

**FERGUSON CITY COUNCIL
Council Meeting Minutes
October 28, 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 October 28, 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 (ABSENT)
James W. Knowles, III (ABSENT)
Dwayne James
Peggy Faul
Fran Grecco

Mrs. Matthies declared a quorum was present.

Council Member Michael Salant and Council Member James W. Knowles were absent.

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 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 Grecco, seconded by Council Member James and carried to amend the October 28, 2008 Agenda to add The Mueller Farm Proclamation. Motion carried.

SPECIAL PRESENTATIONS

Fire – Police – C.E.R.T. – Public Works Commendations (9/14/08 Flood)

Mayor Fletcher read a brief statement regarding the historic flash flood of September 14, 2008, recognized, and commended all of the local heroes who went above and beyond the requirements of their jobs to help their fellow citizens. The individuals recognized were:

PUBLIC WORKS STAFF – David Jenkins, Mark Hartmann, Joshua Pitts, James Clemonds III and Dean Ermeling.

POLICE OFFICERS – Lt. James Dillow, Sgt. Mike Wood, Officer Ken Hoelscher, Dispatcher Shannon Dandridge, Dispatcher Trisha Bakula, Dispatcher Katie Jenkins, Officer Matt Bebe, Officer Mike White, Officer Jill Sanders, Sgt. Craig Rettke, Sgt. William Mudd, Sgt. William Ballard, Officer Kim Tihen, Officer Greg Casem, Officer Dominica Fuller, Officer Danny Rivera, Officer Rob Brannan, and Officer Mike Doedli.

FIRE DEPARTMENT – John Hampton, James Either, Mark Grafeman, John Schnarr, Steve Lagermann, Aaron Bockhorst, Michael Preston, Blair Easton, Douglas Patrick, Eric Nutis, Jeff Edwan, Henry Ballard, Brian Baumgarner, and Randy Skaggs.

C.E.R.T. VOLUNTEERS – Keith Kallstrom, Larry Morie, Lisa Wegert, James Kartmann, John Corson, Lauri Kline, Kristi Malawy, Ollie Dehmer, Cathy Dehmer, Helen Moody, Paula Bujowski, and Marie Rodgers.

Mayor also recognized and thanked the City Manager, Department Heads, City Staff and all who helped with the flood.

30 Year Service Employees – Tree Dedications

Mayor explained that the Council decided to recognize City employees that have a minimum of 30-year service with the City of Ferguson by honoring the employees with a plaque and planting of a tree in the Spring in recognition for 30-years of service. The 30-year employees recognized were:

POLICE DEPARTMENT

James Dillow – 39 years
Edward Douglas – 39 years
Timothy Askew – 35 years
James Faygal – 33 years
Dan DeCarli, Police – 32 years
Dennis McBride – 32 years
William Mudd – 32 years
Craig Rettke – 32 years
Richard Henke – 30 years

FIRE DEPARTMENT

Steven Fair – 32 years
Steven Rosenthal – 32 years

PARKS & RECREATION

Stan Kreitler - 33 years
David Smith – 30 years

PUBLIC COMMENTS

Donna Miller – concerns regarding a citation she received for failure to maintain trash service at a vacant residence.

Council responded that City Ordinance requires every residence to have trash service regardless if the residence is occupied or vacant.

There being no further public comments, Mayor Fletcher closed the Public Comments portion at 7:15 p.m.

BUSINESS PORTION

MINUTES

Council Meeting Minutes – October 14, 2008

A motion was made by Council Member Grecco, seconded by Council Member Faul and carried to approve and receive, the Council Meeting Minutes of October 14, 2008 and file as appropriate.

CONSENT AGENDA

Minutes

Plan Commission Minutes – August 20, 2008. A motion was made by Council Member Grecco, seconded by Council Member Crecelius, and carried to receive the minutes as presented and file as appropriate.

Plan Commission Minutes – September 25, 2008. A motion was made by Council Member Grecco, seconded by Council Member Crecelius, and carried to receive the minutes as presented and file as appropriate.

Ferguson Senior Citizens Commission Minutes – October 9, 2008. A motion was made by Council Member Grecco, seconded by Council Member Crecelius, and carried to receive the minutes as presented and file as appropriate.

Ferguson Neighborhood Improvement Program (FNIP) Minutes - August 25, 2008. A motion was made by Council Member Grecco, seconded by Council Member Crecelius, and carried to receive the minutes as presented and file as appropriate.

APPOINTMENTS

No appointments at this time.

PROCLAMATIONS

Red Ribbon Week - October 23-31, 2008 was read by Mayor Fletcher.

Challenger Learning Center–St. Louis - Fifth Anniversary – was read by Mayor Fletcher and presented to Challenger Center Executive Director, Tasmyn Scarl Front.

