

# **CITY OF FERGUSON**



## **BOARDS AND COMMISSIONS MANUAL**



Dear Board and Commission Members:

Ferguson is blessed with a long tradition of active citizen participation in its local government. Over one hundred volunteers contribute countless hours each year to serve more than twenty boards, commissions, and/or ad hoc committees.

As a board or commission member, you provide the City Council with advice, feedback, and insights that influence the extent and character of our public services. We recognize that it is volunteers, like you, who make Ferguson such a strong and vibrant community.

Our responsibility on the City Council is to create and foster an environment in which citizens can participate in shaping the future of Ferguson. We hope that this publication of the Boards and Commissions Manual will encourage you to continue your service to the community.

Thank you for your assistance. Please continue to share your idea, hopes, and dreams for a better Ferguson with us.

Sincerely,  
CITY OF FERGUSON

A handwritten signature in black ink that reads "James Knowles III". The signature is written in a cursive style with a large, looping initial "J".

James W. Knowles III  
Mayor

**BOARDS AND COMMISSIONS MANUAL  
FOR THE CITY OF FERGUSON, MISSOURI**

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<b>NAME OF BOARD</b>	<b>MEMBERS</b>	<b>TERM LENGTH</b>	<b>TERMS ALLOWED</b>	<b>MEETING DATES</b>	<b>MEETING TIMES</b>	<b>APPOINTED BY</b>
ARCHITECTURAL REVIEW BOARD	3	5 YEARS	2	CHAIR	7:00 PM	MAYOR - COUNCIL
BOARD OF ADJUSTMENT	5	5 YEARS	2	CHAIR	7:00 PM	MAYOR
BUILDING BOARD OF APPEALS	5	5 YEARS	2	CHAIR	7:00 PM	MAYOR
FNIP BOARD OF DIRECTORS	11	3 YEARS	2	4TH MONDAY	7:00 PM	COUNCIL
FSBD ADVISORY BOARD	9	3 YEARS	2	3 <sup>rd</sup> THURSDAY	4:00 PM	COUNCIL
HOUSING BOARD OF APPEALS	7	3 YEARS	2	CHAIR	7:00 PM	COUNCIL
IDA BOARD	5	6 YEARS	2	CHAIR	ON CALL	MAYOR
LANDMARKS COMMISSION	7	3 YEARS	2	1 <sup>ST</sup> TUESDAY	6:30 PM	COUNCIL
LIBRARY BOARD	9	3 YEARS	3	4 <sup>TH</sup> MONDAY	7:00 PM	MAYOR
PARK BOARD Must be City resident for 2 years prior to appointment	9	3 YEARS	2	3 <sup>RD</sup> TUESDAY	7:00 PM	COUNCIL
PENSION BOARD - 3 CITIZENS, 3 EMPLOYEES AND FINANCE DIRECTOR	7	3 YEARS	2	4TH MONDAY 1ST MONTH OF CALENDAR QUARTER	6:00 PM	MAYOR-COUNCIL
PERSONNEL BOARD	5	3 YEARS	2	STAFF LIAISON CALL	ON CALL	COUNCIL
PLAN COMMISSION	7	4 YEARS	2	1 <sup>ST</sup> /3 <sup>RD</sup> WEDNESDAY	7:00 PM	COUNCIL
SENIOR CITIZEN COMMISSION	7	3 YEARS	2	3 <sup>rd</sup> THURSDAY	9:30 AM	MAYOR
TIF COMMISSION - 3 RESIDENTS FROM TAXING DISTRICT - 3 STAFF - COUNCIL MEMBER	7	4 YEARS	2	CHAIR	ON CALL	MAYOR - COUNCIL
TRAFFIC COMMISSION	7	3 YEARS	2	CHAIR	7:00 PM	COUNCIL
YOUTH ADVISORY BOARD Must be a City resident for 1 year prior to appointment	10 youth, 5 adult non- voting	1 YEAR		2 <sup>ND</sup> MONDAY	4:30 PM	COUNCIL

## AUTHORITY FOR BOARD/COMMISSION APPOINTMENTS

The Ferguson Charter, Section 5.1. Administrative Organization, provides, *“all boards and commissions provided for in the administrative code shall be appointed by the council.”* It further states, *“The administrative code shall provide ... the following boards and commissions: Board of Adjustment, Library Board, Planning Commission, Personnel Board, and Traffic Commission. Provision shall also be made for the appointment or removal of trustees of the Library Board and any other interactions of the city with the Library District as shall be authorized by law. Additional departments, boards, and commissions may be created by ordinance...”*

Chapter 2. Administration, Article V. Boards, Commissions, and Committees, of the City of Ferguson Municipal Code gives the following general provisions for members of the City’s Boards and Commissions:

- a) *Vacancies on any board or commission occasioned by removal, resignations or otherwise shall be reported to council, and filled in a like manner as original appointments, except that if a vacancy is an unexpired term, the appointment shall be made only for the unexpired portion of the term.*
- b) *No member of any board or commission of the city, except the library board members (see section 24-20), shall serve for more than two (2) successive full terms and shall not be eligible for further appointment to the same board or commission until one (1) year after the expiration of the second full term. Such members shall immediately cease to serve upon the expiration of the second full term. However, notwithstanding the foregoing term limitation, if a willing successor for such member’s position is not presented to the council within six (6) months to fill the existing vacancy created upon the expiration of the member’s term, then such member is eligible for consideration for reappointment to such board or commission. Further, no person shall serve on more than one board or commission at the same time and no member of any board or commission may be transferred to any other board or commission during that member’s term.*
- c) *Both the term limitations and limitations on appointment established in subparagraph (b) of this section shall not apply to any person who is appointed to an advisory board which is established by the council to fulfill a certain purpose and which is temporary in nature.*
- d) *Unless otherwise provided for in this Code, appointments to fill expired terms of members to boards, commissions and committees shall be made during the month of June to be effective July 1 of each year.*
- e) *The failure of each member of a board, commission or committee to perform his official duties imposed by this Code shall be cause for removal.*
- f) *No person shall be appointed to any board, commission, or committee of the city who is in arrears for any taxes due the city. If any member of any board, commission, or committee, during his term, becomes delinquent for any taxes due the city, said delinquency shall be cause for removal.*

## **YOUR ROLE AS A BOARD/COMMISSION MEMBER**

Ferguson is blessed with a long tradition of active citizen participation in its local government. Over one hundred volunteers contribute countless hours each year to serve more than twenty boards, commissions, and/or ad hoc committees.

