

**CITY OF FERGUSON , MISSOURI
CITY COUNCIL MEETING MINUTES
JANUARY 12, 2010**

The regular meeting of the Ferguson City Council was called to order at 7:00 p.m. on January 12, 2010 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 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.

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

Holiday Decorating Contest Winners

Mayor Fletcher announced the 2009 winners who will receive a plaque. Mayor and Council congratulated the winners and thanked all who participated in the program.

1 st Place	Ward 1	Christos Family	216 Kirk Drive
2 nd Place	Ward 1	Chandler Family	900 Cheri Heights Ct.
1 st Place	Ward 2	Robbins Family	201 Hartnett
2 nd Place	Ward 2	Buchholz Family	21 Almeda
1 st Place	Ward 3	Murphy Family	115 Ruggles
2 nd Place	Ward 3	Conway Family	712 Pemberton

C.A.F.R. – Comprehensive Annual Financial Report

Finance Director Jeff Blume presented and discussed the City's C.A.F.R. for the year ending June 30, 2009 and recent audit. Auditor, Allen Schulte of Botz, Deal & Company, gave an overview and presented the final audit to the City Council. In conclusion, Mr. Schulte remarked the City received an unqualified opinion of its financial statements from Botz, Deal.

CUCA – CDBG Funds Distribution

Ms. Patricia Barnett, Ferguson resident and member of Metropolitan Congregations United discussed the process and a current program of promoting to fight foreclosures in the North County area and the possible redistribution of CDBG Funds from City demolition funds. Council discussed the redistribution and allocation of funds and future allocations and wants to spend the money the most effective way. Mayor requested public input. Council will further discuss and staff will follow up with Ms. Barnett.

PUBLIC COMMENTS

There being no public comments, Mayor closed the Public Comments portion at 7:35 p.m.

BUSINESS PORTION

MINUTES

Council Meeting Minutes – December 8, 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 December 8, 2009 and file as appropriate. Motion carried unanimously.

APPOINTMENTS

Council appointed:

Kathy McCourt (Ward 1) to the FNIP Board.

REQUESTS

A motion was made by Council Member Knowles, seconded by Council Member James and carried to approve a new liquor license at Walgreen's at 190 N. Florissant Ave. On voice vote, motion carried as follows: 6-Yes, 1-No (Faul).

Council Member Faul questioned if liquor was going to be in all Walgreen stores or just the Ferguson store.

Mr. Chuck Berry, District Manager with Walgreen's and Ferguson Store Manager, Jennifer Shipley were present for questions.

Mr. Berry explained that Walgreen's is going nationally with liquor licenses where allowed, it will be a downsized selection of beer and wine and this is the first Missouri request for Mr. Berry. Mr. Berry distributed a store photo of the aisle and cooler setup. He explained that there were very few markets across the country that consistently ran profitable liquor departments because they are very labor intensive, very regulation intensive, and sales are seasonal, so there is a tremendous inventory investment and turning the inventory to make a profit was difficult most months of the year and that is why Walgreen's got out of the liquor market. In this format it is less labor intensive and less investment and customers requested the convenience.

Mayor requested that Walgreen's get more involved in the community and community activities, and the Manager become more involved with the Ferguson Special Business District. Mayor feels that in the past the company has not been involved in the business district and feels it is a missed opportunity.

Mr. Berry informed Council Walgreen's has increased their focus on community involvement with a community manager to reconnect with the community.

BILLS REQUIRING SECOND READINGS

BILL NO. 6905 AN ORDINANCE OF THE CITY OF FERGUSON AMENDING SECTION 20.3 OF CHAPTER 49 RELATING TO REGULATIONS ON ACCESSORY AND SATELLITE DISH ANTENNAS, was introduced by Council Members present and read the first time.

City Manager, John Shaw explained that issues have surfaced recently with respect to the placement of satellite dishes in front yards of residences. This amendment would create language to address these issues. Its goal is to ensure that placement and installation of dishes are done properly and in such a way that they are aesthetically conscious.

A motion was made by Council Member Knowles, seconded by Council Member Grecco and carried to read Bill No. 6905 a second time and place it upon its passage. Motion carried unanimously.

