

**CITY OF FERGUSON , MISSOURI
CITY COUNCIL MEETING MINUTES
October 26, 2010**

The regular meeting of the Ferguson City Council was called to order at 7:00 p.m. on October 26, 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:

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| Mayor Brian P. Fletcher | |
| Kynan S. Crecelius | |
| Michael Salant | (ABSENT) |
| James W. Knowles, III | (ABSENT) |
| Dwayne T. James | |
| Mark Byrne | |
| Fran Grecco | |

Ms. Matthies declared a quorum was present. Council Members Salant and Knowles were excused absences.

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.

PUBLIC COMMENTS

There being no public comments, Mayor closed the Public Comments portion at 7:05 p.m.

**BUSINESS PORTION
MINUTES**

Council Meeting Minutes - October 12, 2010. A motion was made by Council Member Grecco, seconded by Council Member James and carried to approve and file the Council Meeting Minutes of October 12, 2010. Motion carried unanimously.

CONSENT AGENDA

MINUTES

Ferguson Municipal Public Library Minutes - August 23, 2010. A motion was made by Council Member Grecco, seconded by Council Member James and carried to receive and file the August 23, 2010 Ferguson Municipal Public Library Minutes. Motion carried unanimously.

Ferguson Neighborhood Improvement Program (FNIP) Minutes - August 23, 2010. A motion was made by Council Member Grecco, seconded by Council Member James and carried to receive and file the August 23, 2010 Ferguson Neighborhood Improvement Program (FNIP) Minutes. Motion carried unanimously.

Senior Citizens Commission Minutes - September 16, 2010. A motion was made by Council Member Grecco, seconded by Council Member James and carried to receive and file the September 16, 2010 Senior Citizens Commission Minutes. Motion carried unanimously.

APPOINTMENTS

Council re-appointed Mike Straetz to the Landmarks Commission.

BILLS REQUIRING FIRST READINGS

BILL NO 6939

AN ORDINANCE MAKING A DETERMINATION PURSUANT TO SECTION 393.275 R.S.MO. PERTAINING TO A ROLL BACK OF BUSINESS LICENSE TAXES ON UTILITIES AND AMENDING CHAPTER 42 OF THE MUNICIPAL CODE BY THE ADDITION OF A NEW SECTION IN ORDER TO CODIFY SAME was introduced by Council Members present and read the first time.

City Manager, John Shaw explained this Ordinance removes a self-imposed limitation on tax collections for utilities that essentially reduces the percentage due to the City if a utility raises their rates. It will have little effect on residents, but is definitely important for the City. Finance Director, Jeff Blume also gave a brief explanation of this Ordinance.

BILL NO 6940

AN ORDINANCE AMENDING SECTION 7-145.1(b) OF CHAPTER 7 OF THE MUNICIPAL CODE BY CHANGING THE NUMBER OF MONTHS WHICH CERTIFICATES OF INTERIOR COMPLIANCE REMAIN VALID was introduced by Council Members present and read the first time.

City Manager, John Shaw explained this Ordinance was a result of the September 21st Work Session. After Council weighed input from the different landlords this Ordinance changes the interior inspections for rental properties for one (1) year as opposed to six (6) months.

BILL NO 6941

AN ORDINANCE GRANTING A TEN FOOT WIDE EASEMENT TO UNION ELECTRIC COMPANY D/B/A AMERENUE FOR THE PURPOSE OF MAINTAINING ELECTRIC LINES AND RELATED FACILITIES was introduced by Council Members present and read the first time.

Mr. Shaw explained that Ameren UE contacted the City requesting a ten (10) foot easement at Delworth Court, also known as the Wayside Dog Park. The easement requested will not affect any portion of the dog park currently being used for this purpose or any private property.

The work request from Ameren UE is for the replacement of sections of power lines and poles that are located at the rear of the dog park. These particular poles are being compromised by the creek, which is washing away the soil around them. Ameren UE is requesting this easement in order to move these poles and lines to assure consistent service to the residents in the Bayview area.

BILLS REQUIRING SECOND READINGS

BILL NO 6938

AN ORDINANCE AMENDING CHAPTER 44 OF THE CODE OF ORDINANCES BY ADDING A NEW SECTION, SECTION 44-234, ESTABLISHING THE INFRACTION OF "VIOLATION OF PUBLIC SAFETY AT INTERSECTIONS" AND THE AUTOMATED PHOTO ENFORCEMENT OF TRAFFIC CONTROL SIGNAL REGULATIONS IN THE CITY OF FERGUSON, MISSOURI, was introduced by Council Members present and read the first time.