The responsibility of the City Council is to create and foster an environment in which citizens can participate in shaping the future of Ferguson. In order to bring more diversity to boards and commissions, the Council has adopted a policy that residents can only serve two consecutive terms. This brings new ideas and vitality to the boards and commissions. Any resident wishing to continue to serve the city may be appointed to the same board or commission, or another one, after a break of one year.

Boards and commissions receive authority from the City Charter, State Statutes, or from city ordinances. These boards and commissions are advisory to the City Council. They study specific issues, such as a change in zoning, or the need for a traffic signal. They then make their recommendation to the Council who reviews the issue further and makes the final decision. The Ferguson Municipal Library Board members are appointed by the Ferguson City Council and serve independently of the Council, since the Library is a separate taxing entity. The Board of Adjustment and Building Board of Appeals are quasi-judicial bodies which operate under specific State Statute regulations and make decisions independently from the City Council.

As a member of a board, commission, or committee, you provide the City Council with advice, feedback, and insights that influence the extent and character of our public service. We hope that this publication of the "Boards and Commissions Manual" will aid you in your service to our community.

Thank you for your commitment. Please continue to share your ideas, hopes, and dreams for a better Ferguson with us.

## **BOARD/COMMISSION SUPPORT**

### Role of Council Representative:

The City Council appoints Council Members as representatives to many of the Boards and Commissions within City government. This representative is not a member of the Board or Commission and does not have voting rights on matters before the Board/Commission. The Council Member may be actively involved in the discussions and serve as a resource person.

The Council representative serves as a communication link between the Board/Commission and the Council. If a Board/Commission needs the Council's direction on matters of City policy, or needs clarification of a stated Council policy or request, the Council representative should be looked to first. That representative is, in actuality, representing the entire Council and does not speak personally.

The Council representative also reports to the Council on the discussion and background of recommendations the Board/Commission makes.

### Role of Staff Representative:

City Boards and Commissions have a City staff member assigned to them. Generally, this will be a staff person from a department closely aligned with the activities of the particular Board/Commission. Unless a department is specifically designated by the establishing Ordinance, the City Manager appoints the staff representative. Normally, the department that supports the Board/Commission will also be responsible for arranging meeting space, mailing meeting notices, handling correspondence, and providing technical and secretarial assistance to the members.

### Minutes

The minutes of Board and Commission meetings are very important. In some cases, they may play a legal role in reviews by other Boards/Commissions, the City Council, or the Circuit Court. The City provides either a staff member or an individual hired for that purpose to serve as Secretary, which allows the members to participate fully in the discussions. However, some Boards/Commissions prefer to appoint one of the members to serve in that capacity. In any case, the minutes should be taken properly and approved, signed minutes submitted to the City Clerk within four days of the meeting in order to be included on the agenda of the next City Council meeting.

## PARLIAMENTARY PROCEDURE FOR BOARD/COMMISSION MEMBERS

Parliamentary Procedure is a set of rules for meetings. It allows everyone to be heard and make decisions without confusion. The minority is given the right to speak, and the majority the right to decide.

Parliamentary Procedure is important because it is a time-tested method of conducting business at meetings. Each member is expected to follow basic rules and the meeting is directed by a Chairman appointed by the membership. The Chairman calls the meeting to order, directs the discussion, and makes sure the discussion is confined to the business at hand. In small Boards/Commissions such as the one on which you have been appointed, the Chairman has the right to vote, but no right of veto.

An Agenda is used to provide the basic structure of the meeting and helps to keep things moving. Normally, nothing is officially discussed unless it is on the agenda; however, the agenda may be amended by a majority vote of the members at the meeting. A typical Agenda includes:

1. **Call to Order** - The Chairman begins the meeting with this call.
2. **Quorum** - The Chairman decides if a quorum (the number required to do business) is present. Usually the quorum is set out in the by-laws; or we use the latest edition of Robert's Rules of Order Newly Revised (RONR) which requires a majority of the members to be present.
3. **Public Portion** - Always provide a time for residents, applicants, etc., to speak prior to beginning the business. The Chairman asks the speaker to step forward, give name and address for the record, and address the Chair.
4. **Business Portion** - (Not open to the public for comment unless the body specifically makes a motion to open it to allow someone to speak; the Chairman has the right to ask anyone who interrupts the meeting to leave.) No formal or official action is taken prior to this portion of the meeting.
  - a. Minutes - either read by the Secretary at the meeting or sent out prior to the meeting and accepted by the Board. (NO motion is needed to approve the minutes; the Chairman may say, "If there are no corrections, the minutes will stand approved as read [or, with corrections, as amended].")
  - b. Reports – usually given by the department head, giving follow-up from the last meeting and presenting information on new items on the agenda.
  - c. Unfinished Business - anything left over from the last meeting.
  - d. New Business - introduction of new topics, consideration of new requests, etc.
  - e. Miscellaneous - anything not needing specific action, but for others to consider before the next meeting, or announcements, etc.
  - f. Adjournment - when all business is completed, the Chairman may announce "There being no further business, the meeting is adjourned", or ask for a motion to adjourn.

Members get to speak by making motions - a motion is a proposal that the body take action or a stand on an issue. Once a motion is made, it **must** be seconded before discussion; a second indicates only that the issue should be considered. If there is no second, the motion will not be discussed and is considered a non-issue, not even recorded in the minutes. Following the motion and second, the Chairman repeats the motion and opens the discussion, giving the person who made the motion the first opportunity to speak. **Every member** is entitled to speak once on each issue (one at a time), then, after everyone else has spoken, a member may speak a second time. All comments are directed to the Chair, who may pass a



question or comment to another member or staff person.

