

**CITY OF FERGUSON , MISSOURI
CITY COUNCIL MEETING MINUTES
JUNE 22, 2010**

The regular meeting of the Ferguson City Council was called to order at 7:00 p.m. on June 22, 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.

Agenda Amended -

A motion was made by Council Member Knowles, seconded by Council Member Grecco to amend the Agenda to add the Liquor License Renewals of Walgreen's – 190 N. Florissant Road and Phillips 66 – 10620 N. Halls Ferry Road. Motion carried unanimously.

PUBLIC HEARINGS Mayor continued the Public Hearing from *JUNE 8, 2010*

CHAPTER 49 – ALLOWABLE USES – C-2 ZONING –

Amending Chapter 49 zoning regulations pertaining to allowable uses in C-2 Zoning District.

City Manager, John Shaw explained that Staff and the Plan Commission recently discussed amending the C-2 Zoning District to include used-vehicle sales as special uses and to allow businesses that are normally accessory uses to car dealerships to concurrently occupy the property with site plan review.

On June 16, 2010, the Plan Commission continued their review and recommended approval of the staff report and proposed amendments to the C-2 District. These recommendations will place used-vehicle dealers and their accessory uses in the Special Use category. This Special Use will be restricted to only those properties fronting on Pershall Road, with a minimum lot size of two (2) acres.

There being no public comments, Mayor closed the Public Hearing at 7:06 p.m.

PUBLIC HEARINGS

Mayor opened the CDBG Public Hearing at 7:06 p.m.

Community Development Block Grant Funds for Fiscal Year 2011

- ❖ *Request to sign in*
- ❖ *Distribution and reading of informational handout*
- ❖ *Staff presentation of submitted suggestions or comments*
- ❖ *Request for public suggestions or comments*

City Manager, John Shaw explained that annually the City of Ferguson submits a Community Development Block Grant (CDBG) application to the St. Louis County Planning and Development Department to secure funding to undertake in the coming calendar year a set of eligible activities that primarily benefit low and moderate-income residents of the City.

Community Development Coordinator, Natasha Ramey handed out a list of eligibility activities, handouts and sign-in sheet. Ms. Ramey then presented the Community Development Block Grant Budget Proposal for Fiscal Year 2011 and explained the particulars of the grant, and intended expenses to be covered by those funds. The City of Ferguson participates in the federal Community Development Block Grant (CDBG) program each year. As a CDBG grantee, St. Louis County receives funds directly from the Department of Housing and Urban Development (HUD). Ferguson receives its CDBG funds as a sub grantee of the County. In 2011 Ferguson is scheduled to receive \$155,300 in CDBG funds.

As required by the County as part of the application process a Public Hearing must be held and public notice was given that comments and suggestions for the use of the 2011 CDBG funds will be heard at the public hearing or may be submitted in writing to City Hall, 110 Church Street, Attention: Natasha C. Ramey, Community Development Coordinator before June 18, 2010, citizens may also appear at this Public Hearing to make suggestions and proposals regarding the use of the funds.

Ms. Ramey received suggestions by email from the Forestwood Neighborhood Association. Mayor then read the following five proposals to be considered at the public hearing meeting submitted on behalf of the Forestwood Neighborhood Association – 1) Restoration and repair on existing brick wall located at the corner of W. Florissant and Lang Drive 2) addition to the Lang-Royce Park a fenced in basketball court with two (2) basketball goals 3) Ferguson On Watch signs installed at the various busy intersections i.e. Highmont and Forestwood and some residential streets 4) additional permanent benches installed in the Forestwood and Lang-Royce park and 5) installation of speed bumps along Forestwood from Chambers to Highmont.

Ms. Ramey also commented that along with the sign in sheet anyone who is interested may take a list of eligible activities that the CDBG funds can be used for. All activities have to either benefit low and moderate income residents, help eliminate blight or address an urgent need. The application must be submitted to the County by July 9, 2010.

In summary, the proposed 2011 CDBG budget discussed at a Council Work Session includes:

Public Facilities and Improvements – \$50,000

As part of the City of Ferguson's Neighborhood Agenda, the City will use CDBG funds for capital improvement projects in the low-moderate income areas of the City. Next year's projects will also focus on new sidewalks.

