief Tom Moonier contacted Lt. Doyle with St. Louis County who will assist with juveniles around the park and in the common area.

Public Works re-built fence along Northwinds Estates – providing no access from that approach.

Signage will be placed on that fence informing of the appropriate access point to the park and reiterating park rules that appear at the true entrance.

Fixed fencing along the common ground area.

Will put up a sign alerting residents to call the Police Department if they see violations in the park and provide police telephone and emergency numbers.

Left messages for some of the key neighborhood leaders to discuss these steps and how we can work together.

Mr. Shaw will continue to keep Council informed of Staff's progress.

Ms. Grecco commented streetlights out on W. Florissant Ave. by Emerson Electric. Staff will contact St. Louis County.

Mr. Salant commented that the road is having a birthday this year and should have been completely paved by this time. Staff has contacted St. Louis County.

Mr. James commented that the Dog Park Grand Opening is at noon on July 5, 2009. Registration fee is \$15.00.

MISCELLANEOUS

Ms. Grecco, informed Staff that the City of Eureka has applied for and granted the ability to use some of their CDBG funds for home improvement activities. With heat wave, please check on neighbors and seniors.

Mayor commented do not leave children or animals in the car in the heat.

Mr. James, congratulated all of the Fourth of July award winners and the Pride of the City winners. Thanked everyone who attended and participated in the free FSBD Concert and the Community Gardens food booth. Live Well Ferguson-encouraged everyone to do what they can to stay active in this heat. Sunday Parkways will begin in August, September and October.

Mr. Knowles, wished a Happy Fourth of July and enjoy the fireworks, parade and all of the festivities. Would like Council to commit to a Work Session date to discuss CDBG funds.

Mr. Crecelius, congratulated all of the special presentation award winners. Reflecting on the heat wave, remind everyone to check their central air unit.

Mr. Shaw requested a time for a follow-up Work Session and will confirm dates with Council to discuss any other opportunities that may exist from the CDBG funds.

Council discussed dates for City Manager and City Clerk reviews.

Mr. Shaw updated Council on the following projects:

501 S. Florissant

Out to bid for the plaza at 501 S. Florissant, bids due on July 13th and will keep Council informed.

Fire House #1 Study

Staff issued RFP for the Fire House #1 Study, responses due on July 6th.

Lighting of Suburban and Brotherton Street Lights

Staff is working on a short street-lighting ceremony to commemorate the new streetlights on both Suburban and Brotherton. Staff suggested Thursday, July 2, 2009 and will talk with the neighborhood groups to make sure to get people to attend, more information will follow. Council agreed July 2, 2009 at approximately 8:30 or 9:00 p.m.

Council agreed to meet on Monday, July 13, 2009 at 6:00 p.m. for City Manager and City Clerk reviews.

Mayor wished everyone a Happy and safe Fourth of July. Please report grass violations by calling Public Works.

Mr. Shaw mentioned there is one meeting in July and August. July 28 and August 25.

Mayor announced a closed session.

At 7:55 p.m. a motion was made by Council Member Knowles, seconded by Council Member James 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(19) 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 Grecco and carried 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 Grecco, moved to adjourn the meeting. Motion carried. The meeting adjourned at 8:20 p.m.

ATTEST:

Brian P. Fletcher – Mayor
City of Ferguson, Missouri

Deborah Matthies – City Clerk
City of Ferguson, Missouri