Members vote on the issue - either by voice vote (ayes, noes), by raising the hand, or by roll call vote (if a roll call vote is taken, it must be recorded in the minutes that way). (RONR says you have been put in your position to vote, therefore you must vote on each issue unless you have a conflict of interest.) Following the vote, the body as a whole has decided and each member should abide by the decision.

During the discussion, it sometimes becomes necessary to put an item off for further research or information. This is usually done by “tabling” the item; the proper way is to “postpone it until the next meeting (or for further information)”. If an item is “tabled”, it is just laid aside for a few minutes and then taken up again during the same meeting. “Postpone” holds it over until another meeting.

Recommendations - most (but not all) of the actions taken by the Boards and Commissions of the City of Ferguson are in the form of a recommendation to Council. It is the responsibility of the Council to take your recommendations into consideration, but they must make the final decision based on your recommendation and the best interests of the City as a whole. Remember, you are considering one portion of City business when you make a recommendation, the Council may have good reason to deny or amend your recommendation. Please do not get offended if that happens.

**PARLIAMENTARY PROCEDURE HELPS GET THINGS DONE - WHEN USED APPROPRIATELY!**

**HOWEVER, DON'T GET SO HUNG UP ON THE RULES OF ORDER THAT YOU FORGET COMMON SENSE.**

## CITY COUNCIL

**Purpose:** To exercise all duties and obligations imposed on the City by the Charter and Missouri law.

**Membership:** Seven qualified voters in the City, comprised of a Mayor and six Council Members. Council Members must be residents of the ward from which they are elected.

**Meetings:** 2nd and 4th Tuesdays; with exceptions - April, 3rd and 4th Tuesdays, and July & August, 4th Tuesday only.

**Powers:** The powers and duties of the Council are:

- (1) except as provided in the City Charter, all powers of the City are vested in the Council;
- (2) the powers of the City are liberally construed;
- (3) all meetings of the Council are open to the public except as provided by state statute;
- (4) except as otherwise specified in the Charter or by ordinance, the affirmative vote of the entire Council is necessary to adopt any ordinance, resolution, or motion;
- (5) allow two readings of all bills before passage;
- (6) select the city manager, city clerk, and city attorney;
- (7) adopt an administrative code providing a plan of organization and structure of the city government, including certain departments and boards and commissions;
- (8) approve the annual city budget and five-year capital improvement program.

**Staff:** City Manager, City Clerk, and City Attorney.

**References:** Ferguson Charter, Articles III, IV, V, VI, VII, VIII, IX, X, & XI.  
Ferguson Code, Chapter 2.  
Missouri Revised Statutes, Chapter 610, et seq.

## ARCHITECTURAL BOARD

**Purpose:** To maintain the architectural integrity of the community through reviews of all building plans.

**Membership:** Three members appointed by the Mayor, with Council approval, to five year terms, or until successors are duly appointed. Only licensed architects in good standing, who are residents of Ferguson, are eligible as members, except that one member may be a resident engaged in a building construction trade. Members are removable, without cause, by the Mayor with the consent of the Council. The chairman is designated by the Mayor.

**Meetings:** On call of the chairman or at the request of the Board. Two members constitute a quorum and, in the absence of the chairman, the member next in seniority becomes the acting chairman. Meetings may be called by the Mayor. Official action may be taken only at public meetings. A majority of the Board may adopt rules and regulations to govern the procedure before the Board.

**Powers:** The chairman of the Architectural Board, prior to approval of any building permit by the City's building official, shall within three days:

- (1) review and check the plans, elevations, detail drawings, and specifications of all building permit applications for conformance to: (a) architectural appearance and design standards, (b) the style and design of surrounding structures, and (c) the proper architectural development of the City;
- (2) approve designs that, in the chairman's opinion, so conform;
- (3) call a meeting of the Board and invite the applicant to present pertinent evidence concerning proposed designs that do not, in the chairman's opinion, so conform.

The Architectural Board, within 15 days of meetings called to consider proposed designs, shall either:

- (1) approve the proposed design; or
- (2) disapprove the proposed design based on unsightly, grotesque, or unsuitable appearance of the structure; or the welfare of adjoining and surrounding properties of residents. The Board may offer recommendations on such applications if it sees fit; or
- (3) shall refuse to issue the building permit on plans disapproved by the Board if the applicant refused to comply with any Board recommendations.

(continued)

The City Council shall hear and decide on appeals of plans disapproved by the Board provided that:

- (1) the building permit applicant files with the city clerk a letter and \$20 public hearing fee;
- (2) the city clerk publishes once per week for two consecutive weeks in a newspaper the City notice of the hearing and report to the Board;
- (3) the Council meets to hear the appeal not more than sixty nor less than thirty days after the date of taking the appeal and, after hearing interested parties, decides to: (a) approve, (b) approve with conditions, or (c) disapprove the proposed design.

The Building Official shall then:

- (1) issue the building permit on plans approved by the Council;
- (2) issue the building permit on plans approved by the Council with conditions provided the applicant complies with the conditions;
- (3) not issue the building permit on plans disapproved by the Council.

Staff: Building Official.

References: Ferguson Code of Ordinances, Section 7-16 et seq.  
Missouri Revised Statutes, Chapter 67.280.

## BOARD OF ADJUSTMENT

**Purpose:** To hear and reverse or affirm, wholly or in part, appeals from property owners related to errors, variances, and exceptions to enforcement of the zoning and sign ordinances.

**Membership:** Five residents appointed by the Mayor, with Council approval, to five year terms. The Board elects its own chairman and vice-chairman to one year terms. Members may be removed for cause by the Mayor and Council, upon written charges after public hearing.

