

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

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

Council Member Knowles 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**

Charter Cable - Mr. Neal Gilb, Government Relations Manager for Charter Communications discussed the recent PEG channel switch from 10 to 993.

Mayor Fletcher recognized Boy Scout Troop 383 in attendance participating in achieving a merit badge for involvement in civic activities.

**PUBLIC COMMENTS**

Suzanna Pratt spoke on behalf of her business the Hair Emporium. Spoke on the process of relocating her business to Ferguson and what makes her business unique as a stylist and explained the products used. Ms. Pratt discussed Retail, Styling, Spa and Wellness services her business offers. Thanked everyone for the overwhelming support received. Thanked Council for their time and consideration.

Council Member James questioned the square footage and percentages, and stated at the last meeting Ms. Pratt talked about 40% of her business as wellness and he wanted to know if the 40% is based on sales or square footage.

Ms. Pratt responded that it is based on the square footage they will be using.

Charles Rimkus presented a handout regarding the second year for the Ferguson Middle School "Get Set for Summer" project to be held on May 11-12, 2010. Mr. Rimkus further explained the program, participating vendors, timetable and student responsibilities. Mr. Rimkus feels this program is a fantastic opportunity that benefits the vendors, students and Ferguson Middle School families.

Dave Pope supports applicant Suzanna Pratt in getting a waiver of the numerical limitations. Ms. Pratt has wonderful plans for improving the vacant space and feels there are too many vacant spaces in the City and this would be a great opportunity to have someone with vision and excitement.

T. Siegel spoke on behalf of Ms. Pratt and is a client of the Hair Emporium and Wellness Center and uses the wellness products. She is a nurse and former member of the American Holistic Nurses association and found a lot of Ms. Pratt's visions and knowledge with healing remedies to be fascinating. Ms. Siegel will always be a customer and feels the business would be a great asset in Ferguson.

Gerry Noll gave a Sunday Parkways events update to be held on April 25 in Jeske Park, July 25 in Forestwood Park and October 3 in 501 – Suburban to Dade Park area. Mr. Noll explained some of the activities and events and commented that again they are getting great support from the City.

Chelsea Pratt daughter of Ms. Pratt commented that since moving to Ferguson they have enjoyed this community and are looking forward to bringing their business to Ferguson. Thanked Council.

Tom Patterson had several concerns and comments on various issues.

There being no further public comments, Mayor closed the Public Comments portion at 7:25 p.m.

### **BUSINESS PORTION**

### **MINUTES**

Council Meeting Minutes - March 9, 2010. A motion was made by Council Member Grecco, seconded by Council Member Faul and carried to approve and receive the Council Meeting Minutes of March 9, 2010 and file as appropriate. Motion carried unanimously.

### **CONSENT AGENDA**

Minutes

Ferguson Special Business District (FSBD) Minutes – February 18, 2010. A motion was made by Council Member Grecco, seconded by Council Member Faul and carried to receive and file the (FSBD) Minutes of February 18, 2010. Motion carried unanimously.

Ferguson Municipal Public Library Minutes – January 25, 2010. A motion was made by Council Member Grecco, seconded by Council Member Faul and carried to receive and file the Ferguson Municipal Public Library Minutes of January 25, 2010. Motion carried unanimously.

Pension Board Minutes – October 26, 2009. A motion was made by Council Member Grecco, seconded by Council Member Faul and carried to receive and file the Pension Board Minutes of October 26, 2009. Motion carried unanimously.

### **APPOINTMENTS**

None at this time.

### **PROCLAMATIONS**

Mayor Fletcher read the Proclamations.

Kiwanis Day of Prayer - March 31, 2010

Arbor Day – April 2, 2010

North County Chamber Business Person of the Year – Steve Hewkin

## **RESOLUTIONS**

City Manager, John Shaw explained this year, all political subdivisions within any County with a Charter form of government (including St. Louis County and St. Charles County), must establish a nonbinding projected tax rate and provide notice of such rate to the County by April 8, 2010, based on new requirements from the State of Missouri that allows the County Assessor to provide written notice to property owners of the projected tax liability.

A motion was made by Council Member Crecelius, seconded by Council Member Faul and carried to read and approve Resolution No. 2010-04. Motion carried.

