

**CITY OF FERGUSON , MISSOURI
CITY COUNCIL MEETING MINUTES
FEBRUARY 9, 2010**

The regular meeting of the Ferguson City Council was called to order at 7:00 p.m. on February 9, 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

Quarterly Financial Report

Finance Director, Jeffrey Blume discussed the end of the second fiscal quarter by focusing on the General Fund where most of the operational activity takes place.

At \$5.3 million, revenues for half year are running slightly ahead of budget of \$5.2 million and ahead of last year at \$5.0 million. The City benefited substantially from the ATT Litigation Settlement reported in this quarter of about \$317,000. Property tax receipts are running behind budget. This is most likely due to the timing changes made by SB711 and the economy but should be very close to budget but somewhat behind at the end of the fiscal year.

Sales tax receipts for the half year are about 9% below budget. They were 4% ahead at the end of quarter 1. This is concerning but not alarming. As an "A" city, the City's retail sales tax receipts are more volatile than those of "B" cities. A review of secondary factors some of which are based on retail activity, like gasoline or vehicle sales taxes or utility gross receipts taxes, as well as other factors like the general economy, strong January retail sales tax receipts and gross receipts of business licensees all indicate that the general retail economy should be improving and therefore sales tax receipts should be stronger than they actually were. In looking at all of these factors, it appears there were simply 3 bad months of sales tax receipts and all in the same reporting period.

Expenditures for the General Fund for the half year were \$5.7 million in contrast to a budget of \$6.0.

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Mr. Blume feels the City has plenty of reserves to weather both of these years.

Mayor is concerned the revenues are flat because some vacancies have not been filled such as the Public Relations Director and will continue to see double digit increase in health care cost for employees for the foreseeable future and employees expect periodic raises. Without revenues rising we will be budgeting deficit spending once again this year. What saved the City this year was the \$317,000 AT&T lawsuit provided the City, however as customers we are paying that back.

Mayor still has concerns for the future and feels there is no new revenue stream which concerns him and will put that note of caution.

Council thanked Finance Director, Jeffrey Blume.

PUBLIC COMMENTS

City Manager, John Shaw introduced the new Chief of Police, Tom Jackson from St. Louis County Police. The City is very excited in welcoming and is looking forward to a long tenure with Chief Jackson.

Chief Jackson thanked Mr. Shaw, Mayor, Council and everyone for the honor of having been selected from a group of outstanding candidates, some from the City department who are excellent officers and commanders. Chief Jackson commented that he and his family have a long connection with this community and are long time residents of North County and it is an honor and is looking forward to a long relationship with the City.

Council welcomed and thanked Chief Jackson.

There being no further public comments, Mayor closed the Public Comments portion at 7:20 p.m.

BUSINESS PORTION

MINUTES

Council Meeting Minutes – January 26, 2010. A motion was made by Council Member Knowles, seconded by Council Member Grecco and carried to approve and receive, the Council Meeting Minutes of January 26, 2010 and file as appropriate. Motion carried unanimously.

APPOINTMENTS

None at this time.

BILLS REQUIRING FIRST READINGS

BILL NO. 6908 - AN ORDINANCE LEVYING SPECIAL TAX BILLS AGAINST CERTAIN PROPERTIES FOR COSTS OF CUTTING AND REMOVING WEEDS AS PROVIDED UNDER CHAPTER 46. VEGETATION, ARTICLE III. WEEDS AND VINES, OF THE CODE OF THE CITY OF FERGUSON, MISSOURI, was introduced by Council Members present and read the first time.

BILL NO. 6909 – AN ORDINANCE LEVYING SPECIAL TAX BILLS AGAINST CERTAIN PROPERTIES FOR COST OF REMOVING TRASH AND DEBRIS AS PROVIDED UNDER CHAPTER 28. NUISANCES, OF THE CODE OF THE CITY OF FERGUSON, MISSOURI, was introduced by Council Members present and read the first time.

BILL NO. 6910 – AN ORDINANCE LEVYING SPECIAL TAX BILLS AGAINST CERTAIN PROPERTIES FOR COSTS OF BOARDING UP BUILDINGS AS PROVIDED UNDER CHAPTER 7. BUILDINGS AND BUILDING REGULATIONS, OF THE CODE OF THE CITY OF FERGUSON, MISSOURI, was introduced by Council Members present and read the first time.

OLD BUSINESS

A motion was made by Council Member Knowles, seconded by Council Member Crecelius and carried to take Resolution 2010-01 from the table for consideration. Motion carried unanimously.

RESOLUTION 2010-01 A RESOLUTION OF THE CITY OF FERGUSON, MISSOURI, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT EXTENSION WITH ALLIED WASTE FOR SOLID WASTE COLLECTION FOR AN ADDITIONAL 2 YEARS, was introduced by Council Members present and read by City Attorney, Stephanie Karr.

A motion was made by Council Member Knowles, seconded by Council Member James and carried to approve Resolution No. 2010-01. Motion carried unanimously.

On roll call vote, the motion carried as follows:

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

NOES: 0

Resolution passes.

Council Member Salant requested Council to further discuss the CVS proposal and bring it to head one way or the other. Council has heard from residents opposed, for it, good and bad, and feels Council owes it to the community and the developer to offer an agreement or not.