Three alternates appointed by the Mayor to five year terms, any of which may serve in the absence or disqualification of any of the regular members.

**Meetings:** Held on call of the chairman after a 15 day notice to the parties in interest and in the newspaper. Meetings are open to the public.

**Powers:**The Board shall hear and decide:

- (1) alleged errors in any order, requirement, decision, or determination made by an official of the City in enforcement of the zoning ordinance;
- (2) appeals seeking variance from strict enforcement of the zoning ordinance because of difficulty or hardship resulting from the shape, size, location, or condition of the property under review. Variances to residential lots may be granted only in compliance with specific conditions; and,
- (3) appeals seeking exceptions to strict enforcement of the zoning ordinance because of acts of God, discrepancies in the zoning map, or reasonable hardships related to parking requirements.

Before making its findings, the Board shall first determine that the proposed change will not constitute a change in the district map, increase traffic congestion or the danger of fire, diminish surrounding property values, or impair the health, safety, comfort, morals, and welfare of the city.

Every change granted or denied shall include a written finding of fact based on sworn testimony and evidence. The concurring vote of four members of the Board is necessary to reverse any order, requirement decision, or determination of the Director of Public Works, or to decide in favor of the application on any matter.

**Staff:** Building Official.

**References:** Ferguson Charter, Section 5.1.  
Ferguson Code of Ordinances, Chapters 49 and 2-391.  
Missouri Revised Statutes, Chapter 89.110 and 89.480.

## **BUILDING BOARD OF APPEALS**

- Purpose:** To hear and rule on appeals from property owners related to the refusal of the Building Official to grant modifications in the application of the City's Building Code. The appeal may concern the materials or manner required by the Code in the erection, alteration, or repair of buildings and structures.
- Membership:** Five residents appointed by the Mayor, with Council approval, to five year terms.
- Meetings:** On call within ten days after an appeal is filed.
- Powers:** To hear and uphold or reverse, wholly or in part, the appeal of an owner or any other person who claims that the true intent of the Code or the rules legally adopted have been incorrectly interpreted, that the provisions of the Code do not apply, or that an equally good or better form of construction can be used.
- Staff:** Building Official.
- References:** Ferguson Code of Ordinances, Sec. 7-68, 7-102, 7-118, 7-141, 7-195, 7-241, and 18-23.  
2006 International Building Code.

## CHARTER COMMISSION

- Purpose:** To review the Home Rule Charter of the City of Ferguson and to propose and recommend to the City Council any changes or amendments deemed necessary.
- Membership:** Seven residents appointed one each by the Mayor and members of the City Council. The members of the commission then elect their own chairman, vice-chairman, and secretary.
- Meetings:** As required to conduct its charter review and submit its findings and recommendations to the City Council.
- Powers:** To recommend to the City Council proposed changes and amendments to Ferguson's Home Rule Charter. The City Council may accept or amend the proposed changes and amendments prior to passing an ordinance calling for a voter referendum to consider the charter revisions.
- Staff:** City Attorney.
- References:** Ferguson Charter, Section 11.13.  
Missouri Revised Statutes, Chapter 82.  
Model City Charter, sixth edition, National Municipal League  
A Model Charter for Missouri Cities, Missouri Municipal League

## CIVILIAN REVIEW BOARD

**Purpose:** To foster respect, trust, cooperation and accountability between the city police department and the greater Ferguson community.

**Membership:** The board shall consist of nine (9) members, who serve for a term of three (3) years. The members shall be appointed as follows: (i) two (2) residents from each of the city's three (3) wards; and (ii) three (3) at-large members who shall be residents, owners of a business within Ferguson, or religious leaders or teachers serving within Ferguson. In the event that the city provides police services, by contract, to another city, residents of that city may be appointed in lieu of the at-large appointments described above. The city council shall make appointments in a good-faith effort to reflect the diversity of the community.

**Meetings:** Reoccurring meeting dates are currently being established.

**Powers:** The duties and responsibilities of the board include:

- (1) The board shall receive and review, make findings, and recommend disciplinary or other action upon complaints by members of the public against members of the police department that allege misconduct involving excessive use of force, abuse of authority, discourtesy, or use of offensive language, including but not limited to, slurs relating to race, ethnicity, religion, gender, sexual orientation and disability pursuant to RSMo 590.653.
- (2) The board shall review, make findings, and recommend disciplinary or other action for a sampling of departmental investigations involving the use of force where a complaint was not made.
- (3) The board will make every effort to review and evaluate civilians' complaints objectively and impartially giving equal consideration to civilians and police officers alike.
- (4) The board's review of departmental investigations may include a review of all evidence relevant to the underlying misconduct complaint.
- (5) The board's findings and recommendations shall be submitted to the chief of police and the city manager.
- (6) The board shall not make any finding or recommendation based solely upon an unsworn complaint or statement, nor shall prior unsubstantiated, unfounded or withdrawn complaints be the basis for any findings or recommendations by the board.
- (7) The board shall develop and recommend a program to promote awareness throughout the Ferguson community about the options available for filing misconduct complaints and about the misconduct complaint process.
- (8) The board shall periodically review and assess police department policies and procedures, as well as training plans, and make recommendations for modifications to policies, procedures and training.



- (9) The board shall develop and implement ways to educate the public on policing, civil liberties, and other related matters and to assist in enhancing the police department's relationship with the Ferguson community.
- (10) The board shall review crime data, racial profiling data, and complaint statistics to identify patterns and trends.
- (11) No less than semi-annually, the board shall publish a report on crime statistics, racial profiling statistics, and outcome of complaints. The board shall also publish an annual report of a comprehensive nature, including trends, recommendations made to the police department or the city, which of those recommendations were accepted or rejected and why, and a general state of affairs.

Staff: Consent Decree Coordinator.