Mr. Shaw explained the purpose of this Ordinance is to enable the Police Department to utilize Red Light Cameras for traffic enforcement. The specific locations where the City will begin using them will be at 270/West Florissant and 270/New Halls Ferry.

A motion was made by Council Member Grecco, seconded by Council Member James and carried to read BILL NO 6938 a second time and place it upon its passage. Motion carried unanimously.

On roll call vote, the motion carried as follows:

AYES: 5 – Crecelius, James, Mayor Fletcher, Byrne, Grecco

NOES: 0

ABSENT: 2 – Salant, Knowles

BILL NO 6938 was declared passed and sent to the Mayor for signature. BILL NO 6938 thus became Ordinance No. 2010-3448 and is permanently recorded in Book 31 page 63.

OLD BUSINESS

Mr. James would like staff to look into some type of signage or lines to be placed from the Ted Jones trail into downtown.

Mr. Shaw commented that as Council directed he and Council Member Knowles met and drafted recommended changes regarding the vacant structure and regulating driveway Ordinances and have forwarded to the City Attorney for review. However, the driveway Ordinance first needs to go to the Plan Commission.

Mr. James will revise the chicken Ordinance for the next meeting.

MISCELLANEOUS

Ms. Grecco reminded everyone to be safe and careful this weekend on Halloween and to watch kids in the street. Days are getting shorter and the criminal element has more cover of darkness to be active on parking lots, etc., so please be more attentive, aware and follow your instincts, also keep lights on at night.

Mr. James participated in the tree dedication celebration with 8 trees being dedicated in 4 different parks and expressed that the families were more than gracious for being allowed to remember and celebrate their family by dedicating a tree. Thanks to the Public Works, Parks & Recreation Departments and Administrative Assistant, Cathy Wallace who did a tremendous job in getting everything organized. Mr. James feels this is one program the City needs to keep. It is truly amazing to see the support from families on that day to celebrate and honor their family members or events.

Approved: 11/9/10

Mr. Shaw asked Council's direction with the winter Council Meeting schedule. In the past, due to the Holidays, one meeting in November and one meeting in December was cancelled.

A motion was made by Council Member Grecco, seconded by Council Member James and carried to cancel the November 23, 2010 and December 28, 2010 Council Meetings due to the Holidays. Motion carried unanimously.

Mr. Shaw commented that if Council accepted the Vendor Ordinance it would also need to be forwarded to the Planning and Zoning Commission to review before being brought back to Council. Council agreed.

Mr. Shaw questioned any concerns with the three housing demolitions recommended by staff.

Mayor Fletcher and Council Member James would like to see more demolitions. Council further discussed the demolitions and cost. Mayor Fletcher feels 448 Shirley, at the corner of Suburban and Shirley, is an eyesore.

A motion was made by Council Member James, seconded by Mayor Fletcher and carried to add a fourth property, 448 Shirley, for demolition. Motion carried unanimously.

Mr. Shaw commented that the process will begin in classifying the homes as dangerous homes, but noted that property owners are given an opportunity to fix the property, which would be the best case scenario.

Mayor Fletcher commented that one of his favorite Holidays is Halloween and loves entertaining children. Last year 400 children visited his home. This year he bought enough candy for 600 children, so please come to the big old spooky house with the turrets at 202 S. Elizabeth.

Mayor also mentioned this Saturday would be the last Farmers' Market of the year. There is a possibility of a winter market to be held once a month at St. Stephen's Church.

Mayor announced a closed session.

ADJOURNMENT

At 7:20 p.m. a motion was made by Council Member Grecco, seconded by Council Member James and carried to enter into closed session pursuant to RSMo 610.021/610.022 to discuss matters relating to RSMo 610.021 Section(s) (2) lease, purchase or sale of real estate and (12) negotiations of a contract. On roll call vote, the motion carried unanimously.

Having concluded the closed session at 8:00 p.m., a motion was made by Council Member Byrne, 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 James, seconded by Council Member Grecco, moved to adjourn the meeting. Motion carried unanimously. The meeting adjourned at 8:00 p.m.

ATTEST:

Deborah Matthies – City Clerk
City of Ferguson, Missouri
Approved: 11/9/10

Brian P. Fletcher – Mayor
City of Ferguson, Missouri