

**CITY OF FERGUSON , MISSOURI
CITY COUNCIL MEETING MINUTES
FEBRUARY 23, 2010**

The regular meeting of the Ferguson City Council was called to order at 7:00 p.m. on February 23, 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 (Absent)
James W. Knowles, III
Dwayne T. James
Peggy Faul
Fran Grecco

Council Member Salant was an excused absence. 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

2009 Sports Complex at Forestwood Park Annual Report
Recreation Superintendent – Stan Kreitler presented the findings from the 2009 Sports Complex Annual Report, which was submitted and reviewed by the Park Board at their February 16, 2010 meeting.

Mr. Kreitler feels that overall the 2009 Season was successful with a 2% increase in usage and an increase in concession net profits. He anticipates this upcoming season to also be a good season and will continue to maintain increase uses at the complex through tournaments, special events, youth and adult leagues with several new programs in the upcoming year.

PUBLIC COMMENTS

Jim Wilsonholme – introduced himself and announced he was running for the Ward 1 Council seat.

Don Chisholm – had concerns regarding following procedures on the Agenda and recommended the City develop a procedure for those events where going off of the Agenda becomes an emergency.

Mayor Fletcher explained the difference to what the vote was last time was to see if there was interest from the Council as a straw poll to entertain a proposal for staff to have an understanding of Council's thoughts. No formal or official action was taken and Council did not approve a redevelopment agreement, or did not approve an ordinance, therefore it was simply to give Council direction to the City Manager.

Mr. Chisholm felt that people study the agenda and expect to hear a particular agenda, then find out some other agenda has been adopted. What he was suggesting is a written policy that in those events where it is deemed necessary here is the conditions under which Council would go off of the agenda.

Mayor responded he understands Mr. Chisholm's concern but there was no official action taken, nothing approved, other than Council wanted to voice whether or not to go forward with the issue.

Mr. Chisholm commented it could be bad policy in some circumstances to randomly get off of the agenda without good reason for doing so and that was the basis of his comments.

Council Member Knowles commented that Council follows Federal Law, Missouri State Statute, and the Charter. Meetings are based on Roberts Rules of Order. There are special circumstances as Mr. Chisholm was speaking of but there are rules and it is under Roberts Rules of Order the Council follows, but appreciates Mr. Chisholm's concern.

Ann Chisholm – 312 Royal Ave. feels that in some instances, when there is reason to talk about an issue that is not on the agenda there may have been an opening for a public portion. Ms. Chisholm invited everyone to attend the Candidate Forum, Thursday, February 25, 2010, 7:00 – 9:00 p.m. at the First Baptist Church, Fellowship Hall, 333 N. Florissant Road.

Tom Patterson – Royal Ave. had comments on various items.

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

BUSINESS PORTION

MINUTES

Council Meeting Minutes – February 9, 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 February 9, 2010 and file as appropriate. Motion carried unanimously.

CONSENT AGENDA

Minutes

Ferguson Senior Citizens Commission Minutes – February 18, 2010. A motion was made by Council Member Knowles, seconded by Council Member Faul and carried to receive the Ferguson Senior Citizens Commission Minutes as presented and file as appropriate. Motion carried unanimously.

Park Board Minutes – February 16, 2010. A motion was made by Council Member Knowles, seconded by Council Member Faul and carried to receive the Park Board Minutes as presented and file as appropriate. Motion carried unanimously.

APPOINTMENTS

Council appointed Angela Hicks to the Park Board.

BILLS REQUIRING SECOND 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.

A motion was made by Council Member Knowles, seconded by Council Member Crecelius and carried to read Bill No. 6908 a second time and place it upon its passage. Motion carried unanimously.

On roll call vote, the motion carried as follows:

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

BILL NO. 6908 was declared passed and sent to the Mayor for signature. Bill No. 6908 thus became Ordinance No. 2010-3420 and is permanently recorded in Book 31 page 34.

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.

A motion was made by Council Member Knowles, seconded by Council Member James and carried to read Bill No. 6909 a second time and place it upon its passage. Motion carried unanimously.

On roll call vote, the motion carried as follows:

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

BILL NO. 6909 was declared passed and sent to the Mayor for signature. Bill No. 6909 thus became Ordinance No. 2010-3421 and is permanently recorded in Book 31 page 35.

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.

A motion was made by Council Member Knowles, seconded by Council Member Grecco and carried to read Bill No. 6908 a second time and place it upon its passage. Motion carried unanimously.

On roll call vote, the motion carried as follows:

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

BILL NO. 6910 was declared passed and sent to the Mayor for signature. Bill No. 6910 thus became Ordinance No. 2010-3422 and is permanently recorded in Book 31 page 36.

OLD BUSINESS

None.

MISCELLANEOUS

Mr. Knowles thanked everyone who supported the 4th of July BBQ fundraiser. Congratulated Marshon Eddings, a wrestler Mr. Knowles coaches at McCluer South Berkeley High School. Marshon did an excellent job in taking 6th place in the semi-

final round of the State tournament. This is Berkeley's second medalist for the past decade and feels that they are an up and coming team and is proud of them.

Mr. James Congratulated Old Ferguson West Community Garden for receiving a grant from Gateway Greening.

Ms. Faul, Kudos to the Historical Society and their interesting articles about past things that have happened in Ferguson. Live Well Ferguson's Twilight Run/Walk 5K May 15 at 5 p.m. Ferguson Landmarks is having a renovate Ferguson Spring Home Design Workshop - March 6, 2010 – 9:30-12:00 at Ferguson Middle School. Ms. Faul also reminded everyone March 1, 2010 is preschool enrollment for the 3 and 4 year old free programs.

Ms. Grecco encourages everyone to attend Fish Fry Fridays. Thanked Ann for information to attend the Candidate Forum on Thursday, February 25. This is an opportunity to hear your candidates. Thanked everyone who participated and attended the successful midwinter BBQ for the 4th of July committee.

Mayor Fletcher commented this time of year there are a lot of events in Ferguson, March 6 – Trivia Night benefit for Samantha Lipka Scholarship Fund held at Savoy, March 6 – Annual St. Peters Sausage dinner on Stein and W. Florissant Rd., March 6 – Gallery Concert.

Mayor received concerns with residents unable to contact Charter. Representatives told the City that the change from Channel 10 to 993 was to comply with FCC regulations which require broadcasters to switch to digital broadcasting. At the same time, they are still providing their other analog channels and questioned "if the other channels are available why they are switching at this time?"

A City survey will be in the March Ferguson Times to find out if residents use Charter, Direct TV, or Dish Network and if there is an interest in high speed internet access for streamlining Council meetings. Please return the surveys to the City by March 31 as the survey information will help discussion with Charter.

Mayor commented that several Mayors are concerned and feels if enough municipalities get together they might be able to pressure Charter in doing something for the cities. Staff is continuing to look into the process.

ADJOURNMENT

At 7:40 p.m. a motion was made by Council Member Knowles, seconded by Council Member James 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 and (13) personnel matters where individually identifiable personnel information or records may be disclosed. On roll call vote, the motion carried unanimously.

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 unanimously.

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

ATTEST:

Deborah Matthies – City Clerk
City of Ferguson, Missouri
Approved: 3/9/10

Brian P. Fletcher – Mayor
City of Ferguson, Missouri

Approved: 3/9/10