References: Civilian Review Board Bylaws Pending Draft  
Municipal Code Chapter 2, Division 5  
Missouri Revised Statutes 590.653

**FERGUSON NEIGHBORHOOD IMPROVEMENT PROGRAM  
BOARD OF DIRECTORS**

- Purpose:** To reduce the number of vacant and abandoned housing units in the City of Ferguson, and to offer home improvement loans and loan counseling to Ferguson homeowners.
- Membership:** Eleven persons appointed by the City Council for three-year terms comprise the Board of Directors. Board membership includes seven residents (two from each ward, and one at-large resident); one member from a real estate company; one member from an insurance company; one member from a bank or other lending institution; and one member from the City Council.
- Meetings:** 4th Monday of the month at 7:30 p.m. at the January-Wabash building.
- Powers:**(1) to acquire, rehabilitate, and resell vacant and abandoned properties in the City of Ferguson;  
(2) to offer loan counseling and technical assistance to Ferguson homeowners for the rehabilitation of their homes;  
(3) to provide home improvement loans and grants to Ferguson homeowners for the rehabilitation of their homes;  
(4) to raise necessary and sufficient funds to carry out its housing programs;  
(5) to administer funds for housing programs obtained from federal, state, or local government, and private sources.
- Staff:** Housing Development Coordinator.
- References:** Ferguson Neighborhood Improvement Program Bylaws  
Missouri Revised Statutes, Chapter 355.

## FERGUSON SPECIAL BUSINESS DISTRICT ADVISORY BOARD

- Purpose:** To promote the Central Business District of Ferguson to the public.
- Membership:** Nine (9) members who shall be appointed by a majority of the Council; members shall be owners of real property, owners of businesses, or employees designated by the business owners, within the Special Business District.
- Meetings:** The Board meets at 8:00 a.m. the 4th Wednesday of each month. Place to be announced prior to the meeting.
- Powers:** The FSBD Board shall:
- Make recommendations to the Council on how the revenue from the FSBD tax is to be used;
  - Establish a plan for the development and maintenance of the FSBD. This plan shall be updated on an annual basis and submitted to the City Council on or before the 1st day of March each year.
- Staff:** Community Services Director and Finance Director
- References:** Missouri Revised Statutes, Sec. 71.790 - 71.808, as amended  
Ordinance #86-2181

## HOUSING BOARD OF APPEALS

- Purpose:** To hear and rule on the appeals of property owners related to the enforcement of the City's Exterior Appearance Code and Homestead Program. (See also Community Relations Commission.)
- Membership:** Seven residents appointed by the Council to staggered three-year terms. The Board elects the chairman and vice-chairman each year. Missing three meetings within one year without calling City Hall or the Chairman will result in forfeiture of position on the Board.
- Meetings:** On the call of the chairman; generally on the 2nd and 4th Mondays at 7:00 p.m. in City Hall.
- Powers:** To hear and uphold or reverse, wholly or in part, the appeals of property owners where it is alleged that there is an error in the Code Official's order, requirement, decision, or determination in enforcing the City's Exterior Appearance Code; and
- To authorize variances from the strict application of any provision of the Exterior Appearance Code where a property owner can show that the order would result in an exceptional or practical difficulty, or create a particular hardship as distinguished from a mere inconvenience, provided such relief can be granted without substantial detriment to the public welfare and without substantially impairing the general purpose and intent of the Code.
- To serve as the Human Rights Commission for the Homestead Program and to hear complaints of applicants who allege discrimination or other unfair practices in the administration of the program.
- A quorum of the Board consists of four members, and four or more affirmative votes are required to overrule the decision of the Code Official. Board decisions are subject to review by a Writ of Certiorari to the Circuit Court.
- The Board is also responsible for the "Pride of the City" program, established by the City Council; and chooses one house from each ward each month to receive the Pride of the City Award, presented at the second Council meeting each month.
- Staff:** Building Official.
- References:** Ferguson Code of Ordinances, Sections 7-139.  
Missouri Revised Statutes, Section 67.280.  
International Building Code, 2006.

## HUMAN RIGHTS COMMISSION

- Purpose:** To administer the Fair Housing Code to prevent or eliminate discriminatory housing practices. (See also Housing Board of Appeals.)
- Membership:** Seven residents appointed by the Mayor, with Council approval, and who also serve on the Housing Board of Appeals.
- Meetings:** On call of the chairman.
- Powers:** The powers and duties of the Commission are:
- (1) to transmit to persons allegedly committing discriminatory housing practices, any written complaint filed by an aggrieved party;
  - (2) to investigate with the assistance of the City Attorney, and within thirty days after receipt of a complaint, and determine if cause exists for the allegation;
  - (3) to attempt, if the Commission finds cause for the complaint, to eliminate or correct the alleged discriminatory housing practice by informal methods of conference, conciliation, and persuasion;
  - (4) the Commission may issue complaints against any person who it has reason to believe is engaged in discriminatory practices;
  - (5) if conciliation efforts fail, the Commission will promptly set a date for hearing the matters alleged, and report its findings to the City Council; and
  - (6) the City Attorney will review the Commission report and take such action in municipal or circuit court as he deems appropriate to abate the discriminatory action.
- Staff:** City Attorney; City Clerk.
- References:** Ferguson Code of Ordinances, Section 17-31, et seq.  
Appointment per Minutes of Council Meeting, Nov. 12, 1985 (called "Human Rights Commission" in minutes)

## MUNICIPAL LIBRARY DISTRICT BOARD

**Purpose:** To determine the purpose of the Ferguson Municipal Public Library, and to adopt policies to oversee and review administration of the library.

**Membership:** Nine trustees appointed by the Mayor, with Council approval, prior to the first meeting in July to staggered three year terms from among the citizens at large and with reference to their fitness for office.

Trustees shall not serve more than three successive full terms, and shall not be eligible for further appointment to the Board until two years after the expiration of the third term.

The Mayor or other proper official, with the consent of the Council, may remove any trustee for misconduct or neglect of duty. Members of the Board are expected to attend meetings of the board. The Board may inform the appointing authority in the event any member does not attend at least one-half of the Board meetings in any fiscal year. The secretary shall inform the Board of non-attendance at three consecutive meetings by any member.

