

FERGUSON CITY COUNCIL

**Council Meeting Minutes
March 11, 2008**



**COUNCIL MEETING, 7:00 P.M.
CITY HALL
110 CHURCH STREET**

The regular meeting of the Ferguson City Council was called to order at 7:00 p.m. on March 11, 2008 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 James
Peggy Faul
Fran Grecco

Ms. Brooks declared a quorum was present.

Also present were City Manager John Shaw, City Attorney Stephanie Karr, and Deputy City Clerk Sonya D. Brooks.

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

Phase II (MSD)

Bruce Litzsinger, MSD discussed the Phase II Storm Water Management Plan (SWMP) and its effort to improve water quality. The purpose of the SWMP is to prevent harmful pollutants from being carried by storm water runoff into local water bodies and to improve the water quality in the area. The SWMP was developed in partnership with 60 co-permittees and MSD to comply with storm water permit requirements for the St. Louis Metropolitan Small Municipal Separate Storm Sewer System (MS4). Under the permit, MSD is the coordinating authority for the development and implementation of the SWMP. *"The creekway mapping options that were suggested by the MSD Representative were: MSD Map, "USGS Map, or a City created version of a creek map."*

PUBLIC COMMENTS

There being no public comments, Mayor Fletcher closed the Public Comments at 7:40 p.m.

BUSINESS PORTION MINUTES

Council Meeting Minutes – February 26, 2008. A motion was made by Council Member Salant, seconded by Council Member Grecco and carried to approve and receive as presented the Council Meeting Minutes of February 26, 2008 and file as appropriate.

APPOINTMENTS

Council appointed James Knowles to the Ferguson Special Business District (FSBD) Board. Council Member Knowles abstained from the appointment.

REQUESTS

Ferguson Charter - *Section 3.11.1 Meetings* –
April Council Meetings will be held April 15 and April 22, 2008

A motion was made by Council Member Knowles, seconded by Council Member Grecco to schedule the April Council Meetings for April 15 and

April 22, 2008, in accordance with the Ferguson City Charter, Section 3.11.1. Motion approved unanimously, 7-0.

PROCLAMATIONS

Kiwanis Day of Prayer - A Proclamation Proclaiming April 19, 2008 as Ferguson Day of Prayer in the City of Ferguson, Missouri was read by Mayor Fletcher.

North County Chamber of Commerce – Citizen of the Year, 2008. A Proclamation commending Dr. Thomas George on being selected as Citizen of the Year, 2008 was read by Mayor Fletcher.

BILLS REQUIRING SECOND READINGS

BILL NO. 6830 - AN ORDINANCE LEVYING SPECIAL TAX BILLS AGAINST CERTAIN PROPERTIES FOR COSTS OF BOARDING UP BUILDINGS AS PROVIDED UNDER CHAPTER 7. BUILDINGS AND BUILDING REGULATIONS, OF THE CODE OF THE CITY OF FERGUSON, MISSOURI, was introduced by Council Members present and read the first time.

A motion to read the Bill a second time and place it upon its passage was made by Council Member Knowles, seconded by Council Member Grecco. On roll call vote, the motion carried as follows:

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

Bill No. 6830 was declared passed and sent to the Mayor for signature. Bill No. 6830 thus became Ordinance No. 2008-3343 and is permanently recorded in Book 30 on page 7.

BILL NO. 6831 - AN ORDINANCE LEVYING SPECIAL TAX BILLS AGAINST CERTAIN PROPERTIES FOR COST OF REMOVING TRASH AND DEBRIS AS PROVIDED UNDER CHAPTER 28. NUISANCES, OF THE CODE OF THE CITY OF FERGUSON, MISSOURI, was introduced by Council Members present and read the first time.

A motion to read the Bill a second time and place it upon its passage was made by Council Member Knowles, seconded by Council Member Faul. On roll call vote, the motion carried as follows:

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

Bill No. 6831 was declared passed and sent to the Mayor for signature. Bill No. 6831 thus became Ordinance No. 2008-3344 and is permanently recorded in Book 30 on page 8.

BILL NO. 6832 - AN ORDINANCE LEVYING SPECIAL TAX BILLS AGAINST CERTAIN PROPERTIES FOR COSTS OF CUTTING AND REMOVING WEEDS AS PROVIDED UNDER CHAPTER 46. VEGETATION, ARTICLE III. WEEDS AND VINES, OF THE CODE OF THE CITY OF FERGUSON, MISSOURI, was introduced by Council Members present and read the first time.

A motion to read the Bill a second time and place it upon its passage was made by Council Member Grecco, seconded by Council Member Faul. On roll call vote, the motion carried as follows:

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

Bill No. 6832 was declared passed and sent to the Mayor for signature. Bill No. 6828 thus became Ordinance No. 2008-3345 and is permanently recorded in Book 30 on page 9.