Public Facilities and Improvements - \$70,300

As part of the City of Ferguson's Neighborhood Agenda, the City will use CDBG funds for capital improvement projects in the low-moderate income areas of the City. Next year's projects will focus on street repair.

Code Enforcement - \$35,000

As part of the City of Ferguson's Neighborhood Agenda and to offset the cost of inspections, the City building inspectors will conduct inspections and re-inspections of residential structures in low-moderate income neighborhoods in Ferguson.

Council Member Knowles suggested, in the future, not having a budget work session where Council has decided to spend the money then ask the public what they might be interested in spending the money on.

City Manager Shaw clarified that there is a Public Notice that goes out well in advance and invites the public to write in and submit suggestions prior to the meeting.

Mr. Knowles questioned if the Public Hearing could be at the beginning of June for an opportunity for Council to make changes.

Mr. Shaw responded that a Public Hearing can be as far in advance as Council would like.

Mr. Shaw also commented that several of the neighborhood association's suggestions can be accomplished without the use of CDBG funds. Mr. Shaw feels that the basketball courts are an excellent idea when looking for different projects for the Parks Department every year, the benches are included annually, and the speed bump suggestion should be submitted to the Traffic Commission for a traffic study.

Mayor Fletcher also agreed that all of the suggestions can be accomplished without the use of CDBG funds.

Council agreed to plan the Public Hearing earlier next year and continue it until the last meeting in June.

Mr. Knowles commented that any opportunity to give to residents before hand would be nice.

Chuck Henson – 1110 Birchgate Trail – suggested focusing on youth projects.

Mayor commented that the Park Fund is available for youth projects without using CDBG funds.

There being no further public comments or suggestions for the proposed use of the CDBG funds, Mayor Fletcher declared the CDBG Public Hearing portion closed at 7:15 p.m.

SPECIAL PRESENTATIONS

Pride of the City Winners – Month of July

Public Works Director, Terry O'Neil explained the Pride of the City Program. Mr. O'Neil and Mayor Fletcher introduced and congratulated the July Pride of the City winners. The winners are Ward 1, William & Donna Potter, 721 Plantmore Drive, Ward 2, Renee Henley-Ivy & Andre Ivy, 228 Tiffin Ave. and Ward 3, Richard & Michelle Bonifer, 15 Randolph Ave. 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.

SPECIAL RECOGNITION

Mayor gave special recognition to a delegation of 22 citizens, elected officials, business owners and staff who drove to Kansas City to compete in the All America City Award. Mayor commented that the City is greatly honored by just being nominated as a finalist and feels it is a major achievement for the City, over 150 cities submitted nominations. Mayor, personally, is proud of the delegation and will re-submit next year and hopes to come home as one of the top ten. Mayor thanked all of the individuals present and everyone involved with the project.

Mayor then requested TEAM Ferguson members to come to the podium and share stories from their experience.

Team Captain, Shannon Howard thanked Council and staff for the incredible honor of being named Captain of the team and to work with all of the delegates. Ms. Howard feels it was a wonderful investment for the community and everyone came back with community spirit and excitement. Ms. Howard gave a background on the presentation and activities and through their fundraising efforts was able to raise approximately \$5,400 for the trip; the cost to the City will be approximately \$6,500 she feels the City made a good investment and hopes they can return next year. Ms. Howard thanked all of the businesses who donated prizes for raffles, the Ferguson Parks Department and everyone involved.

Ms. Howard then read some quotes from Team Ferguson members that could not be present at the Council meeting.

Ms. Howard read the names of all who were involved as a part of Team Ferguson – the delegates were Mayor Fletcher, Council Member James, Chuck Henson and John Knowles from the School Board, City Staff included Nancy Whitener from the Parks Department, Kelly Mitchell the PR Intern and Dee Fuller from the Police Department along with Dee's husband and daughter, Plaza Heights resident Brittany Prather, Bev Walker, Steve Marsden, Larry Robinett, Craig Kidd, Eric Burn, Mary Haux and her children, Don Chisholm and Ben Vogelsang.