**Meetings:** 3rd Monday of each month at 7:30 p.m., in the board room of the library; with the exception of January and February when the meeting will be on the 4th Monday of the month.

**Powers:** The trustees of the Municipal Library shall:

- (1) elect from among its members the president and other officers deemed necessary before July 1, each year;
- (2) make and adopt such by-laws, rules and regulations for their own guidance, and for the government of the library, as may be expedient, and not inconsistent with Missouri Revised Statutes;
- (3) appoint a properly qualified librarian who shall be the chief executive and administrative officer for the library;
- (4) have the exclusive control of the expenditure of all moneys collected to the credit of the library fund, and of the construction of any library building, and of the supervision, care and custody of the grounds, rooms, or buildings;
- (5) review the annual report of the librarian.

The Board, as a corporate body, may sue and be sued, sell and convey real estate and personal property, and receive and hold gifts of real and personal property for the use and benefit of the public library.

The Board may also extend the use of the library to nonresidents and make agreements with other libraries allowing for exchanges of services.

(continued)

Staff: Librarian.

References: Ferguson Charter, Section 5.1.  
Ferguson Ordinance, Chapter 24.  
Missouri Revised Statutes, Chapter 182.480, et seq.  
Bylaws of the Board of Trustees of the Ferguson Municipal Public Library.  
Missouri Library Trustees Handbook (Missouri Library Assn., 1981)

## LANDMARKS COMMISSION

**Purpose:** To advise the City Council, and boards and commissions on matters of historic significance.

**Membership:** Seven members appointed by the Council to staggered three year terms. Members must be Ferguson residents with experience, training, or interest in the study and development of local history, architecture, or historic preservation.

The Commission elects its own chairman and secretary each May. Members who miss three meetings without notifying the chairman or secretary will be replaced. Members may also be removed for cause, subject to a public hearing, if requested by the removed member.

**Meetings:** 3rd Monday of each month at 7:30 p.m. in city hall.

**Powers:** The powers and duties of the Landmarks Commission include:

- (1) to conduct research on homes and buildings of historical or architectural significance;
- (2) to promote awareness of, and interest in, Ferguson's history and landmarks;
- (3) to cooperate with historical societies and similar agencies within and without the City of Ferguson;
- (4) to formulate criteria for, and to designate local landmarks and historic districts;
- (5) to recommend to the City Council the acquisition of historic sites or plans;
- (6) to preserve and protect landmark sites, buildings, and other places of historic interest;
- (7) to mark historic sites and buildings with suitable monuments, plaques, or markers;
- (8) to provide the Building Commissioner with a register of historic buildings and sites, including a statement of consideration in making the historic designation; and
- (9) to review, within sixty days of receipt, the plans and specifications of building permits related to historical buildings, and to offer suggestions and recommendations on how to best preserve the historic significance and aesthetic value of the landmark.

**Staff:** Community Development Coordinator.

**References:** Ferguson Ordinances 83-1986, 86-2162, and 97-2960



## **PARK AND RECREATION ADVISORY BOARD**

- Purpose:** To review and recommend to the City Manager and Council rules, regulations, plans, budgets, fees, and procedures related to the administration and maintenance of the parks and recreation department.
- Membership:** Nine citizen members appointed by the Council each June to staggered terms of three years. The president and officers are elected by and among the members at the January meeting.
- Members must have been residents of Ferguson for two years immediately prior to their appointment. The Council may remove any member for misconduct or neglect of duty. Vacancies are filled by the Council for the remainder of the term.
- The failure of any member to attend three (3) consecutive meetings or 1/3 of the meetings within one year without notifying the Park Office or being excused by the chairman shall result in the member forfeiting his/her office.
- Meetings:** 3rd Tuesday each month at 7:30 p.m. in the January Wabash building.
- Powers:** The Park and Recreation Advisory Board shall:
- (1) survey and make plans for the maintenance of an adequate system of parks and recreation facilities and activities;
  - (2) recommend to the City Manager and Council rules and regulations for the administration of the parks and recreation department;
  - (3) advise the Council and Director on problems concerning the administration of the parks;
  - (4) make investigations and report to the Council, at least once a year, its findings, conclusions, and recommendations concerning administration of the parks and recreation department;
  - (5) review the department budget each year and make recommendations thereon directly to the City Manager and Council;
  - (6) recommend and approve fee schedules to be published by the department director;
  - (7) serve as the tree board for Tree City USA designation; and
  - (8) perform other duties related to administration of the department, not inconsistent with the Charter, as may be provided by ordinance.
- Staff:** Parks and Recreation Director  
Public Works Project Manager
- References:** Ferguson Charter, Section 5.1.  
Ferguson Code of Ordinances, Sections 2-381 and 30-16, et seq.  
Missouri Revised Statutes, Chapter 90.

## **BOARD OF TRUSTEES OF THE PENSION PLAN**

**Purpose:** To oversee the administration of the pension fund of the City of Ferguson, including the exclusive and final determination of claims, benefits, refunds, and other disputes which may occur.

**Membership:** Seven members comprised of: Director of Finance; one non-uniformed employee selected by the non-uniformed employees of the City; one member of the police department and one member of the fire department as selected by the uniformed employees of the respective departments; and three citizen members appointed to staggered three year terms by the Mayor with Council approval.

Missing more than three consecutive regular or called meetings, even if excused, or more than two consecutive meetings without calling City Hall or the chairman, will result in forfeiture of a member's position on the Board.

The Board elects a chairman from among its members, and a secretary who may, but need not be, one of its members. The Director of Finance is the official treasurer of the Board. Trustees may be removed for cause by the Council.

**Meetings:** 4th Monday of the first month of each calendar quarter, at 7:30 p.m. in City Hall. Special meetings may be called upon five days' notice in writing to each trustee. No business may be decided until a quorum of four is present. A majority vote of the Board members shall pass any motion, resolution, or any other matter which may be decided upon.

