

**CITY OF FERGUSON , MISSOURI
CITY COUNCIL MEETING MINUTES
JUNE 8, 2010**

The regular meeting of the Ferguson City Council was called to order at 7:00 p.m. on June 8, 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
Mark Byrne
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 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 HEARINGS Mayor opened the Public Hearing at 7:05 p.m.

PROPOSED ANNUAL OPERATING BUDGET FISCAL YEAR 2010-2011
CAPITAL IMPROVEMENT PROGRAM FISCAL YEARS 2011-2015

Finance Director, Jeffrey Blume presented and summarized the forecast for the Fiscal Year ending June 30, 2010 and the budget for the Fiscal Year ending June 30, 2011, of the various City funds. Mr. Blume explained the City's anticipated revenues with the exception of retail sales tax receipts, should remain stable or stagnant revenues they will not go up or down. The difference is in retail sales tax receipts which over the 5 years ending June 30, 2010 have decreased about \$1 million. Mr. Blume further discussed the types and depths of the City's reserves and commented all of the City's funds with the exception of its Capital Fund have sufficient reserves at this time to accommodate temporary non-systemic fluctuations in revenue or expenditures. Mr. Blume discussed the City's strategic plan with respect to delivery of service and the City's revenue base and financial structure.

Specifically with respect to the City's budget for the Fiscal Year Ending June 30, 2011, at its very highest level, the City anticipates collecting a little over \$16 million. At the same time the City anticipates spending a little over \$17 million on people, supplies and services. This results in a spending deficit of about \$1 million.

Mr. Blume commented that the City has two types of funds – a general fund and special funds. Mr. Blume indicated the City has 8 special funds which are the Special Business District, Sewer Lateral, Halls Ferry Tax Increment Financing (TIF) District,

Downtown TIF District, Capital Improvements Sales Tax (CIST), Parks Fund, not enumerated was the Local Improvement Fund, and a General Fund which is all revenues not otherwise designated for specific purposes and all general operating expenditures of the City.

In the current fiscal year 2010, the City had budgeted General Fund revenues of about \$11.0 million, while forecasted revenues will be about \$11.2 million. The difference is largely a result of a one time windfall related to a telecommunications litigation settlement and will not recur in 2011.

Mr. Blume commented that the City had budgeted for about a \$260,000 deficit in the General Fund for Fiscal 2010, however currently anticipates a surplus of about \$320,000. This is almost a \$600,000 spread. This has two contributors the previously mentioned litigation and about \$350,000 in reduced expenditures. Of these reduced expenditures, about \$180,000 was temporary savings in personnel costs and the balance was deferral or avoidance of out of pocket costs.

Mr. Blume commented that General Fund revenues are stagnant and expenditures continue to climb. In FY2011 overall base revenues are anticipated to increase less than 1% to about \$11.1 million. Expenditures are expected to raise about \$570,000 over FY2010 Forecast.

Mr. Blume further explained the three primary factors contributing to this are personnel costs which are anticipated to increase about \$310,000 over forecast. Of this about \$110,000 represents rate increases, about \$60,000 represents healthcare cost increases, \$25,000 for Workers' Compensation insurance and the balance to create full staffing.

Supplies and services are anticipated to increase about \$345,000 over forecast. The one primary reason for that is the City's pension costs are anticipated to raise about \$210,000 this year. The City maintains a defined benefit plan for its full-time employees. Like everyone else, the pension plan's assets eroded in value, of which some has been offset within the last year. The City should anticipate that Pension costs are going to be about 6% of covered salary costs, approximately \$400,000, and each year.

In summary, the City anticipates generating a spending deficit of about \$1 million in the coming fiscal year 2011. Of that amount the General Fund represents about \$400,000 and the Capital Improvement Sales Tax Fund about \$700,000.

Council Member Knowles stated that the City staff has done an excellent job this past year to keep the change in the General Fund balance at a minimal. Mr. Knowles also commented that Council has discussed the \$1 million revenue change in balances that comes out of capital improvement sales tax, not necessarily reoccurring costs every year and feels that the most significant number that should be paid attention to is the \$414,000. He feels that this staff and Council have worked extremely hard to keep that number where it is. Hopefully, with the continued work to build in this community that number will shrink to a positive number in the near future.