BILL NO. 6833 - AN ORDINANCE AMENDING CHAPTER 30 - PARKS AND RECREATION, ARTICLE IV - USE REGULATIONS, SECTION 30.66 - ALCOHOLIC BEVERAGES, OF THE CODE OF THE CITY OF FERGUSON, MISSOURI, BY REPEALING SECTION 30.66 (a) (4) CONCERNING ALCOHOLIC BEVERAGES IN FORESTWOOD PARK AND ENACTING A NEW SECTION 30.66(a)(4), was introduced by Council Members present and read the first time.

Mr. Shaw explained that Bill No. 6833 allows the City to sell beer through the concession stands at the Sports Complex and removes the sunset clause.

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

Bill No. 6833 was declared passed and sent to the Mayor for signature. Bill No. 6833 thus became Ordinance No. 2008-3346 and is permanently recorded in Book 30 on page 10.

BILL NO. 6834 - AN ORDINANCE OF THE CITY OF FERGUSON, MISSOURI GRANTING A SPECIAL USE PERMIT FOR THE PROPERTY LOCATED AT 800 CHAMBERS ROAD AND 10 N. HARTNETT AVENUE SUBJECT TO THE CONDITIONS, RESTRICTIONS AND REQUIREMENTS SET FORTH HEREIN, was introduced by Council Members present and read the first time.

Director of Public Works, Terry O'Neil gave a brief summary of the traffic study.

A motion to read the Bill a second time and place it upon its passage was made by Council Member Grecco, seconded by Council Member Faul. On roll call vote, the motion carried as follows:

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

Bill No. 6834 was declared passed and sent to the Mayor for signature. Bill No. 6834 thus became Ordinance No. 2008-3347 and is permanently recorded in Book 30 on page 11.

BILL NO. 6835 - AN ORDINANCE AMENDING SECTION 44-510 "ONE WAY STREETS" OF THE CODE OF THE CITY OF FERGUSON, AS AMENDED, BY ADDING CERTAIN STREETS AS ONE WAY STREETS, was introduced by Council Members present and read the first time.

Mr. Shaw explained that Bill No. 6835 addresses several traffic related issues and was presented to the City Council as part of the Strategic Planning Action Plan for Public Works. The change would designate S. Maple Avenue, Lewis Street, and Birkin Avenue as one-way streets. S. Maple Avenue from Church Street to Lewis Street would be southbound only, Lewis Street from S. Maple Avenue to Church Street would be northbound only, and Birkin Avenue from the City Hall parking lot to Lewis Street would be eastbound only.

These one-way designations were recommended to address several traffic issues including the dangerous crossing to the Vogt School playground on S. Maple, the two blind spots located at the curves between S. Maple Avenue and Lewis Street, and to assist with the drop off site for Vogt School students on Lewis Street.

Mr. Shaw further commented that this change would also assist with the flow of traffic when the City Hall parking lot becomes one way with

the entrance being on Church Street and directing all traffic to exit by way of Birlin Avenue to Lewis Street.

These designations have been reviewed and recommended by the Traffic Commission.

A motion to read the Bill a second time and place it upon its passage was made by Council Member Grecco, seconded by Council Member Faul. On roll call vote, the motion carried as follows:

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

Bill No. 6835 was declared passed and sent to the Mayor for signature. Bill No. 6835 thus became Ordinance No. 2008-3348 and is permanently recorded in Book 30 on page 12.

BILL NO. 6836(AMENDED) - AN ORDINANCE OF THE CITY OF FERGUSON, MISSOURI, AMENDING CHAPTER 7 OF THE MUNICIPAL CODE BY ADDING A NEW ARTICLE AND A NEW SECTION RELATING TO THE STORMWATER QUALITY MANAGEMENT AND ILLICIT DISCHARGE CONTROL REQUIREMENTS, was introduced by Council Members present and read the first time.

Mr. Shaw explained Bill No. 6836(AMENDED) is part of the Phase II Storm Water Permitting requirements, which the City is obtaining in cooperation with MSD and several other municipalities. This is the final year of the five (5) year process and the final requirement for Storm Water Management permitting.

It addresses storm water quality and management requirements for subdivisions and land development for new subdivisions or new development. It sets standards for creek bank setbacks, post-construction water control/quality, storm water ponds/retention, filtration/infiltration, filtering, and open channels all based on best management practices (BMP). It has been approved to meet the necessary requirements for the permitting process and is similar to one that is being used by several other municipalities and is endorsed by the Home Builders Association.