Team Members in spirit were Council Member Byrne, Heather Robinett, Donnell Trout, Shantana Stewart from the Ferguson Florissant School District, Emily Byrne, Ann Chisholm, John Shaw, Sam Anselm and all of the other City Staff who prepared the application and were involved. Ms. Howard felt it was a wonderful opportunity and looks forward to next year.

Members of the delegation who also gave comments and thanks were Craig Kidd with the Robert Superior Neighborhood Garden, Don Chisholm, John Knowles, Dee Fuller, and Bev Walker.

Mayor Fletcher announced a brainstorming session and a reception will be scheduled to thank all of the delegates.

PUBLIC COMMENTS

There being no public comments, Mayor closed the Public Comments portion at 7:30 p.m.

BUSINESS PORTION

MINUTES

Council Meeting Minutes, June 8, 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 June 8, 2010. Motion carried unanimously.

Council Meeting Budget Work Session Minutes, May 20, 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 20, 2010. Motion carried unanimously.

Council Meeting Budget Work Session Minutes, May 27, 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 27, 2010. Motion carried unanimously.

CONSENT AGENDA

MINUTES

A motion was made by Council Member Knowles, seconded by Council Member Grecco and carried to receive and file the Personnel Board DRAFT Minutes of June 7, 2010 with recommendations. Motion carried unanimously.

APPOINTMENTS

Council appointed Nicole Watson, UMB Bank to the FSBD Board.

Council re-appointed Lesia Henson to the FNIP Board and Robert Sorensen to the Pension Board.

REQUESTS

LIQUOR LICENSES/RENEWALS:

A motion was made by Council Member Knowles, seconded by Council Member James to approve the Temporary Liquor License for Blessed Teresa of Calcutta for activities to be held at the July 4, 2010 festivities at January Wabash Memorial Park. Motion carried unanimously.

At the June 8, 2010 Council Meeting, Council requested the owner of R&R Mini Mart to appear before Council. Owner Masood Kureshi and his son were present to answer Council questions regarding their concerns of trash on the property, a shooting incident that happened on the parking lot and consistent problems with the business.

Mayor commented that City Manager, John Shaw met with Mr. Kureshi to discuss the concerns of the Council and that the code violations have now been corrected satisfactory to the City. Council still has concerns about the seriousness of the problems and Mr. Kureshi must understand that the problems discussed and the trash issue has to be maintained throughout the year not just at liquor license renewal time.

Mayor personally will not renew their license next year if they do not keep their property consistently maintained throughout the year.

R&R responded that they have now hired someone to clean up the trash on the property everyday and are now power washing and cleaning their lot weekly.

Mr. Knowles commented that it was R&R surveillance cameras that did help with at least one crime that occurred in Ferguson. His personal concern of issues at that location is that R&R did not take an active role in assisting the Police or was not proactive in helping the Police. Mr. Knowles asked that over the next year R&R form a relationship with the Police Department to help that area as well as their

business to maintain a safe working environment for R&R employees and the residents in the area because the City wants businesses to succeed.

R&R responded that they are now contacting the Police when incidents occur.

Mr. Knowles inquired about approving the liquor license for a 6 month time period and then revisit it in 6 months.

Mayor questioned if Council is allowed to suspend a liquor license if an applicant is not keeping up with the standards.

Ms. Karr commented that within the last two years Council has made some thorough Ordinance amendments regarding suspension and revocation procedures and there is also a disciplinary action; if a licensee is operating as a nuisance business and not complying with the conditions of a liquor license, etc. The City has strong suspension, revocation and other disciplinary options available which is up to the Council.

Mr. James had comments and concerns with the trash on the property and people loitering in the area. This building is at the Ferguson City limits and he would like the building to look nice, and be welcoming and inviting all of the time.

Ms. Karr then read the portion of the Ordinance - *all new or renewal licenses issued during a fiscal year of July 1, to June 30 shall expire on June 30 of each year and no liquor shall be sold by any licensee unless and until the license shall have been authorized by the Council for issuance and the fee therefore has been paid by the licensee* and commented that Council has the right to suspend or revoke the license if there is just cause.