Mayor thanked Council, staff and City Manager for their hard work with the difficult process of coming up with the best compromise providing services to residents, fairness to employees and maintaining all employees, there were no layoffs and no loss of wages to City employees. Council gave employees a small offset in their salaries to offset the proposed increase in healthcare. Council did the best they could under the circumstances and appreciates their patience and understanding.

There being no public comments, Mayor closed the Public Hearing at 7:20 p.m.
Mayor opened the Public Hearing at 7:20 p.m.

CHAPTER 49 – ALLOWABLE USES – C-2 ZONING – CONTINUED TO JUNE 22, 2010
Amending Chapter 49 zoning regulations pertaining to allowable uses in C-2 Zoning District.

Mayor continued the Public Hearing to June 22, 2010.

SPECIAL USE PERMIT – 3140 PERSHALL RD – VEHICLE SALES

Special Use Permit to conduct used vehicle sales at 3140 Pershall Rd. The proposed site is zoned C-2, Planned Commercial District, and used vehicle sales is a Special Use.

Mayor announced that the "Applicant withdrew the application for this Special Use Permit after the notice of Public Hearing was published. The Council will not be taking any action on the application described in the notice".

SPECIAL PRESENTATIONS

Pride of the City Winners – Month of June

Public Works Director, Terry O'Neil explained the Pride of the City Program. Mr. O'Neil and Mayor Fletcher introduced and congratulated the June Pride of the City winners. The winners are Ward 1, Ella Pett, 850 Cernicek Lane, Ward 2, Scott & Dawn Martin, 32 N. Dade Ave. and Ward 3, Ann Hodge, 5157 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

Ms. Collins, 9 Bonair Drive, Olivette, MO principle partner of Minds at Work doing business as Royalty in Full Bloom and partner, Debra Shurn of development and marketing had concerns and comments regarding the proposed adult daycare.

Ms. Shurn, 3122 Thelma, wanted one more opportunity to justify their intentions for wanting to develop a new partnership with the City of Ferguson with the establishment of a new daycare at 415 S. Florissant Road. She feels that day programs offering services like theirs have become an outlet for families as an alternate for day programs for their seniors. Royalty in Full Bloom is designed to serve as a social services model which is similar to a social club for seniors and intends to provide seniors with a royal treatment they deserve. They researched Ferguson and chose it because according to the 2000 census of Ferguson's population approximately 6,000 are people 62 and above which is a great number for people that might have a need based on healthcare and aging communities. Ms. Shurn recapped some of the activities they will offer, business décor and exterior upgrades including fencing, landscape, lighting and parking lot. She feels that in support of the City of Ferguson's vision, the site will be supported through various aggressive marketing and promotional activities and felt that their goals were inline with where the City is trying to go in promoting the downtown business area. Ms. Shurn commented that their goal is to drive more patrons to this area by increasing Ferguson's exposure to families who might or might not currently reside here. Based on their projections, once they reach their client capacity they anticipate in helping Ferguson generate over \$1million in revenue that will become taxable and income to the City.

Ms. Collins discussed concerns raised by the bar area owners at the Public Hearing. Ms. Collins would like it understood that they have no prior affiliations with the previous child daycare tenant and accept no responsibility for lack of maintenance or care for the site at that time. They have already invested over \$20,000 by paying for

a new site plan, survey plan, license architect and surveyor, landscaping plan by a professional company and provided the City with a business plan which raised the expenses as far as marketing and more research done and still do not know if they will get approved. Their plans are designed to meet, if not exceed, the City of Ferguson and the State of Missouri's code requirements. Ms. Collins has personally spent 25 years doing business as a landlord, property management, rehabbing and improving neighborhoods and buildings and communities, has served as a chair person on several block units and actively and President of a condo association with over 16 units for the last 20 years. She feels that 415 S. Florissant is a convenient location for an adult daycare; the hours are from 8-5 p.m. and should not impose any conflict with the current nightlife located on the strip. They are closed weekends.

Their privately owned parking lot is more than adequate for the number of the required spaces and safe for the caregivers and staff to provide a safe point of entry for the patrons. Points of entry and exits are in the rear of the privately owned lot unlike many other daycares next to the curb. The site will be monitored by the state of the art alarm and monitoring system approved by Missouri's code. Ms. Collins also feels that similar to University City's loop area 415 S. Florissant as an adult daycare will be a great asset to the currently variety of businesses located in the desired area, bridging the gap with available services for seniors to have their location for socialization in Ferguson's downtown business district on the main thoroughfare is important.