Mueller Farm - was read by Mayor Fletcher.

RESOLUTIONS

2008-28 – A RESOLUTION IN SUPPORT OF PROPOSITION H (HELP) TO PROVIDE AN INTEROPERABLE FIRST RESPONDER RADIO SYSTEM FOR ST. LOUIS COUNTY, was introduced by Council Members present and read by City Attorney, Stephanie Karr.

City Manager, John Shaw explained that at the October 14, 2008 Council Meeting members of the Police Department gave a special presentation on Proposition H, which will appear on the November 4, 2008 ballot. The St. Louis County Municipal League summed up the Proposition with the following 7 points:

1. Prop H would build an entirely new communication system for all first responders in St. Louis County.

2. In the event of major disaster like an earthquake or tornado, the new system could suffer damage but other parts of the system would offer redundancy. If one frequency becomes overloaded, other frequencies would automatically activate to carry the load. The countywide system would interface with existing and proposed systems in surrounding counties. Prop H will also provide funding for future maintenance and major updates of the backbone.
3. Prop H is NOT A NEW PROPERTY OR SALES TAX. Instead, it will generate shared County revenues from out-of-state purchases only, which already are subject to state sales tax.
4. Prop H closes the loophole that now allows goods from other states to be tax exempt from County sales tax.
5. Prop H will reinstate this County tax in existence in the mid-1990s.
6. Prop H levels the playing field for local brick and mortar businesses by ending the tax advantage now enjoyed by out-of-state businesses.
7. Simply put, if invoices from out-of-state vendors (usually business-to-business) now show Missouri state tax or businesses report it. Prop H would apply a 1.85% County sales tax. There is a \$2,000 filing exemption so citizens are on an honor system if the tax is not collected by the out-of-state vendor.

Mayor commented that Prop H is very important for the City of Ferguson and hopes it is taken into consideration.

A motion was made by Council Member Faul, seconded by Council Member James to approve Resolution No. 2008-28. Motion carried.

On roll call vote, the motion carried as follows:

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

NOES: 0

ABSENT: 2 – Salant, Knowles

Resolution passes.

BILLS REQUIRING FIRST READINGS

BILL NO. 6861 - AN ORDINANCE REPEALING ORDINANCE 2008-3355 AND PROVIDING FOR THE ACCEPTANCE BY THE CITY OF FERGUSON OF CERTAIN RIGHT-OF-WAY FROM THE MISSOURI HIGHWAYS AND

TRANSPORTATION COMMISSION WHICH CONSISTS OF PORTIONS OF FLORISSANT ROAD, was introduced by Council Members present and read the first time.

City Manager, John Shaw explained that MoDOT has requested that the City repeal Ordinance 2008-3355, which accepted the conveyance of Florissant Rd from Darst to Thoroughman and from Paul to Brotherton. They then request that the City adopt this new Ordinance accepting the conveyance of Florissant Rd from Darst to Thoroughman and from Paul to the southern City limit boundary. MoDOT explains that at the time of their original request, they did not realize that Brotherton was not at the City limit, but rather a number of feet further south. Because this Ordinance does not amount to a substantial change to the City's original agreement, and because it demonstrates good will towards MoDOT, staff recommends the passage of this Ordinance.

BILL NO. 6862 – AN ORDINANCE AMENDING ARTICLE I OF CHAPTER 40 OF THE MUNICIPAL CODE BY THE ENACTMENT OF A NEW SECTION 40-8 RELATING TO THE CITY'S "COMPLETE STREETS" POLICY, was introduced by Council Member Dwayne T. James and read the first time.

Mr. Shaw explained that this Ordinance was originally proposed by Council Member James, and provides that Complete Streets are designed and operated to enable safe access for all users including pedestrians, bicyclists, motorists and transit riders.

This Bill provides that Complete Streets policies will be strived for in the design, construction and maintenance of public transportation projects, improvements and facilities in addition to other considerations including, but not limited to, cost of improvements, budget for the project, space and area requirements and limitations and legal requirements and limitations.

Although City Staff does currently take many of these principles in mind when planning Public Works projects, it is not captured in the Municipal Code. This Ordinance will provide a specific reference to Complete Streets in the policy of the City, and provide for a method to ensure that this is investigated in every instance. It is also important to note that such an Ordinance is now being requested as an element of many construction-related grants that the City may be eligible for, including the Safe Routes to School Program and will be very beneficial for the City in pursuing funding mechanisms.

