

# CITY OF FLORISSANT



## COUNCIL MINUTES

March 10, 2014

The Florissant City Council met in regular session at Florissant City Hall at 955 rue St. Francois on Monday, March 10, 2014 at 7:00 p.m. with Council President Keith Schildroth presiding. The Chair asked everyone in attendance to stand and join in the Pledge of Allegiance.

On Roll Call the following were present: Schildroth, Stinnett, Pagano, Schmidt, Hernandez, Lee, Grib, Eagan and Caputa. Also present was Mayor Thomas P. Schneider, Acting City Attorney Curt Calloway and Acting City Clerk Anita Moore. A quorum being present the Chair stated that the Council was in session for the transaction of business.

Councilman Hernandez moved to approve the Executive and Meeting Minutes of 2/24/2014, seconded by Lee. Motion carried. Councilman Schmidt moved to approve the Special Meeting Minutes of 2/18/2014, seconded by Grib. Motion carried. Councilwoman Pagano moved to approve the Work Session Minutes of 2/27/2014, seconded by Grib. Motion carried.

The next item on the agenda was Hearing from Citizens.

Dave Woodruff, 325 Larry, stated that he was glad the City took over the managing of the golf course and that new carts were needed.

Tim Jones, 865 Daniel Boone, expressed his dissatisfaction with how he was treated at the recent "Meet and Greet" meeting at the JFK Center.

Jerry Zeller, 1695 Mark Twain, expressed his various opinions regarding the recent article in the "Independent News."

Mark Behlmann, 768 Charbonier Rd. expressed his "gratitude" to the Mayor and the administration regarding the city's enforcement of the sign ordinance.

The next item on the Agenda was Communications.

- 32 1. Email dated February 25, 2014 from Kevin O'Donnell regarding FCTV Streaming  
33 Video.  
34 2. Email dated March 5, 2014 from Pamela Lee regarding prudent spending of tax dollars.  
35 3. Letter dated February 25, 2014 from Rebecca Zoll with North County Incorporated  
36 regarding support of the grant for the Replacement of St. Anthony Lane Bridge over  
37 Fountain Creek.  
38 4. Letter dated February 25, 2014 from Rebecca Zoll with North County Incorporated  
39 regarding support of the grant for the Old Town Street & Storm Water Improvements.  
40 5. Letter dated February 25, 2014 from Rebecca Zoll with North County Incorporated  
41 regarding support of the grant for the Replacement of the pedestrian signal on Derhake  
42 Road at Robinwood Elementary.  
43

44 The next item on the Agenda was Public Hearings.

45 The City Clerk reported that Public Hearing #14-03-008 to be held this night on  
46 a request to authorize a Special Use Permit to Cross Keys Restaurant Group, LLC, d/b/a  
47 Burger King to allow for the existing operation of a sit-down, carry-out and drive-  
48 through restaurant for the property located at 3121 N. Highway 67 had been advertised  
49 in substantially the same form as appears in the foregoing publication and by posting the  
50 property. The Chair declared the Public Hearing to be open and invited those who  
51 wished to be heard to come forward.

52 James Brinkmeyer, petitioner and managing owner, explained that since the  
53 previous owner had owned the business for over 30-37 years, the property had been  
54 grand-fathered in. Mr. Brinkmeyer was unaware that with a change of ownership, a  
55 special use permit was required. He wished to continue running the business as it  
56 always has been with no significant changes.

57 Councilman Hernandez requested three readings of the bill since it was more of a  
58 "housekeeping" requirement.

59 The Chair asked if there were any citizens who would like to speak on said  
60 public hearing. Being none, Councilman Hernandez moved to close P.H. #14-03-008,  
61 seconded by Schmidt. Motion carried.

62 Councilman Schildroth explained that Bill No. 8976 and Bill No. 8979 had been  
63 incorporated into a new Bill No. 8981. In order to prevent duplication and to allow for  
64 procedural considerations, both bills would be read and voted upon.

65 With a motion and second on the floor for a second reading of Bill No. 8976, An  
66 Ordinance appropriating the sum of \$42,000 from the Park Improvement Fund to

67 account no. 0950 “Professional Services” for the purpose of securing a golf cart lease  
68 for the golf course, motion carried and Bill No. 8976 was read for a second time.  
69 Councilman Schildroth moved that Bill No. 8976 be read for a third time, seconded by  
70 Stinnett. Motion carried and Bill No. 8976 was read for a third and final time and placed  
71 upon its passage. Before the final vote all interested persons were given an opportunity  
72 to be heard. On roll call the Council voted Schildroth no, Stinnett no, Pagano no,  
73 Schmidt no, Hernandez no, Lee no, Grib no, Eagan no and Caputa no. Whereupon the  
74 Chair declared Bill No. 8976 to have failed.