While walking the downtown business district she was pleased to believe that 415 S. Florissant would no longer be part of the "for lease" or "for sale" number of buildings in Ferguson. Ms. Collins feels it will also provide a balance in the number of diversity and different types of businesses and liquor establishments limiting potential increases for incidents of alcohol related traffic tragedies.

If granted the request their adult daycare will increase sales revenue for the area businesses and will help to pay tax revenues to the City of Ferguson. In closing, Ms. Collins hopes their prepared response has shed some light on some of the concerns from those that had concerns. Ms. Collins thanked Council.

Ms. Ann Chisholm – 312 Royal Ave. Ms. Chisholm applauds the idea of an adult daycare but is concerned that 415 S. Florissant is not a suitable location. Encourages the daycare to look at other places more suitable. Several Churches are lacking revenue and are trying to find ways to keep established and feels this could be a great fit by not owning the building but using a Church setting that has a community hall and the availability of outside areas for a more beautiful setting. Ms. Chisholm also questioned the comment of anticipating an annual income of \$1million with a max amount of 60 potential clients.

Carl Bruce – 8210 Audrain – Bel-Nor, owner of 415 S. Florissant Rd. since 1995. Commented that he is trying to maintain tenants in the building and has put a lot of out of pocket money into the building to make it a daycare. Mr. Bruce and the proposed daycare have spent money over the past year into the building.

Mr. Bruce also had concerns when the parking lot was put in it raised the lot and driveway which started his water problems. He explained while working on Florissant Road the sidewalks were raised which now blocks the water on his driveways and the driveway on the south side was cut off. His parking lot has to accumulate four inches of rain before it will flow over. The City looked at it but has yet to do anything about it. He does not understand how the parking lot next to him got approved plans to raise the driveway and parking lot above his with no inlet. The building next door also has four downspouts coming over to his property. Mr. Bruce presented photos to Council.

Mr. Bruce has to maintain taxes and insurance on the building until it gets leased again. Mr. Bruce also commented that the proposed daycare has a lot invested working there about nine or ten months, but realizes they should have come to the City first. Mr. Bruce also requested something be done about the water flowing onto his property.

Joe Lonero – 901 Hudson is all for the adult daycare but not at that location, and feels that it just does not fit. He would like to see more bars, restaurants and entertainment at the location. It does not fit with the downtown vision, not in the center corridor of the commercial business district. Mr. Lonero responded that he is the guy next door and when the street raised he took the initiative to match the street like everyone else. As far as his water shedding on that property, absolutely not, everything is graded to flow toward Suburban. Mr. Bruce's water and the water from next door does stop because his lot needs maintained and brought up like everybody else did. Mr. Lonero commented that this is a Special Use Permit and certain things fit within that district in certain spaces but not an adult daycare at that location.

Mr. Lonero asked Council to vote no because it is the right thing to do.

There being no further public comments, Mayor closed the Public Comments portion at 7:50 p.m.

BUSINESS PORTION

MINUTES

Council Meeting Minutes, May 11, 2010. A motion was made by Council Member Knowles, seconded by Council Member Grecco and carried to approve and file the Council Meeting Minutes of May 11, 2010. Motion carried unanimously.

Council Meeting Budget Work Session Minutes, May 4, 2010. A motion was made by Council Member Knowles, seconded by Council Member Grecco and carried to approve and file the Council Meeting Budget Work Session Minutes of May 4, 2010. Motion carried unanimously.

Council Meeting Budget Work Session Minutes, May 13, 2010. A motion was made by Council Member Knowles, seconded by Council Member Grecco and carried to approve and file the Council Meeting Budget Work Session Minutes of May 13, 2010. Motion carried unanimously.

CONSENT AGENDA

MINUTES

Ferguson Neighborhood Improvement Program (FNIP) Minutes – March 22, 2010. A motion was made by Council Member Knowles, seconded by Council Member Grecco and carried to receive and file the Ferguson Neighborhood Improvement Program Minutes of March 22, 2010. Motion carried unanimously.

Ferguson Municipal Library Minutes – April 26, 2010. A motion was made by Council Member Knowles, seconded by Council Member Grecco and carried to receive and file the Ferguson Municipal Public Library Minutes of April 26, 2010. Motion carried unanimously.

Ferguson Senior Citizens Commission Minutes – May 20, 2010. A motion was made by Council Member Knowles, seconded by Council Member Grecco and carried to receive and file the Ferguson Senior Citizens Commission Minutes of May 20, 2010. Motion carried unanimously.