2010-04 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FERGUSON ESTIMATING NONBINDING PROJECTED TAX RATES PURSUANT TO SECTIONS 137.180 AND 137.243 R.S.Mo. was 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, James, Mayor Fletcher, Faul, Grecco

NOES: 0

ABSENT: 1 - Knowles

Resolution passes.

## **BILLS REQUIRING FIRST READINGS**

BILL NO. 6914 - AN ORDINANCE AMENDING SECTION 29-241 OF THE MUNICIPAL CODE RELATING TO FALSE ALARMS was introduced by Council Members present and read the first time.

Mr. Shaw explained that this Ordinance simplifies the fine structure for Police responses to false alarms changing the fine to \$25 for each violation after the initial warning. The Ordinance carries with it the same exceptions as the current Ordinance to allow for power outages, weather, etc., that legitimately triggers alarms at no fault of the property or business owner. This amount is reasonable based upon other municipalities in St. Louis County, and helps to cover the administrative costs associated with responding to such a call.

## **BILLS REQUIRING SECOND READINGS**

BILL NO. 6911 - AN ORDINANCE OF THE CITY OF FERGUSON, MISSOURI GRANTING A WAIVER FROM NUMERICAL LIMITATIONS WITHIN THE DOWNTOWN BUSINESS DISTRICTS FOR A SALON AND WELLNESS CENTER LOCATED AT 18 CHURCH STREET, was introduced by Council Members present and read the first time.

A motion was made by Council Member Faul, seconded by Council Member James and carried to read Bill No. 6911 a second time and place it upon its passage. Motion carried unanimously.

On roll call vote, the motion carried as follows:

AYES: 5 – Salant, Mayor Fletcher, Faul, Grecco, Crecelius

NOES: 1 - James

ABSENT: 1 - Knowles

BILL NO. 6911 was declared passed and sent to the Mayor for signature. Bill No. 6911 thus became Ordinance No. 2010-3423 and is permanently recorded in Book 31 page 37.

City Manager, John Shaw explained that Bill No. 6912 and 6913 abides by State Statute and both Ordinances allow the City to bring them before the Ferguson

Municipal Court. They are laws that are already in force but handled out of St. Louis County.

BILL NO. 6912 - AN ORDINANCE AMENDING SECTION 44-402 AND ADDING A NEW SECTION BOTH RELATING TO THE USE OF SEAT BELTS AND CHILD RESTRAINTS IN MOTOR VEHICLES, was introduced by Council Members present and read the first time.

A motion was made by Council Member Faul, seconded by Council Member Grecco and carried to read Bill No. 6912 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, Salant  
NOES: 0  
ABSENT: 1 - Knowles

BILL NO. 6912 was declared passed and sent to the Mayor for signature. Bill No. 6912 thus became Ordinance No. 2010-3424 and is permanently recorded in Book 31 page 38.

BILL NO. 6913 - AN ORDINANCE ENACTING A NEW SECTION 44-404 RELATING TO VISION-REDUCING MATERIAL APPLIED TO VEHICLE WINDSHIELDS AND WINDOWS, was introduced by Council Members present and read the first time.

Mr. Shaw explained that this Ordinance would add to “Officer Safety” by adopting the State Law standards for tinted windows. Currently violations of this law in Ferguson are sent to St. Louis County for prosecution. This Ordinance would allow the City to prosecute in Ferguson Municipal Court.

A motion was made by Council Member Faul, seconded by Council Member Grecco and carried to read Bill No. 6913 a second time and place it upon its passage. Motion carried unanimously.

On roll call vote, the motion carried as follows:

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

BILL NO. 6913 was declared passed and sent to the Mayor for signature. Bill No. 6913 thus became Ordinance No. 2010-3425 and is permanently recorded in Book 31 page 39.

### **OLD BUSINESS**

Mayor Fletcher gave an update on the purchase of Bricks at Plaza @ 501. \$20,000 has been raised of the \$22,400 goal due to people and businesses in the City. There will be a special Brick presentation with the official grand opening of Plaza @ 501 4:00 p.m. May 15, 2010 prior to the 5K run. Hopefully, the City will reach its \$22,400 goal. The City is proud of the community.

Council Member Crecelius commented that the reason the City is raising this money, is not only for an investment in the community but the City is also getting a \$50,000 additional donation from Emerson Electric, this is a challenge near completion.

