

**CITY OF FERGUSON , MISSOURI
CITY COUNCIL
SPECIAL MEETING MINUTES
August 10, 2010**

A special meeting of the Ferguson City Council was called to order at 7:00 p.m. on August 10, 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 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.

A motion was made by Council Member James, seconded by Council Member Grecco and carried to table Bill No. 6925. Motion carried 6-1 (JK).

SPECIAL PRESENTATIONS

Molly Rockamann, Director of Earth Dance presented a video presentation which interviewed various chicken owners of St. Louis City and County to get their perspectives on raising chickens in backyards and asked that Council change the existing livestock Ordinance to make it easier to raise backyard chickens. Ms. Rockamann explained that Earth Dance has an organic farming apprenticeship program that operates on the historic Mueller Farm on Dade Ave., as well as a produce stand at the Ferguson Farmers' Market. The next step to take in supporting the local food movement is to encourage citizens to produce more of their own food in their own yards and homes so as to eat healthier, be more active and live well in Ferguson.

Ms. Rockamann discussed Ferguson's current Ordinance and their suggested changes. They found that several other cities in St. Louis County and City do not require an annual renewal process and felt that the fee of \$40.00 per year, which is not listed in the Ordinance but is on the application, be changed to \$10.00 per coop so that it is more cost effective for people trying to reduce their food expenditures by raising chickens for their eggs.

Another change would be that the coops or pens not be kept closer than 30 feet to any lot line upon which they are located. This makes it very difficult for people that are not large property owners to raise chickens and feels it is not necessary for the sake of the chickens or noise issues, etc. that they be located that far away. They would like it changed to 10 feet from any window or door of a building on a neighboring property, which is similar to other City Ordinances.

Council further discussed the number limitations, size of coops, property lot line limits, inspection process, annual renewal process and fee amounts and a review of the current City Livestock Ordinance.

Mayor Fletcher commented that he would like to hear the public's thoughts on this matter but mentioned that he has already had complaints regarding chickens within the City.

A poster was shown with frequently asked questions, reasons and benefits on why the proponents want chickens. More information at website www.urbanchickens.org

PUBLIC COMMENTS

John Knowles, 716 N. Elizabeth Ave., had chickens while living in Lemon Grove, CA. He gave brief background on their City Ordinance and will forward a copy to staff. Commented that the chickens ate about all of the household waste, generated about as much waste as a large dog mostly used for composting, and the noise level was no more than a normal songbird. On average six chickens generated approximately a dozen eggs a week, in Spring and Fall they would generate more, and felt that they are very low maintenance. Further commented that for green purposes there were fresh eggs, compost starter for gardens, and kept down bugs around the house. Mr. Knowles experience in raising chickens was very positive.

Mike McGrath, 1599 Knollstone, had comments and concerns of the second reading of Bill No. 6928 regarding section 34.6 stating the City may consider an amendment to the Master Plan. The Master Plan was not identified in the definitions and thought it meant the overall Master Plan, but was informed it was the Master Plan of the developer.

Mr. Shaw explained that Master Plan is the terminology used in the previous Ordinance carried forward.

Special Counsel Jim Mello from Armstrong, Teasdale explained the term Master Plan and that it is related to a particular development plan not the City Master Plan.

Mr. McGrath requested that future Bills be placed online to see the detail.

Mayor will discuss with staff.

Nick Kasoff, 125 Royal Ave., concerns with dilapidated commercial properties in Ferguson. Mr. Kasoff submitted an email to Council Members regarding the property at 400 St. Louis Ave. illustrating the need of inspections on an annual basis along with a copy of why dilapidated commercial properties cost the City money in having to police the buildings and lost tax revenue. Mr. Kasoff further discussed a comparison of several properties.

Ann Chisholm, 312 Royal Ave., informed that she has had problems with reaching the City by email. Had comments on an article in the Post-Dispatch and asked Council to consider a review of the Charter in addressing the issue. Requested future Bills be placed online. Felt it would be helpful and advisable that residents be able to access the exact Bill wording so residents know ahead of time what Council is working on. Ms. Chisholm requested Council to consider moving the public portion to later in the meeting after the business portion.

In moving the public portion, Mayor had complaints of people sitting around through all of the other business before people could comment. Mayor feels it works both ways but Council will consider.

Ms. Chisholm is concerned about Bill No. 6928 and interprets it to say that the procedure is being shortened, Planning & Zoning's role is somewhat diminished and the Council and City Manager's role were somewhat increased.

Becky Kern-Ryan, 31 Tiffin Ave., would like to keep backyard chickens but because of the shape of her yard cannot legally keep them. In her research, she found the cities of Clayton, Webster, and Kirkwood have less restrictive chicken laws than Ferguson and are considered nice areas to live and asked Council to consider the neighboring areas.

Tom Patterson had comments and concerns on various issues.

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

BUSINESS PORTION

BILLS REQUIRING SECOND READINGS

BILL NO. 6928 AN ORDINANCE AMENDING CHAPTER 34 OF THE MUNICIPAL CODE RELATING TO REDEVELOPMENT PROCEDURES IN CONNECTION WITH THE URBAN REDEVELOPMENT CORPORATIONS LAW AS SAME IS SET FORTH IN THE REVISED STATUTES OF MISSOURI, was introduced by Council Members present and read the first time.

Mr. Shaw explained this Ordinance revises the existing 353 Ordinance to reflect current state law and common practice. The proposed Public Hearing Notice timeframe has been reduced from 30 to 15 days and there will only be one Public Hearing, which will be held in front of the City Council. The Plan Commission will continue to evaluate proposed development plans and make comments and recommendations related to all land use and zoning laws, as well as conformance with the City's Master Plan and comprehensive plan.

Mr. Knowles commented this Ordinance can look confusing with the strikethroughs, but is trying to help the City get more contexts when seen what is being proposed to Council. The Planning Commission's review is not taken out of the Ordinance. The Public Hearing is being done in front of the City Council but is very specific that the Planning & Zoning still does have review of the proposals. Mr. Knowles knows it is confusing and asked that in the future to make the Ordinances available online.

Mr. Knowles commented that the Ordinance is being updated and not trying to get around any Planning review. The Planning Commission will still have their say, it is just updating the Ordinance.

A motion was made by Council Member Knowles, seconded by Council Member Grecco and carried to read Bill No. 6928 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. 6928 was declared passed and sent to the Mayor for signature. Bill No. 6928 thus became Ordinance No. 2010-3435 and is permanently recorded in Book 31 page 50.

ADJOURNMENT

Being no further business to discuss a motion was made by Council Member Knowles, seconded by Council Member Grecco and carried to adjourn the meeting at 7:55 p.m.

ATTEST:

Brian P. Fletcher – Mayor
City of Ferguson, Missouri

Deborah Matthies – City Clerk
City of Ferguson, Missouri
Approved: 8/24/10