Park Board Minutes – May 18, 2010 **w/recommendations**. Mr. Knowles explained that the recommendations were 1) at the request of the YMCA presented to the Ferguson Parks and Recreation Department for use of Hudson Park be accepted with the same stipulations as last year and 2) to execute a facility use agreement between the City of Ferguson and Blessed Teresa of Calcutta for use of their center for the Parks and Recreation Department Programs.

A motion was made by Council Member Knowles, seconded by Council Member Grecco and carried to receive and file the Park Board Minutes of May 18, 2010 with recommendations. Motion carried unanimously.

APPOINTMENTS

Mr. Knowles has concerns with who pays and who does not pay to be a member of the Ferguson Special Business District, lawyers and doctors do not pay to be members of the FSBD or any Ferguson Business license. They are exempted. Questioned is it proper for someone who does not pay the license to sit on the Board and is it an issue of logic. No one outside the district who does not pay the fee because their business resides outside the district gets to sit on the board and have a voice, why does someone by virtue of get to not pay the district fee or any license fee in Ferguson and then remain on the Board.

Ms. Grecco feels that their presence in the district is determined of their ability and the requisite for sitting on the Board, not the payment of the business license fee.

Ms. Karr responded it is not prohibited from making the appointment it is strictly a policy issue as to who Council wants to appoint to the Board. Council can control the qualifications for the appointment.

Mr. Knowles questioned the professional cannot be compelled under State law to pay a fee, but could they be told if they want to be on this Board they have to be a fee paying member and might have to voluntarily pay it.

Council will not hold up a current reappointment but will further discuss the rules in the future.

Council made the following re-appointments with Council Member Knowles recusing himself of the appointment and any consideration of Park Board Member, and his mother, Patti Knowles.

FSBD ADVISORY BOARD

Chuck James
Kelly Braun

HOUSING BOARD OF APPEALS

Tom Steinbruegge

LANDMARKS COMMISSION

Aaron Burnett

LIBRARY BOARD

Jeanne Garofalo
Don Young
Susan Donnell

PARK BOARD

Patti Knowles (Council Member James Knowles recused himself)
Roger Herin, Jr.

PERSONNEL BOARD

Jacqueline Dehmer
Dave Wesloh

PLAN COMMISSION

Mike McGrath

SENIOR CITIZEN COMMISSION

Helen Moody
Chris Giddens
Don Gores
Joyce Bass
Stan Caldwell

Council appointed Peggy Carson, Wesley Ave. to the Landmarks Commission. Council thanked Ms. Carson for accepting the position.

REQUESTS

A motion was made by Council Member Knowles, seconded by Council Member Crecelius and carried that pursuant to *Sec. 2-26. of the Ferguson Code*, during the months of July and August, regular Council Meetings shall be held only on the fourth Tuesday of each month, which will be July 27, 2010 and August 24, 2010. Motion carried unanimously.

LIQUOR LICENSES/RENEWALS:

A motion was made by Council Member Knowles, seconded by Council Member James and carried to approve the *Liquor License Change of Management* of Grab and Go (f/k/a Ferguson Amoco) located at 10633 New Halls Ferry Road from Carrie Carrow to Ludovico Marin. Motion carried unanimously.

Council Member Knowles had concerns and notable issues with R&R Mini Mart and questioned, from the staff's prospective, at what point does a liquor license not be renewed.

City Manager, John Shaw responded that after the renewal is filed with the City Clerk an important part of the renewal process goes through the Public Works and Police Department to determine if there are nuisances that would cause them to recommend their license not be renewed and also as a measure to try to get them to conform to various code and police issues. Both departments carefully reviewed all renewals and found that there is not sufficient reason, at this point, for them to recommend that any liquor license be withheld. As far as from a staff prospective any issues are not to a level where they are not being corrected.

Mayor shares the concern that the fact there was a shooting, and the attendees hear the shooting and do not call the police to report the shooting, feels it is a serious infraction and are not good neighbors of the community by simply not having the courtesy of calling the Police when there is a shooting on their parking lot.

Ms. Karr commented the liquor license would need to be renewed at the next Council Meeting because the renewal is needed by midnight on June 30, 2010.

Mr. Knowles would like to see a business owner take steps in cooperating, working and being proactive with the Police.