**MISCELLANEOUS**

Mr. Crecelius be safe and enjoy all of the upcoming festivities and events.

Mr. James thanked the Boy Scouts for attending the Council Meeting and urged them to get involved with Government and City affairs. Mr. James attended the Ferguson Florissant Wellness Group and received positive feedback in engaging people in healthy and active living. Encouraged everyone to attend the April 25 event at Jeske Park and the May 15 Live Well 5K which is something new for Ferguson and North County; hoping for 300 participants. Mr. James feels Ferguson has a lot to offer. Regarding the Hair Emporium, Mr. James voted no but welcomes the new business to Ferguson and wishes them the best.

Ms. Faul, as well as neighborhood organizers and leaders, attended the UMSL neighborhood leader's class. Neighborhood organization takes a constant effort, the need to be in touch with Council, and a large commitment on the Administration Staff of the City. City Manager, John Shaw placed neighborhoods number one and Ms. Faul feels it has been great to have an administration that gives time, energy, and monies to allow City Staff to work with neighborhood organizations. Staff now has a dedicated person working with the neighborhoods. Plaza @ 501, first concert series April 9 there will be a band each month. Welcomed the Boy Scouts in attendance and urged them to talk to Council and the business owner and what the vote meant tonight. Newsweek had an article on childhood obesity and Live Well Ferguson fits right in with the article.

Ms. Grecco congratulated and welcomed the new business. Holiday activities, Friday March 26 Adult Easter Egg Hunt at Forestwood Park, Saturday April 3 Children Easter Egg Hunt at January Wabash Park at 10 a.m. and Saturday, April 3 the Doggie Easter Egg Hunt at the Dog Park at 2 p.m.

City Manager, John Shaw commented that staff will be placing information regarding landlord policy changes on the website and a letter in the Ferguson Times. Staff is also providing information to landlords as they call in. Mr. Shaw will update Council on the cost of a mailer.

Mr. Shaw was pleased to announce that the City of Ferguson has been nominated under the Government Category of the 2010 Growing Green Awards by the US Green Building Council. The Awards are "designed to celebrate and recognize the individuals, groups and organizations actively transforming the built environment while sharing their knowledge of green building and sustainable practices." The dinner is on March 31st at the Soulard Preservation Hall at 6:00 p.m.

Mr. Shaw thanked Council Member Faul and commented he just celebrated his 3 year anniversary with the City and thanked Council for all of their support. Mr. Shaw feels so far it has been a successful tenure and looks forward to many more.

Council Member James feels the Ferguson Times will reach the renters but not the landlords and is in favor to move forward with the mailers.

Council agreed for staff to move forward with the mailers.

Council agreed that the City Manager's review will be April 13 at 6:00 p.m.

Mayor briefly explained the process of a request for waiver of numerical limitations and by being contacted by residents, the commitment from the applicant to bring an established business to Ferguson and the 5-2 vote of the Planning Commission, which is a group of citizens, waived heavily on his opinion. He did not have his mind made up on this issue until this afternoon. Mayor feels it is important to listen to the

citizen panels unless there is a reason Council should not. Council does think long and hard on issues and at times are not easy decisions. Council feels that tonight's vote could have gone either way. Mayor feels Council was convinced by the process. The process worked and allows Council, with any type of situation, to evaluate the person, merits and business on an individual basis. Council does have the right to stop it at any given time if Council thinks it is not appropriate. Mayor welcomed the new business to the community.

Mayor announced a closed session.

**ADJOURNMENT**

*At 8:00 p.m. motion was made by Council Member Salant, seconded by Council Member Grecco and carried to enter into closed session pursuant to RSMo 610.021/610.022 to discuss matters relating 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. On roll call vote, the motion carried unanimously.*

*Having concluded the closed session at 8:15 p.m., a motion was made by Council Member Grecco, seconded by Council Member James and carried to convene to open session. On roll call vote, the motion carried unanimously.*

*There being no further business to consider, Council Member Crecelius, seconded by Council Member Faul, moved to adjourn the meeting. Motion carried unanimously. The meeting adjourned at 8:15 p.m.*

ATTEST:

\_\_\_\_\_  
Deborah Matthies – City Clerk  
City of Ferguson, Missouri  
Approved: 4/20/10

\_\_\_\_\_  
Brian P. Fletcher – Mayor  
City of Ferguson, Missouri