On roll call vote, the motion carried as follows:

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

BILL NO. 6905 was declared passed and sent to the Mayor for signature. Bill No. 6905 thus became Ordinance No. 2010-3418 and is permanently recorded in Book 31 page 32.

BILL NO. 6907 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE A SALE CONTRACT, DEED AND OTHER NECESSARY DOCUMENTS TO CONVEY CERTAIN PROPERTY TO OTIS & CLARK PROPERTIES LTD., A MISSOURI CORPORATION, IN EXCHANGE FOR THE CONSIDERATION DESCRIBED HEREIN, was introduced by Council Members present and read the first time.

Mr. Shaw explained that Bill No. 6907 approves the transfer of the property at 10498 West Florissant to Otis and Clark. Otis and Clark, in return, agreed to construct an "illuminated monument sign" with an electronic message board at Firehouse #2. The property transfer will not be completed until the developer meets all of the requests of the Council.

A motion was made by Council Member Knowles, seconded by Council Member Faul and carried to read Bill No. 6907 a second time and place it upon its passage. Motion carried unanimously.

On roll call vote, the motion carried as follows:

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

BILL NO. 6907 was declared passed and sent to the Mayor for signature. Bill No. 6907 thus became Ordinance No. 2010-3419 and is permanently recorded in Book 31 page 33.

OLD BUSINESS

Council Member James requested an update on environmental improvements, rain barrels at the Plaza at 501 and the Paul and Dade Avenue projects.

Council Member Faul appreciates the update on the environmental issues received from staff by working on grants and saving the City money.

MISCELLANEOUS

Mr. Crecelius congratulated the Holiday Contest Winners, hoped everyone had a wonderful Holiday Season. Thanked the City and community for all it does.

Mr. Knowles thanked everyone who attended the two New Year's Eve parties that went to good causes. The event at the Savoy raised money for the McCluer South Berkeley wrestling team to help pay for tournaments, uniforms etc. Big thanks to Farzad who works on this event every year as well as all he does throughout the year for the community.

Mr. James wished Stan Caldwell a Happy 90th Birthday, special event at Marley's information in the Ferguson Times, Live Well Sunday Parkway events scheduled for April, July and October, and the 5K twilight run/walk on May 15. Receiving a lot of positive feedback from other communities. Wished everyone a Happy New Year.

Ms. Faul thanked Public Works for keeping City streets clean, appreciates and enjoyed the past downtown events through the Holidays and looking forward to Ray Hill's opening in 2010.

Ms. Grecco congratulated the Home Decorating Contest winners and wished Stan Caldwell a Happy Birthday on his 90th Birthday.

Mr. Shaw updated Council on several items:

Energy, Efficiency and Conservation Block Grant – Mr. Shaw discussed the grant opportunity Staff has been working on with 14 other cities in St. Louis County. The grant is for lighting retrofits and covers about 50% of the cost and asked Council if they would like to see Ferguson proceed with this grant process.

Mr. Shaw discussed the upcoming expiration of the trash hauling contract with Allied Waste, which is a two year commitment extension. Staff received two extension offers from Allied. Council discussed the options of the \$2.10 increase with the seniors 50% discount or stay the same and give the seniors less discount of 25%. Council discussed how many seniors are taking advantage of the discount and the options.

Public Works Director, Terry O'Neil explained the breakdown as 548 seniors using one 90 gallon cart, 19 are still using two carts, and 30 are still using the backyard service.

Mr. Shaw commented that only 40% of residents recycle which also needs improvement. Mr. Shaw confirmed that all other fees will remain the same. If staff goes out to bid it will likely lose the current senior subsidy of 50%. Most other places have a 10% senior discount. All indications point to a higher amount for residents as well and all of these items will be re-evaluated in any kind of bid situation.

Mayor announced that Crestwood pays \$58.65, Hazelwood \$62.43, Florissant \$65.22, and Ferguson is paying \$52.86. Mayor would like to get another two year extension.