Mr. Shaw suggested that prior to the next Council meeting staff provide Council with a detailed list of any kind of complaints with respect to the R&R Mini Mart and invite the business owner to appear before the Council. Council agreed.

A motion was made by Council Member Knowles, seconded by Council Member Grecco and carried to approve the following Liquor License Renewals for the 2010-2011 Fiscal Year with the *exception of R&R Mini Mart*:

Malone's Grill & Pub, Paul's Market, Emerson Electric Campus, Savoy Banquet Center, Rinderer's Drug Store, Ferguson BP Amoco, Shop 'n Save at 49 N. Florissant Road, Shop 'n Save at 10805 Old Halls Ferry Road, Quicktrip #616, Candlelight Banquet Center, Lamplighter Banquet Center, SAMS Club#8125, Vincenzo's, Ferguson Market, Blessed Teresa of Calcutta, El Palenque, Wal-Mart#1265, Marley's Bar & Grill, The Big Easy, Circle K#1628, Sam's Meat Market, The Junkyard Bar & Grill, Grab and Go, CORK Wine Bar, and A-1 Food & Package Liquor.

Motion carries with the exception of R&R Mini Mart.

R&R Mini Mart will be invited to the June 22, 2010 Council Meeting to appear before Council.

RESOLUTIONS

2010-06 A RESOLUTION RE-APPOINTING RONALD BROCKMEYER AS MUNICIPAL JUDGE FOR THE CITY OF FERGUSON FOR A TERM OF TWO (2) YEARS; JULY 1, 2010 – JUNE 30, 2012.

A motion was made by Council Member Byrne, seconded by Council Member Knowles to table Resolution No. 2010-06 to the June 22, 2010 Council Meeting for further information.

On roll call vote, the motion carried as follows:

AYES: 5 – Crecelius, Knowles, Mayor Fletcher, Byrne, Grecco
NOES: 2 - Salant, James
Resolution passes.

A motion was made by Council Member Knowles, seconded by Council Member Grecco and carried to read and approve Resolution No. 2010-07. Motion carried unanimously.

2010-07 A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A FACILITY USE AGREEMENT BETWEEN THE CITY OF FERGUSON AND BLESSED TERESA OF CALCUTTA (BTC) FOR USE OF THEIR CENTER FOR THE PARKS AND RECREATION DEPARTMENT PROGRAMS, was introduced by Council Members present and read by City Attorney, Stephanie Karr.

On roll call vote, the motion carried as follows:

AYES: 7 – Salant, Knowles, James, Mayor Fletcher, Byrne, Grecco, Crecelius
NOES: 0
Resolution passes.

Approved: 6/22/10

A motion was made by Council Member Knowles, seconded by Council Member Grecco and carried to read and approve Resolution No. 2010-08. Motion carried unanimously.

2010-08 A RESOLUTION APPROVING AN AGREEMENT WITH J&M DISPLAYS, INC. FOR THE PURPOSE OF CONDUCTING THE FIREWORKS DISPLAY AT THE CITY'S FOURTH OF JULY CELEBRATION AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID AGREEMENT, was introduced by Council Members present and read by City Attorney, Stephanie Karr.

On roll call vote, the motion carried as follows:

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

NOES: 0

Resolution passes.

A motion was made by Council Member Knowles, seconded by Council Member James and carried to read and approve Resolution No. 2010-09. Motion carried unanimously.

2010-09 A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT ON BEHALF OF THE CITY TO PROVIDE VEHICLE REPAIR AND MAINTENANCE SERVICE TO THE CITY OF COUNTRY CLUB HILLS, was introduced by Council Members present and read by City Attorney, Stephanie Karr.

City Manager, John Shaw explained that this Resolution allows the City Manager to enter into a contract with Country Club Hills to provide vehicle repairs and maintenance service. The City has 12 vehicles and the work load increase should be minimal. Staff proposes to charge \$65.00 an hour labor and actual cost for parts and materials.

On roll call vote, the motion carried as follows:

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

NOES: 0

Resolution passes.

BILLS REQUIRING FIRST READINGS

BILL NO. 6919 AN ORDINANCE ADOPTING A PROCEDURE TO DISCLOSE POTENTIAL CONFLICTS OF INTEREST AND SUBSTANTIAL INTERESTS FOR CERTAIN MUNICIPAL OFFICIALS, was introduced by Council Members present and read the first time.