Mayor commented that there is no written redevelopment agreement that Council has received up to this point. There has simply been dialogue by CVS, and known opposition in trying to overcome some of the opposition by seeing what it would take if they forwarded a redevelopment agreement. What Council Member Salant is proposing is to signal to City Manager, John Shaw how to go forward and is Council interested in CVS going at the site of Hereford and Florissant Road.

Mayor is not opposed to CVS, but they are talking about this site, so the vote would be agreeing to go forward with CVS at this site.

Mr. Knowles feels it is important in engaging them in further discussion. Mr. Knowles feels there are people who are against it no matter what and then there are people who would like to see the plan or negotiate the plan.

Council discussed if there is an interest in furthering the redevelopment agreement at that site.

Ms. Grecco commented that she was intrigued by the email today that indicated that CVS was interested in having some additional conversation concerning removing some of the parcels of property they already have contracts on from the scope of the redevelopment. In her mind that seemed to address some good degree of the opposition that Council has been hearing.

Mr. James did not take it as they were removing the property.

Ms. Grecco had questions on what exactly it meant, she did not know if they were not going to acquire those properties and not include them in their scope of proposal, or if they were going to continue to purchase them but not utilize them. Ms. Grecco

had questions about what that meant, but did feel it was a conversation worth having about what exactly their parameters were.

Mr. Salant questioned if Council wants to continue that discussion with CVS.

Ms. Grecco is intrigued enough to have the conversation.

Mayor suggested a motion and a vote to see if Council would like to move forward with discussions at that site. If Council is not willing to do that there is no need to continue to have dialogue.

Council discussed the motion language.

A motion was made by Council Member Knowles, seconded by Council Member Salant that the City should continue to engage CVS on that site.

Mayor commented that it is an affirmative pro-active motion. A vote yes is to continue dialogue with CVS at that site. A vote no is to say no more dialogue with that site. Council agreed.

On voice vote, the motion carried as follows:

Grecco – Yes

Faul – No

Fletcher – No

James – No

Knowles – Yes

Salant – Yes

Crecelius – Yes

4 – Yes - 3 – No

Mayor informed Mr. Shaw to move forward and tell CVS what Council decided.

MISCELLANEOUS

Mr. James requested organizations to please remove event banners, advertisements, etc. from the railroad tracks over Florissant Road.

Mr. Knowles announced the First Presbyterian Church will host the Annual Spaghetti Dinner on Saturday, March 13. Wished his Wrestling Team, McCluer South Berkeley good luck this weekend in the District Tournament in Mexico, MO.

Ms. Faul commented on the nice look of the Ferguson CityWalk waterfall sign but questioned the placement.

Ms. Grecco reminded everyone with the cold weather be careful walking on ice, check on neighbors, bring pets inside, and encouraged everyone to support the approaching Fish Fry season.

Mr. Shaw is waiting on Council recommendations for representatives for the West Florissant Study Group. This will be an interesting project because it will be working with the cities of Dellwood and Jennings along with St. Louis County to try and create a more seamless feeling to the business corridor, which is one of the most important corridors of Ferguson.

A note for everyone who is having problems with the recent switch in public channels on Charter Cable, understanding that those currently at home will not hear this, but hopefully can spread the word. Mr. Shaw spoke to Charter representative, Neal Gilb about concerns and he is actually working on a number of issues with these changes

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across St. Louis County and has stated that he wants to help their customers. Therefore, he has asked that Charter customers contact him directly at (314) 543-6679 or by email at neal.gilb@chartercom.com. Mr. Gilb stated that he will also take an ad out in the next month's edition of the Ferguson Times with his information for those experiencing problems. Mr. Shaw does not know what the end result will be.

Council further discussed the existing problems with Charter.

Mr. Shaw requested Council to review the ICSC list of attendees and let him know if there is any particular developer to schedule visits with. As soon as Staff completes its list it will be forwarded to Council.

The Parks and Recreation Facebook page is now up and running. Thanks and kudos to the Parks Department for keeping the City going in using new social networking tools.

Mr. Shaw commented that 818 S. Florissant Road had been scheduled to be demolished a week or so ago, however, St. Louis County stopped staff to perform another asbestos inspection, in which they found some in the stucco on the front of the home. The demolition contractor retained an asbestos abatement company and is now looking to resume demolition by the end of this week. Mr. Shaw will keep Council informed.

Mr. Shaw commented that depending on the weather there is about 3 weeks for completion of the parking lot behind the microbrewery.

Mayor Fletcher again welcomed Chief Jackson to the City of Ferguson and wished him many wonderful years with the City. There will be a reception for Chief Jackson in the near future and information will be forwarded to the invitees. Mayor feels that the entire Council should be in attendance for the Work Session and asked Council for alternative dates and will email Debbie their unavailable dates in March.

ADJOURNMENT

At 7:45 p.m. a motion was made by Council Member Knowles, seconded by Council Member Faul 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; (2) lease, purchase or sale of real estate; and (3) hiring, firing, disciplining or promoting particular employees. On roll call vote, the motion carried unanimously.

Having concluded the closed session at 8:45 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 unanimously.

There being no further business to consider, Council Member Grecco, seconded by Council Member Knowles, moved to adjourn the meeting. Motion carried unanimously. The meeting adjourned at 8:45 p.m.

ATTEST:

Deborah Matthies – City Clerk
City of Ferguson, Missouri
Approved: 2/23/10

Brian P. Fletcher – Mayor
City of Ferguson, Missouri