A motion to read the Bill a second time and place it upon its passage was made by Council Member Grecco, seconded by Council Member Faul. On roll call vote, the motion carried as follows:

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

Bill No. 6836 (AMENDED) was declared passed and sent to the Mayor for signature. Bill No. 6836 (AMENDED) thus became Ordinance No. 2008-3349 and is permanently recorded in Book 30 on page 13.

MISCELLANEOUS

Mr. James – expressed his condolences to the family who lost their lives in the house fire on Rowles.

Mr. Knowles – sends his condolences to the family as well.

Mr. Knowles – wished everyone a Happy St. Patrick's Day. Invited everyone to the St. Patrick's Day Celebration at the Savoy on Saturday, March 15th. Tickets are \$20.

Mr. Salant – invited everyone to the Adult Easter Egg Hunt at Forestwood Park on Friday, March 14th.

Mr. Crecelius – sends his condolences to the family of the house fire victims. Reminded citizens of the Smoke Detector program with the Ferguson Fire Department. The Fire department will provide and install the detectors. First come. First serve. Please take advantage of the service.

Mr. Crecelius – wished everyone a Happy St. Patrick's Day.

Ms. Faul – wished everyone a Happy St. Patrick's Day. Also, congratulated the Thyme Table for 25 years of business. Commented that new businesses can do just as well and that the community will support quality businesses.

Ms. Grecco – sent her condolences to the family who lost their lives in the house fire on Rowles.

Ms. Grecco – reminded everyone to remember to "spring" forward if you have not done so already and to change the batteries in your smoke detectors. Ms. Grecco encouraged people to check with the manufacturer, and verify the finite life of your carbon monoxide detector and change that as well if needed. It will be money well spent.

Ms. Grecco – invited everyone to the St. Patrick's Day event at the Savoy on Saturday and she has tickets available. And don't forget about the Adult Easter Egg Hunt on Friday night.

Ms. Grecco – recommended residents review their impervious surcharge with MSD and learn about their appeal rights if they question the accuracy of the charge. Check your June 1st MSD bill for information on the appeals process.

Mr. Shaw – reminded Council of the Kiwanis Prayer Breakfast Wednesday, March 19th. Those who wish to attend please contact him.

Mr. Shaw – also invited everyone to the St. Patrick's Day event at the Savoy and he has tickets available.

Mayor Fletcher – wished everyone a Happy St. Patrick's Day.

Mayor Fletcher – expressed condolences to the family of the Rowles house fire victims. Encourages the community to spread the word about the smoke detector program and their importance.

WORK SESSION

Downtown Vision Update

City Manager, John Shaw outlined the importance and general process for the downtown vision plan update. Director of Planning & Development, Rosalind Williams described the step-by-step process for starting and implementing the planning effort, and noted the importance of forming a steering committee early in the process. Mr. Shaw addressed the proposed list of names presented by staff and asked Council for input. Council considered a few specific individuals, and discussed the importance of including residents as well as surveying the UMSL and Florissant Valley student populations. Council expressed concerns that part of the process was staff functions and questioned calling a meeting with residents and businesses if the City was not yet prepared. Council had questions regarding making revisions to the zoning before forming the committee. Ms. Williams and Assistant to the City Manager, Drew Awsumb addressed the complications created by continuing to use the SIC and NAICS codes as the foundation for Ferguson's land use regulations.

Mr. Shaw discussed the need to move the entire zoning code off of these code-based forms, and indicated the steering committee needs to establish the goals for the district, the zoning will follow. Mr. Shaw

further stated that the entire zoning code cannot be written at once, but rather, will be addressed in pieces as planning efforts address the different areas of the community. Ms. Williams noted that these internal staff efforts will commence on March 17 when the new Zoning Administrator begins work, but that it would be beneficial to start contacting individuals to gauge their interest in serving on the committee. The Council discussed possibly taking some time to generate a list of names themselves. Staff agreed with Council that approach was appropriate however, stressed the need to finalize a committee and start the planning process within the month. Council consensus was to forward the list of names to Mr. Shaw for the Downtown Vision Update Committee.

Regulations for Pay Day Loan Institutions

Council and staff discussed a proposed ordinance concerning "Payday" Loan establishments.

ADJOURNMENT

At 9:25 p.m. a motion was made by Council Member Knowles, seconded by Council Member Grecco, to enter into closed session in accordance with RSMo 610.021/610.022 Section(s) (1). Motion carried.

Having concluded the closed session at 9:30 p.m., a motion was made by Council Member Salant, seconded by Council Member Grecco to convene to open session. On roll call vote, the motion carried.

A motion was made by Council Member Knowles, seconded by Council Member Grecco to adjourn the meeting at 9:30 p.m.

Brian P. Fletcher - Mayor
City of Ferguson, Missouri

ATTEST:

Sonya D. Brooks – Deputy City Clerk
City of Ferguson, Missouri

Approved: 3/25/08