**Powers:** The Board of Trustees of the Pension Fund:

- (1) shall have exclusive control and management of the fund in whose name it shall contract all of its business and hold all of its money, securities, and other property;
- (2) may enter into a trust agreement with a recognized trust company;
- (3) shall keep in convenient form actuarial data necessary for actuarial valuation of the funds and for checking the experience of the fund;
- (4) shall meet at least twice per year; record and hold open for public inspection all of its proceedings; and report annually to the City Council the fiscal transactions, balance sheet, and audit of the pension fund for the preceding fiscal year;
- (5) shall make rules and regulations for the government of its affairs, and administration of the pension fund, and for the limitation of time within which claims may be filed;
- (6) shall have exclusive jurisdiction of all retirement claims, benefits, or refunds; and
- (7) shall hold hearings and take and preserve the evidence of all disputed matters.

(continued)

The record, evidence, and final findings and decisions of the Board are subject only to review by writ of certiorari to the circuit court.

Staff: Director of Finance (as a member of the board), Human Resource Manager

References: Ferguson Code of Ordinances, Section 2-610.

## PERSONNEL BOARD

**Purpose:** To investigate and advise the City Manager and City Council on matters related to personnel administration.

**Membership:** Five residents appointed by the Council to three year terms with not more than two terms expiring the same year. The Board elects a chairman.

The city manager or director of personnel is an ex officio member of the Personnel Board and attends all meetings.

**Meetings:** On call of the chairman.

**Powers:** The Personnel Board may establish rules and procedures consistent with the City Charter and Code to carry out the following powers and duties:

- (1) advise the Council and director of personnel on problems concerning personnel administration;
- (2) make any investigations which it may consider desirable concerning the administration of personnel in municipal service and report to the Council at least once a year its findings, conclusions, and recommendations;
- (3) approve merit system rules;
- (4) hear appeals from disciplinary action; and
- (5) perform such other duties with reference to personnel administration, not inconsistent with the Charter, as the Council may request.

**Staff:** City Manager, Human Resource Manager, and Attorney appointed by City

**References:** Ferguson Charter, Section 5.1.  
Ferguson Code of Ordinances, Sections 2-581, et seq.

## PLAN COMMISSION

Purpose: (1) to prepare and submit to the City Council a master plan based on the long-range goals of the community;  
(2) to annually review and advise the City Council on changes to the master plan;  
(3) to prepare and recommend to the City Council a comprehensive plan for zoning the city;  
(4) to review and recommend to the Council proposed zoning changes;  
(5) to advise private developers and the Council on development projects which are appropriate in the context of the master plan and zoning ordinance.

Membership: Seven members appointed by the Council to four year terms arranged so that two terms expire each year except in the fourth year.

Members must be qualified voters, residents of Ferguson for two or more years immediately prior to appointment, and hold no other city office.

The failure of any member to attend three (3) consecutive meetings, or 1/3 of the meetings within one year, without notifying a designated city official and being excused by the chairman shall result in the member forfeiting his/her office.

The Plan Commission elects its own chairman annually, and has the power to employ assistants and technical advisors it considers necessary, within the limits of its budget appropriation.

The City Manager, Public Works Director, Code Official, and one Council Member, selected by the Council, attend Plan Commission meetings, and have the right of discussion, but no vote.

Meetings: 1st and 3rd Wednesdays each month at 7:00 p.m. in the Council chamber, and on call of the chairman.

Powers: The Plan Commission spends much time and effort to assess and formulate community goals, and to develop guidelines that will promote the well being of present and future Ferguson residents.

The long-range planning process is a difficult, but necessary, challenge, given the requirement for due process and for reasonable non-arbitrary and non-capricious decision-making.

Plan Commission members carefully examine the economy, demography, and environment of the community, and incorporate its findings into an annual update of the master plan. Planning and demographic data on Ferguson is available in the Community Development and Public Works offices.

The ongoing planning and evaluation efforts of the Plan Commission provide a framework for decision-making and help to justify the decisions and recommendations sent to the Council for action.

The decision-making process of the Plan Commission includes gathering and interpreting facts, hearing and analyzing opinions, giving advice, settling disputes, making formal recommendations, and imposing regulations.

The Plan Commission reports its recommendations to the City Council for consideration and action. The recommendations of the Commission shall not be binding on the Council, which may approve or disapprove the Commission's findings; however, no zoning decision may be decided by the Council without prior Plan Commission review.

In its annual review of the master plan, the Plan Commission should consider:

- the changing economy, demography, and priorities of the community;
- the extent, location, and character of public improvements such as streets, utilities, parks, public buildings, and housing;
- the extent, location, and character of commercial, industrial, and residential land uses.

Staff: City Manager, Public Works Director, Building Official.

References: Ferguson Charter, Section 5.1.  
Ferguson Code of Ordinances, Chapter 2, sec. 2-401, and Chapter 49  
Missouri Revised Statutes, Section 89.400, et seq.  
The Planning Commissioners Guide by David Allor, available for loan from the City Clerk.

## REDISTRICTING COMMISSION

- Purpose:** To maintain equal numbers of voters in Ferguson's three City Council wards.
- Membership:** Three registered voters (one from each ward) appointed by the Mayor on or before the first day of November, 2002, and every ten years thereafter.
- Meetings:** As required to file a written report, signed by all members, to the Council not later than the second day of January following the date of their appointment.
- Powers:** To ascertain from the National Decennial Census Figures whether the City Council wards contain approximately equal numbers of voters and, if substantial inequalities are found, to recommend to the City Council changes in ward boundaries to equalize as nearly as possible the number of voters in each ward.
- Staff:** City Clerk and City Attorney
- References:** Ferguson Charter, Section 7.6.2.  
Missouri Revised Statutes, Chapter 49.010, et seq, and 82.110, et seq.  
City Council Districting in the 1980s by Howard Neighbor (National Municipal League, 1980).  
Census Maps, Missouri State Library, Box 387, Jefferson City, MO 65102, (314) 751-4552.