Mr. Shaw explained that Bill No. 6919 is required to be passed by State Statute every two years and establishes the procedure for the disclosure statement that City Council, Finance Director and City Manager complete every year.

BILL NO. 6920 AN ORDINANCE REPEALING ORDINANCE NO. 2009-3402, 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 2010-2011, was introduced by Council Members present and read the first time.

BILL NO. 6921 AN ORDINANCE REPEALING ORDINANCE NO. 2009-3403, 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 2010-2011, was introduced by Council Members present and read the first time.

BILL NO. 6922 AN ORDINANCE AMENDING SECTION 2-61 OF THE MUNICIPAL CODE RELATING TO THE CITY MANAGER'S AUTHORITY TO EXECUTE CERTAIN CONTRACTS, was introduced by Council Members present and read the first time.

Mr. Shaw explained that Bill NO. 6922 would amend Section 2-61 of the Municipal Code. Currently, that code provision provides that the City Manager is not authorized to execute contracts for the sale or purchase of property unless specifically authorized by the Council. This amendment would allow the City Manager to execute contracts for the purchase of property (purchase only, not sale) if such purchase is consistent with the budget approved by the Council. Staff could then implement the general philosophy of land banking if appropriations have been made by the Council through the budgetary process. By not needing specific authority from the Council as required by the current language of Section 2-61 of the Code, Staff can act immediately and, most likely, will be more successful with regard to attractive property acquisitions.

Council Member Knowles would like the Council limited power language changed and would like additional language for specific Council policy and include layout plots targeted. Mr. Knowles will discuss with Attorney Karr prior to second reading.

BILLS REQUIRING SECOND READINGS

BILL NO. 6915 (AMENDED) AN ORDINANCE AMENDING THE ZONING REGULATIONS PERTAINING TO NUMERICAL LIMITATIONS IN THE DB-1 AND DB-2 ZONING DISTRICTS 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 amend Bill No. 6915 (AMENDED) as presented to reflect the landscaping provisions already enacted by Council. Motion carried.

A motion was made by Council Member Knowles, seconded by Council Member Grecco and carried to read Bill No. 6915 (AMENDED) as amended a second time and place it upon its passage. Motion carried unanimously.

On roll call vote, the motion carried as follows:

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

BILL NO. 6915 was declared passed and sent to the Mayor for signature. Bill No. 6915 thus became Ordinance No. 2010-3427 and is permanently recorded in Book 31 page 41.

BILL NO. 6916 AN ORDINANCE OF THE CITY OF FERGUSON, MISSOURI GRANTING A SPECIAL USE PERMIT TO CHARLES E. HAMILTON FOR THE PURPOSE OF OPERATING A RESTAURANT AND LOUNGE AT 3156 PERSHALL ROAD SUBJECT TO THE CONDITIONS, RESTRICTIONS, AND REQUIREMENTS SET FORTH HEREIN, 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. 6916 a second time and place it upon its passage. Motion carried unanimously.

On roll call vote, the motion carried as follows:

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

Approved: 6/22/10

BILL NO. 6916 was declared passed and sent to the Mayor for signature. Bill No. 6916 thus became Ordinance No. 2010-3428 and is permanently recorded in Book 31 page 42.

BILL NO. 6917 AN ORDINANCE OF THE CITY OF FERGUSON, MISSOURI GRANTING A SPECIAL USE PERMIT TO MINDS @ WORK LLC FOR THE PURPOSE OF OPERATING AN ADULT DAY CARE CENTER AT 415 S. FLORISSANT ROAD SUBJECT TO THE CONDITIONS, RESTRICTIONS, AND REQUIREMENTS SET FORTH HEREIN, was introduced by Council Members Crecelius, Knowles, James, Byrne, Grecco and read the first time.

A motion was made by Council Member Knowles, seconded by Council Member Grecco and carried to read Bill No. 6917 a second time and place it upon its passage. Motion carried unanimously.

On roll call vote, the motion carried as follows:

AYES: 1 – James

NOES: 6 – Grecco, Crecelius, Salant, Knowles, Mayor Fletcher, Byrne

BILL NO. 6917 FAILED.

BILL NO. 6918 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE ON BEHALF OF THE CITY OF FERGUSON, MISSOURI AN STP AGREEMENT WITH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION PERTAINING TO THE FORESTWOOD AVENUE RECONSTRUCTION PROJECT, PROJECT NUMBER STP-5518(604) AND ESTABLISHED THE EFFECTIVE DATE THEREOF, 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. 6918 a second time and place it upon its passage. Motion carried unanimously.