75 Councilman Caputa moved that Bill No. 8978 An Ordinance authorizing a  
76 Special Use Permit to Star United, LLC d/b/a Phillips 66 to allow for the operation of a  
77 gas station and convenience store for the property located at 2020 Patterson Road be  
78 read for a second time, seconded by Schmidt. Motion carried and Bill No. 8978 was  
79 read for a second time. Councilman Caputa moved that Bill No. 8978 be read for a third  
80 time, seconded by Pagano. Motion carried and Bill No. 8978 was read for a third and  
81 final time and placed upon its passage. Before the final vote all interested persons were  
82 given an opportunity to be heard. On roll call the Council voted Schildroth yes, Stinnett  
83 yes, Pagano yes, Schmidt yes, Hernandez yes, Lee yes, Grib yes, Eagan yes, Caputa yes.  
84 Whereupon the Chair declared Bill No. 8978 to have passed and said Bill became  
85 Ordinance No. 8028.

86 Councilman Schildroth moved that Bill No. 8979 Ordinance appropriating the  
87 sum of \$156,000 from the General Revenue Fund to Account No.01-5-06-61000  
88 “Capital Additions” for the purchase of various pieces of equipment for the golf course  
89 be read for a second time, seconded by Eagan. Motion carried and Bill No. 8979 was  
90 read for a second time. Councilman Schildroth moved that Bill No. 8979 be read for a  
91 third time, seconded by Pagano. Motion carried and Bill No. 8979 was read for a third  
92 and final time and placed upon its passage. Before the final vote all interested persons  
93 were given an opportunity to be heard. On roll call the Council voted: Schildroth no,  
94 Stinnett no, Pagano no, Schmidt no, Hernandez no, Lee no, Grib no, Eagan no and  
95 Caputa no. Whereupon the Chair declared Bill No. 8979 to have failed.

96 Next item on the Agenda was Board Appointments.

97 Councilman Lee moved to reappoint Mary Pat Outlaw, 1405 Central Parkway, as  
98 a member from Ward 1 to the Citizens Participation Committee for a term expiring  
99 3/27/15, seconded by Eagan. Motion carried.

100 Council as a Whole introduced Resolution No. 969 A Resolution of the Mayor  
101 and the City Council. Florissant Missouri requesting the United States Congress to  
102 transfer the authority for the remediation of the West Lake Landfill from the  
103 Environmental Protection Agency (EPA) to the Army Corps of Engineers' FUSRAP  
104 and said Resolution was read for the first time. Councilman Schildroth moved that  
105 Resolution No. 969 be read for a second time, seconded by Eagan. Motion carried and  
106 Resolution No. 969 was read for a second time.

107 Mayor Schneider thanked City Engineer, Tim Barrett, for all his work in  
108 presenting a position paper on this subject which helped enable the right decision to be  
109 made in regard to this issue. Councilman Caputa moved that Resolution No. 969 be  
110 read for a third time, seconded by Pagano. On roll call the Council voted: Schildroth  
111 yes, Stinnett yes, Pagano yes, Schmidt yes, Hernandez yes, Lee yes, Grib yes, Eagan yes  
112 and Caputa yes. Having received the unanimous vote of all members present Resolution  
113 No. 969 was read for the third and final time and placed upon its passage. Before the  
114 final vote all interested person were given an opportunity to be heard. John Creamer,  
115 1375 Verlene Dr., stated that he hoped the city of Florissant was working in conjunction  
116 with the cities of Bridgeton and Hazelwood regarding this issue. The Mayor responded  
117 that other cities and organizations were concerned and involved with this matter. On roll  
118 call the Council voted: Schildroth yes, Stinnett yes, Pagano yes, Schmidt yes, Hernandez  
119 yes, Lee yes, Grib yes, Eagan yes and Caputa yes. The Chair declared Resolution No.  
120 969 to have been adopted.

121 The next item on the agenda was a request for approval for a Beer and Wine  
122 Package Liquor License for Dooley's Florist and Gifts for the property located at 690  
123 rue St. Francois. On roll call the Council voted: Schildroth yes, Stinnett yes, Pagano  
124 yes, Schmidt yes, Hernandez yes, Lee yes, Grib yes, Eagan yes and Caputa yes. The  
125 Chair declared the liquor license approved.