## SENIOR CITIZENS COMMISSION

**Purpose:** To serve and protect the needs of Ferguson's senior citizens and to utilize their talents and abilities for betterment of the community.

**Membership:** Seven residents appointed by the Mayor, with Council approval, to three year terms. Members must be at least 55 years old. Commissioners elect their own chairman, vice-chairman, and secretary each May to serve one year terms.

If a member is absent for two consecutive meetings, the chair, or his designate, will attempt to contact the absent member. If a member is absent for three consecutive meetings, without proper notification to the chairman, or misses five meetings within one year, it will be understood that the absent member no longer wishes to serve on the commission. The chairman of the Senior Citizen Commission will then notify the City Council of the absentee's intention of not returning and ask the Council to replace that person.

**Meetings:** 1st Thursday each month at 1:30 p.m. in City Hall.

**Powers:** The Commission shall:

- (1) study and analyze the problems and needs of the elderly and periodically report their findings to the City Council;
- (2) formulate plans to meet the needs of senior citizens and make recommendations concerning same to the City Council;
- (3) study ways and means to utilize the talents and abilities of senior citizens; and
- (4) perform such other duties as may be required by the City Council.

**Staff:** Parks and Recreation Director

**References:** Ferguson Ordinance 78-1685.



## **TAX INCREMENT FINANCING (TIF) COMMISSION**

- Purpose:** Give notices, hold hearings, vote, and make recommendations to the City Council concerning any proposed designation of redevelopment areas, and approval of redevelopment plans or projects which are submitted by the City Council.
- Membership:** Six residents appointed by the Mayor with the consent of a majority of the City Council to staggered four year terms plus two members appointed by the school boards, and one member to represent all other taxing districts, whose districts are included within the redevelopment plan or area.
- Those members not appointed by the City shall terminate upon final approval of the redevelopment project/plan or designation of the redevelopment area by the City Council.
- If a member is absent for two consecutive meetings, the chair, or designee, will attempt to contact the absent member. If a member is absent for three consecutive meetings, without proper notification to the chairman, or misses five meetings within one year, it will be understood that the absent member no longer wishes to serve on the commission. The chairman of the Tax Increment Financing Commission will then notify the City Council of the absentee's intention of not returning and ask the Council to replace that person.
- Meetings:** The TIF Commission shall meet on call of the Mayor, City Manager and/or Chairman to begin the process of studying a TIF project. Thereafter, meetings shall be set by the Commission.
- Powers:** The TIF Commission shall have the power to
- (1) Request development proposals
  - (2) Conduct public hearings
  - (3) Make recommendations to the City Council regarding such proposals
- Staff:** The City Manager and City Attorney; the City Clerk shall serve as secretary to the TIF Commission
- References:** Ordinance No. 96-2816

## TRAFFIC COMMISSION

**Purpose:** To act in a general advisory capacity to the City Council and Manager on traffic and parking issues.

**Membership:** Seven residents appointed by the Council to staggered three year terms. Members must be residents of Ferguson and hold no other city office.

If a member is absent two consecutive meetings, the Chair or his designee will attempt to contact the absent member. If a member is absent for three consecutive meetings without proper notification of the chair, or misses five meetings within a year, it will be understood that the absent member no longer wishes to serve on the Commission. The Chairman of the Traffic Commission will then notify the City Council of the absentee's intent of not returning and ask for a replacement.

The City's traffic engineer, chief of the police traffic division, municipal judge, city prosecutor, and council representative are ex officio members of the Traffic Commission with the rights to discuss and suggest matters, but with no right to make motions or to vote.

**Meetings:** The 3rd Tuesday of the month at 7:30 p.m.

**Powers:** The advisory powers of the Traffic Commission are:

- (1) to advise on traffic and parking problems;
- (2) to carry out educational activities;
- (3) to supervise the preparation of traffic reports;
- (4) to receive complaints relating to traffic;
- (5) to recommend methods and ways to improve traffic conditions, administration, and enforcement;
- (6) to initiate long-range master traffic improvement planning;
- (7) to perform at the Council's request other duties related to traffic and parking; and
- (8) to employ such assistants and technical advisors as it may consider necessary, within the limits of its budget.

**Staff:** Public Works Department.

**References:** Ferguson Charter, Section 5.1.  
Ferguson Code of Ordinances, Sections 2-2, 41-23, 44-31.  
Missouri Revised Statutes, Chapter 300.070, et seq

## YOUTH ADVISORY BOARD

**Purpose:** To provide insight and feedback on issues relating to youth, including city Ordinances, long-range planning, and city-sanctioned activities

**Membership:** 8-10 students and 5 adult (non-voting), residents appointed by the Council to one year terms. Student members must be residents of Ferguson and be enrolled in school. Adult members must be residents of Ferguson, at least 25 years of age, and hold no other City office.

If a member is absent three consecutive meetings or 25% of all Board meetings without prior notification and approval of the Chairman of the Board, the member may be removed by the City Council upon a recommendation by the FYAB. A Board member's term should automatically cease if one of the following occurs; the member no longer resides in the City of Ferguson, the member graduates, or otherwise leaves high school, or the member voluntarily vacates his or her seat.

**Meetings:** The 2<sup>nd</sup> Monday of the month at 4:30 p.m.

**Powers:** The advisory powers of the Youth Advisory Board are:

- (1) to assist in planning and promoting of programs and services for youth;
- (2) to educate and raise awareness of youth issues;
- (3) to inspire positive action in the community;
- (4) to provide a voice for youth in the community;
- (5) to promote youth participation in community affairs;
- (6) to act as an advocate for youth and teens;
- (7) to review those municipal matters referred to by the City Council and, as appropriate, make recommendations on those matters;
- (8) make recommendations to the City Council pertaining to the composition, function, and obligations of the Youth Advisory Board.

**References:** Ordinance 2011-3469