Mayor explained to R&R that if the license is approved it will be for one year, but if the problems continue to exist at the property; Council will not renew their license next year.

The agenda was amended to add Walgreen's – 190 W. Florissant Road and Phillips 66 – 10620 N. Hallsferry Road for liquor license renewals for FY 2010-2011.

A motion was made by Council Member Knowles, seconded by Council Member Crecelius and carried to approve the following Liquor License Renewals for the 2010-2011 Fiscal Year: Mimi's Subway Bar & Grill, Zion Lutheran Church, Wingstop-St. Louis Wings, A&D Mini Mart, R&R Mini Mart, Walgreen's and Phillips 66.

A motion was made by Council Member Knowles, seconded by Council Member James to approve *conditional upon approval of inspections* the following Liquor License Renewals for the 2010-2011 Fiscal Year: Merello Convenience, Inc., and Say When Lounge.

PROCLAMATIONS – Ferguson Fourth of July Festival Committee Awards

Mayor read the Proclamations that will be presented to the recipients at the 4th of July festivities.

Ferguson Citizens of the Year

❖ Gene and Jennifer Stephens

Len Winters Youth Achievement Awards

❖ Alison Roth

❖ Robert McGartland

RESOLUTIONS

A motion was made by Council Member Knowles, seconded by Council Member Grecco and carried to read and approve Resolution No. 2010-10. Motion carried unanimously.

2010-10 A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE NECESSARY APPLICATION DOCUMENTS TO FORWARD TO ST LOUIS COUNTY TO RECEIVE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS AND ENTER INTO A SUPPLEMENTAL AGREEMENT FOR THE EXPENDITURE OF THESE FUNDS, was introduced by Council Members present and read by City Attorney, Stephanie Karr.

On roll call vote, the motion carried as follows:

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

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. 2010-11. Motion carried unanimously.

2010-11 A RESOLUTION OF THE CITY OF FERGUSON, MISSOURI, APPROVING AND ADOPTING A BUDGET FOR THE 2010-2011 FISCAL YEAR, 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.

A motion was made by Council Member Knowles, seconded by Council Member James and carried to read and approve Resolution No. 2010-12. Motion carried unanimously.

2010-12 A RESOLUTION OF THE CITY OF FERGUSON, MISSOURI, ADOPTING A CAPITAL IMPROVEMENT PROGRAM FOR THE CITY FOR THE FISCAL YEARS OF 2011–2015, 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 Salant to remove from the table Resolution No. 2010-06. Motion carried unanimously.

A motion was made by Council Member Knowles, seconded by Council Member Grecco to read and approve Resolution No. 2010-06. Motion carried unanimously.

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, was introduced by Council Members present and read by City Attorney, Stephanie Karr.

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. 6923 AN ORDINANCE AMENDING CHAPTER 49 ZONING REGULATIONS PERTAINING TO ALLOWABLE USES IN C-2 ZONING DISTRICT, was introduced by Council Members present and read the first time.

City Manager commented that this Bill was connected with the Public Hearing, to allow used vehicle sales as a special use in C-2 Zoning with frontages based on Pershall Road with a minimum lot size of two (2) acres.

BILL NO. 6924 AN ORDINANCE AUTHORIZING THE CITY MANAGER OF THE CITY OF FERGUSON, MISSOURI, ON BEHALF OF THE CITY TO ACCEPT FOR CITY DEVELOPMENT AND BEAUTIFICATION, REAL PROPERTY IDENTIFIED AS LOCATOR NUMBER 12H110630 (230 RUGGLES AVENUE) was introduced by Council Members present and read the first time.

Mr. Shaw explained that the City established as a part of its Neighborhood Agenda initiatives, a policy of requesting transfers of properties from St. Louis County Trustee suitable for infill housing development. Six new homes were constructed in the Southwest Neighborhood because of this policy. Occasionally, private property owners offer to donate property to the City that they can no longer maintain and staff evaluates the benefits to the City of accepting the property. Don Wilson, the owner of 230 Ruggles offered to donate his vacant lot to the City because he is moving out of town and can no longer maintain it. Staff examined the property and concluded that when added to 228 Ruggles, an adjacent property owned by the St. Louis County Trustees, it would make an attractive infill-housing site.