Council Member James commented that the City is doing many of the principles currently in the City's practices. Florissant Road was done with this in mind. Complete Streets was a direct result in Mr. James presence at a Probike/Prowalk conference attended in September. It goes hand in hand, with what the City is doing with Live-Well Ferguson to make sure that all residents and all visitors can actually go from route to route safely and enjoy their travels through Ferguson.

REQUESTS

A request to cancel the November 11, 2008 Council Meeting due to the Veterans Day Holiday.

A motion was made by Council Member Grecco, seconded by Council Member Faul and carried to cancel the November 11, 2008 Council Meeting due to the Veterans Day Holiday. Motion carried.

A motion was made by Council Member James, seconded by Council Member Faul and carried to move the November 25, 2008 Council Meeting to November 18, 2008. Motion carried.

There will be one November Council Meeting on November 18, 2008.

OLD BUSINESS

None at this time.

MISCELLANEOUS

Mr. James – Congratulations to the 30-year employees and citizens and staff that helped with the flood. Tree Dedication was October 25, 2008 it was nice to see the honoraries and residents in attendance. Senior Conversation Meeting, Sunday, November 3, 2008 3-5:00 p.m. in the Council Chamber to inform residents what options there are for senior citizens. Everyone invited to attend. Mr. James commented that in 2009 the City of Ferguson will be 115 years and requested the City to promote it in some fashion or form. Requested environmental conservation be observed whatever it means in respect to you, the staff, the City to see what measures can be taken.

Ms. Faul – comments regarding environment Ordinances, etc. Pesto Fest Celebration, November 8, 2008. Live-Well Ferguson meeting October 29, 2008 – invited. To consider Prop H – it would help the City of Ferguson. Parks & Recreation Halloween event - First Baptist

Church October 31, 2008 from 6-8:00 p.m. Beginning on November 17, 2008 there will be swim lessons and adult lap swim and McCluer South Berkeley High School on Monday and Wednesday evenings. Congratulations to the commendation recipients as well as 30-year employees.

Ms. Grecco – Congratulations to 30-year employees, all staff and citizens who helped during the flood – thank you. Congratulations to the Challenger Center. Please remember to vote Tuesday, November 4, 2008. Thanks to Public Works for the beginning of the Holiday decorations on Florissant Road. Remember to turn clocks back on Saturday and change batteries in smoke detectors. With the cold weather coming and the use of fireplaces please check chimneys and flues, be safe when using space heaters and use newer models and heavy graded extension cords. Thursday October 30, 2008 from 9 - 2:00 p.m. flu vaccines at City Hall, November 8, 2008 at Florissant Valley Community College – Hazardous waste throwaway from 8-3:00 p.m.

Mr. Shaw – Congratulated all 30-year employees and commented that there is something very special and unique about so many employees showing the commitment to be with the City of Ferguson and the community.

Mr. Shaw expressed appreciation and pride for all of the employees and citizen volunteers who helped during the flood and feels everyone went above and beyond the call of duty. It was something special to witness. Thanked everyone for doing the community a tremendous service.

Council confirmed December 2, 2008 as the date of the Work Session.

Mr. Shaw just received news that the City received the East-West Gateway Council of Governments – Outstanding Local Government Achievement Award (OLGA) for Successful Intergovernmental Collaboration Award for the City's Fueling Center. Please check your calendars to make sure you are available on November 21, 2008 for the presentation. Mr. Shaw thanked Public Works Director, Terry O'Neil and Public Relations Coordinator, Beth von Behren for their efforts in putting together the application for the award. Mr. Shaw is excited that the City is being recognized for its efforts in reaching out to other area governments; other cities have tried it but have not been able to make it work.

Mayor Fletcher – Happy Halloween – please be safe and parents keep a close eye on their children. Mayor welcomed children to his home at 202 S. Elizabeth. Congratulations to all of the commendation recipients for their work with the September 14 flood. Council is proud of everyone. Mayor commented that the City is still working through some of the flood issues in trying to assist and is doing the best it can.

Mayor commented that Tuesday November 4, 2008 is Election Day; the prediction is over an historic 80% turnout. Suggested if you have the ability to vote, the best time to vote is 9:30–11:00 a.m. and 2:00–3:30 p.m. It truly is our privilege and duty to vote and pick our leadership.

Mayor announced with it getting cold the City of Ferguson, through the Public Works Department, gives out free firewood in an area outside the Public Works Garage located at 901 Ferguson Ave.

Mayor invited everyone to join the Reception.

ADJOURNMENT

There being no further business to consider, Council Member Grecco, seconded by Council Member Crecelius moved to adjourn the meeting. Motion carried. The meeting adjourned at 7:45 p.m.

Brian P. Fletcher – Mayor
City of Ferguson, Missouri

ATTEST:

Deborah L. Matthies – City Clerk
City of Ferguson, Missouri