On roll call vote, the motion carried as follows:

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

NOES: 0

BILL NO. 6918 was declared passed and sent to the Mayor for signature. Bill No. 6918 thus became Ordinance No. 2010-3429 and is permanently recorded in Book 31 page 43.

OLD BUSINESS

Council Member James wanted to make sure complete streets are moving forward.

Mayor questioned the request for complete streets forwarded to Mr. Shaw.

Mr. Shaw explained it is requesting a letter from the City of support for complete streets at the Federal level. Council agreed to the letter.

MISCELLANEOUS

Mr. Crecelius reminded everyone of storm season, check and clean air conditioner units which will help with Ferguson's green initiative and commented the Farmers' Market is better than ever and invited everyone to attend.

Mr. Salant requested staff to send a letter to Charlie Dooley and Hazel Erby for an update on the reconstruction with Florissant Road from Chambers to 270.

Mr. Shaw responded that it was postponed from the current year and has not yet gotten an official reschedule date. Mr. Shaw understood it was going to be Airport/Hereford/Chambers under construction last year and this year the W. Florissant project. It was supposed to be sequential. The response received is that both of the projects have been postponed.

Council requested staff to send a letter for an update on the reconstruction.

Mr. Knowles thanked staff and Council for the effort and time spent on the Budget. With stagnant revenues and increase in operating costs because of health insurance, raises, etc. Mr. Knowles would like to look at new ways to bring in revenue into the community by economic development and look into making law enforcement more efficient i.e. red light cameras where appropriate to use both as an opportunity to help serve and assist the law enforcement in their duties and also bring in revenue.

Mr. James announced the Friday 6/11/10 concert at Plaza @ 501 with food provided by the Community Gardens. Free movie at Central School food provided. Congratulations to the Pride of the City winners. Reminder that with school out and summertime please keep right of ways and sidewalks clear and to be mindful of pedestrians and bicyclists.

Mr. James requested that staff check into intersections being timed appropriately and an update on the bike directional pavement signs along Paul Ave. Reminder that Sunday Parkways July 25, 2010 in the Forestwood area, volunteers are needed.

Mr. Shaw responded that staff is waiting on St. Louis City to provide the bike templates which is a more contemporary template that Great Rivers Greenway would like the City to use. The goal is to finish as soon as possible.

Mr. Byrne thanked the Blessed Teresa of Calcutta kids for selling kool-aid in the rain at their garage sale and raised approximately \$1,023.00 for the 4th of July committee. Also thanked the volunteers and everyone involved with the All American City Award in putting together the best presentation they can and reminded everyone until Saturday you can purchase \$10 raffle tickets.

Ms. Grecco congratulated new business owner of 3156 Pershall Road and Pride of the City winners. April 1 census day forms should have been in. If you haven't sent it in you will now get people knocking on your doors seeking census information. Ms. Grecco encouraged everyone to respond to the census workers who will identify themselves with official census I.D.'s and will never ask for personal identifying information i.e. social security numbers, but will ask name, age, etc. it is protected information not accessible by anybody for 72 years. It is important to have an accurate headcount for the City it regulates what the City gets in terms of representation for federal government, state government and for accessing of tax revenues.

Mr. Shaw needs dates to schedule Strategic Planning Workshop sessions and are looking at the month of September. It is a three day commitment beginning on a Friday 12-5 p.m., Saturday all day and Sunday morning. Possible dates of September 10-12 or 17-19. Council will inform Mr. Shaw.

Mayor Fletcher wished the Chisholms a happy 50th Wedding Anniversary. The All American City Award is very special to the City and staff is working very hard in sending a delegation. The raffle ticket winners will be drawn at the Farmers' Market this Saturday at 11:30 a.m.

Mayor announced a closed session.

ADJOURNMENT

At 8:50 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 610.021/610.022 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; (2) lease, purchase or sale of real estate 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 11:00 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 Grecco, seconded by Council Member Crecelius, moved to adjourn the meeting. Motion carried unanimously. The meeting adjourned at 11:00 p.m.

ATTEST:

Brian P. Fletcher – Mayor
City of Ferguson, Missouri

Deborah Matthies – City Clerk
City of Ferguson, Missouri
Approved: 6/22/10