Therefore, Staff requests that the City Council accept the property by authorizing the City Manager to sign the quit claim deed presented by Don Wilson to transfer the property to the City and other documents required for the transfer, as well as, approve payment to cover the cost of recording the deed with the Recorder of Deeds Office.

BILLS REQUIRING SECOND 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.

A motion was made by Council Member Knowles, seconded by Council Member Grecco and carried to read Bill No. 6919 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. 6919 was declared passed and sent to the Mayor for signature. Bill No. 6919 thus became Ordinance No. 2010-3430 and is permanently recorded in Book 31 page 44.

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.

A motion was made by Council Member Knowles, seconded by Council Member James and carried to read Bill No. 6920 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

BILL NO. 6920 was declared passed and sent to the Mayor for signature. Bill No. 6920 thus became Ordinance No. 2010-3431 and is permanently recorded in Book 31 page 45.

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.

A motion was made by Council Member Knowles, seconded by Council Member Grecco and carried to read Bill No. 6921 a second time and place it upon its passage. Motion carried unanimously.

On roll call vote, the motion carried as follows:

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

NOES: 0

BILL NO. 6921 was declared passed and sent to the Mayor for signature. Bill No. 6921 thus became Ordinance No. 2010-3432 and is permanently recorded in Book 31 page 46.

BILL NO. 6922 (AMENDED) 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.

Ms. Grecco commented in reviewing the law and how the Bill is currently written this Council works well together and understands what is being looked at in terms of property acquisition but is concerned with future Council's understanding of how property is acquired and she feels the language is too broad.

Mr. Knowles had the same concerns and that is why he asked for the change but felt the amendments were acceptable.

A motion was made by Council Member Grecco, seconded by Council Member Knowles to table Bill No. 6922 (AMENDED) to revisit the language. Motion carried unanimously.

OLD BUSINESS

Ms. Grecco discussed the possibility of amending the liquor license Ordinance to include a three or six month provisional on liquor license renewals so Council may utilize that tool in the proper instances.

Council then discussed provisions, revocations and options for liquor licenses.

City Attorney, Stephanie Karr commented many times the state will wait to grant their license after the City license is completed. Ms. Karr then questioned will the state say their license will only be 6 months if the City grants a 6 month license, there is also the County license. Council requested the liquor license Ordinance be reviewed.

Mr. James questioned staff when the street stenciling and timing of the pedestrian signals would be finished.

Mr. Shaw responded that staff is meeting with Great Rivers Greenway to see how the stencils should appear on the ground. Regarding the signals, the City is significantly longer than the standard for all of the City's pedestrian signals.

Mr. James commented that the Emerson Family YMCA presented Live Well Ferguson with a Certificate for the greater needs donors and as part of the Live Well Ferguson 5K run Live Well donated \$4,000 to YMCA to provide 80 scholarships for youths. In return Emerson YMCA gave a luncheon for all of the donors of the year and displayed a banner in their new gymnasium. Mr. James thanked everyone involved.

Mr. James commented that all of the bricks were sold for the Plaza @ 501 and questioned about using some of the proceeds to display signage or a marquee sign at the Plaza @ 501.

Mr. Shaw responded that some ideas about different signage were discussed, in connection with the Ordinance passed, to accept signage in return for property. Mr. Shaw feels the signage needs to be addressed at that location and informed Council that Great Rivers Greenway will be providing a KIOSK, but feels the location needs something to show promotional events, etc. Council then discussed what type of signage and its location.

Staff will get recommendations of what type of signage would be appropriate at that location and gather some ideas on costs, etc. then inform Council. Council agreed.

Mr. Knowles questioned the Hereford Ave. property owned by the County and would like to see the City acquire it.

Mayor responded that the Ferguson East Neighborhood group feels it is a highly visible piece of ground that could be as beautiful as the medians along Suburban.

Mr. Shaw responded staff has sent a request to St. Louis County but to-date has had no response; staff will follow up.

Council agreed, if possible, to acquire the land.