Council Member Knowles would like to see the City look at the ability of a process of when a senior or resident leaves their residence, because of fixed income or they cannot sell it, they have their utilities turned off but still have to pay the trash bill. Seniors have brought this issue to Mr. Knowles and he feels that the issue could be addressed if the City is going to extend the contract and possibly staff could work out a system of criteria.

Council further discussed the process for seniors or people in a financial situation, or foreclosures and still having to pay for their trash bills. A lot of people have brought up this issue not just senior citizens; age in this case does not matter. There will always be a circumstance where someone thinks they should opt out, but seniors are on fixed incomes.

Mayor is in favor of an extension based on what staff presented. Council will further discuss the issue. Mayor requested resident's to also contact him on this issue. Council will inform Mr. Shaw of their decision.

Mr. Shaw presented and discussed the expansion of the Neighborhood Stabilization Program (NSP) area to try and get the most out of this program. Council is in favor of expanding the area and would like to see more information going out to people to take advantage of the program.

Mr. Shaw informed Council the City received approval on the commuter lot behind Ray Hill's. Krupp was the low bidder approx. \$82,000, for a concrete parking lot as opposed to asphalt. The contract was signed today. The Electrical/lighting bid went to Guarantee Electric at about \$21,000. This falls into the amount eligible from St. Louis County and none of this money is actually City money. The pre-construction meeting is set for next Tuesday to determine the start time.

Mr. Shaw reminded Council that he and Assistant Sam Anselm will be attending the Missouri City Management Winter Workshop in Columbia on Thursday, January 21.

City Hall will be closed on Monday January 18, 2010 in honor of the Martin Luther King Day Holiday.

The Boards and Commissions Dinner is January 28, 2010, members please RSVP.

Mayor Fletcher congratulated John and his wife, Natalia on becoming new homeowners in Ferguson. Mayor felt this year's Holiday celebration events were beautiful and wonderful and received many compliments from the surrounding communities, Councils and Mayors on what a wonderful job Ferguson is doing.

Mayor commented that there has been an issue going on for several months which is the CVS Pharmacy issue on the corner of Hereford and Florissant Road. At this time, the Council has withdrawn support and will be meeting with CVS Wednesday evening for that particular site. That does not mean the City does not want CVS in the community, it simply means that having CVS at that location was causing controversy in the City and there is a lot of things this year to get accomplished. Council will be meeting hopefully to see if they are willing to relocate somewhere else in the community. There is withdrawal of support from the Council for that location. Mayor will be addressing the issue in his February news article. Rumors have been circulating whether it is on or off and Mayor wanted to say publicly at this point, it is off unless something would change in the location. Questions can be directed to the Mayor or Council Members.

Mayor announced a closed session.

Stan Caldwell thanked everyone who attended his birthday party, it was a great day and the best he has ever had, he wished his wife could have shared it with him. He came to Ferguson in 1940 and worked on the 2015 Vision, he did not think he would see Ferguson grow as far as it has and he hopes he is here in 2015 to see what it looks like then. He hopes his health holds out that long. Mr. Caldwell congratulated Mr. Shaw on his new marriage and hopes their marriage lasts as long as his did. He is with Ferguson all the way the same as his wife, Margaret was.

Council thanked Mr. Caldwell.

ADJOURNMENT

At 8:20 p.m. a motion was made by Council Member Knowles, seconded by Council Member Grecco and carried to enter into closed session pursuant to RSMo 610.021 Section(s) (1) legal actions, causes of action or litigation and confidential or privileged communications between the Council and its attorneys (3) hiring, firing, disciplining or promoting particular employees and (19) existing or proposed security systems and structural plans of real property owned or leased by a public governmental body. On roll call vote, the motion carried unanimously.

Having concluded the closed session at 10:30 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 unanimously.

There being no further business to consider, Council Member Knowles, seconded by Council Member Crecelius, moved to adjourn the meeting. Motion carried unanimously. The meeting adjourned at 10:30 p.m.

ATTEST:

Brian P. Fletcher – Mayor
City of Ferguson, Missouri

Deborah Matthies – City Clerk
City of Ferguson, Missouri
Approved: 1/26/10