Mr. Crecelius commented that there has been a significant investment placed into the Plaza @ 501 which looks great and is a success. He feels that part of the purpose in doing so is to build an anchor for enhancing the vibrancy of the community and downtown, providing a location that illustrates how great this community is by drawing people out into the community to that location.

In looking at other areas that are highly vibrant and successful he feels that part of their success is outdoor presence, people being outside in front of a business or an open air plaza, people sitting down enjoying themselves and the environment, etc.

Mr. Crecelius thought that initially part of the Plaza @ 501 included heavy duty exterior seating. Mr. Crecelius requested that staff look into providing seating, etc., that can be removed for special events then placed into storage, but is present

during summertime where people can enjoy themselves outside providing a point of presence in the community. Mr. Crecelius also feels it helps address crime issues, etc. when you have people outdoors enjoying themselves and feels it adds to the vibrancy of the community.

Mr. Shaw responded that staff purchased exterior seating for special events and questioned when to set up the seating and tables, etc. because there is always a chance of damage or disappearance. Mr. Shaw does not want to limit what takes place at the Plaza by placing permanent fixtures. Also, removable fixtures can be removed by other people as well.

Council discussed several options – provide tables at lunch on Thursdays and Fridays; the possibility of permanent heavy fixtures which can be left overnight but can be removed for vandalism; and possible recessed anchors flushed to the ground.

Mr. Shaw would rather devote staff time to monitoring it on some weekdays, instead of damaging the development with anchors, etc. Staff will present more options to the Council.

Mr. Crecelius questioned not having an Ordinance in place that either prohibits or allows vending licenses. There is a possible entrepreneur wanting to locate a stand at that location and the current Ordinance definitions do not encompass this person's intended use.

Mr. Crecelius requested to give staff direction in developing a draft Ordinance that will allow street vendors a special use permit structured to define zones within DB-1 and DB-2 and the specific areas where the operations can take place and also allow the City to establish saturation levels, to fit in with the environment and have control over. He feels these things can add to the element and old time feel to enjoy the outdoors and community.

Mr. Knowles questioned the uses at the Plaza @ 501 as well as the Victorian Plaza and any future plazas. Mr. Knowles requested a work session on this issue so Staff can offer ideas and Council can have input.

Council discussed uses and who would be able to use the property.

Mr. Shaw does not want to provide an environment that will allow vendors to compete with businesses who have invested large sums of money in the community as well as rehabbing buildings. Mr. Shaw agrees that there is space for vendors but needs to make sure the City places proper controls on it. Mr. Shaw will schedule a work session as soon as possible.

MISCELLANEOUS

Ms. Grecco congratulated the Pride of the City winners and the upcoming Citizens of the Year and Lens Winters Youth Achievement recipients. Reminded everyone to be careful in the heat and to run air conditioners. Please lookout for your neighbors, the elderly and do not leave children or pets unattended in cars.

Mr. Crecelius thanked TEAM Ferguson for representing the City.

Mr. Shaw thanked everyone involved in the All American City Award (AACA) including the group of residents, business owners and employees who put a lot of time and effort into the presentation. Special thanks to Assistant to the City Manager, Sam Anselm and the Public Relations Intern, Susanna Steimel who were responsible for the application. Also a special thanks to Ms. Shannon Howard who far exceeded what she was obligated to do.

Mayor Fletcher announced that long time resident Jean Dean, who worked on the 4th of July Committee for two decades, recently passed. A Memorial Service will be held on August 1, 2010. Please keep her family in your prayers.

Mayor was very proud of the individuals who attended the AACA Presentation, and proud of the City. Ferguson is an All American City and will continue to be successful if it keeps moving forward. Hopefully, next year the City will receive an award.

Mayor announced a closed session.

ADJOURNMENT

At 8:35 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 10:20 p.m., a motion was made by Council Member Grecco, seconded by Council Member Crecelius 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 Salant, moved to adjourn the meeting. Motion carried unanimously. The meeting adjourned at 10:20 p.m.

ATTEST:

Deborah Matthies – City Clerk
City of Ferguson, Missouri
Approved: 7/27/10

Brian P. Fletcher – Mayor
City of Ferguson, Missouri