126 The Chair stated that the next item on the agenda was First Readings.

127 Councilman Schildroth introduced Bill No. 8980 An Ordinance granting a  
128 Special Use Permit to Cross Keys Restaurant Group , LLC, d/b/a Burger King to allow  
129 for the location and operation of a sit-down, carry-out and drive-through restaurant for  
130 the property located at 3121 N. Highway 67 and said Bill was read for the first time.  
131 Councilman Hernandez moved that Bill No. 8980 be read for a second time, seconded  
132 by Caputa. Motion carried and Bill No. 8980 was read for a second time. Councilman  
133 Hernandez moved that Bill No. 8980 be read for a third time, seconded by Pagano. On  
134 roll call the Council voted: Schildroth yes, Stinnett yes, Pagano yes, Schmidt yes,  
135 Hernandez yes, Lee yes, Grib yes, Eagan yes and Caputa yes. Having received the  
136 unanimous vote of all members present Bill No. 8980 was read for the third and final  
137 time and placed upon its passage. Before the final vote all interested person were given  
138 an opportunity to be heard. On roll call the Council voted: Schildroth yes, Stinnett yes,  
139 Pagano yes, Schmidt yes, Hernandez yes, Lee yes, Grib yes, Eagan yes and Caputa yes.  
140 The Chair declared Bill No. 8980 to have passed and said Bill became Ordinance No.  
141 8029.

142 Council as a Whole introduced Bill No. 8981 An Ordinance authorizing  
143 appropriations in the sum of \$1,074,183 from the General Revenue Fund to various  
144 accounts and said Bill was read for the first time. Councilman Lee moved that Bill No.  
145 8981 be read for a second time, seconded by Eagan. Motion carried.

146 Councilman Schmidt moved to amend to delete Section (2) of the bill, seconded  
147 by Eagan. Councilman Schmidt stated that he was not comfortable getting involved in  
148 the bidding process of the administration. Councilman Lee stated that he was confused  
149 because he thought this had all been discussed and agreed upon. He questioned why it  
150 had come up unexpectedly on tonight's vote. Councilman Lee also stated that he did  
151 not want to get involved in the administration's bidding process but only wanted to  
152 know the final outcome. He will not vote in favor of the amendment.

153 Councilman Eagan stated that he did not want to get involved in the  
154 administration's bidding process. Councilman Schmidt stated that he would not hold up  
155 the passing of the bill this evening and would support the majority decision.  
156 Councilman Stinnett stated that previous meetings had been held to discuss this issue  
157 and the administration chose not to attend. He added that if the bill was to be re-crafted,

158 he did not want to do it at the last minute this evening. He was against the amendment.  
159 On a roll call vote for the amendment to delete Section (2) of the bill, Council voted:  
160 Schildroth no, Stinnett no, Pagano no, Schmidt yes, Hernandez no, Lee no, Grib no,  
161 Eagan no and Caputa no. Motion failed.

162 On the motion for a second reading, motion carried and Bill No. 8981 was read  
163 for a second time. Councilman Lee moved that Bill No. 8981 be read for a third time,  
164 seconded by Grib. On roll call the Council voted: Schildroth yes, Stinnett yes, Pagano  
165 yes, Schmidt yes, Hernandez yes, Lee yes, Grib yes, Eagan yes and Caputa yes. Having  
166 received the unanimous vote of all members present Bill No. 8981 was read for the third  
167 and final time and placed upon its passage. Before the final vote all interested person  
168 were given an opportunity to be heard. On roll call the Council voted: Schildroth yes,  
169 Stinnett yes, Pagano yes, Schmidt yes, Hernandez yes, Lee yes, Grib yes, Eagan yes and  
170 Caputa yes. The Chair declared Bill No. 8981 to have passed and said Bill became  
171 Ordinance No. 8030.

172 Councilman Schildroth introduced Bill No. 8982 An Ordinance authorizing the  
173 City to purchase golf course equipment through the Iowa Department of Transportation  
174 State Bid and said Bill was read for the first time. Councilman Schildroth moved that  
175 Bill No. 8982 be read for a second time, seconded by Hernandez. Motion carried and  
176 Bill No. 8982 was read for a second time. Councilman Caputa moved that Bill No.  
177 8982 be read for a third time, seconded by Pagano. On roll call the Council voted:  
178 Schildroth yes, Stinnett yes, Pagano yes, Schmidt yes, Schmidt yes, Hernandez yes, Lee  
179 yes, Grib yes, Eagan yes and Caputa yes. Having received the unanimous vote of all  
180 members present Bill No. 8982 was read for the third and final time and placed upon its  
181 passage. Before the final vote all interested person were given an opportunity to be  
182 heard. On roll call the Council voted: Schildroth yes, Stinnett yes, Pagano yes, Schmidt  
183 yes, Hernandez yes, Lee yes, Grib yes, Eagan yes and Caputa yes. The Chair declared  
184 Bill No. 8982 to have passed and said Bill became Ordinance No. 8031.

185 Councilman Schildroth introduced Bill No. 8983 An Ordinance amending the  
186 General Fund Budget to reflect \$26,500 from asset forfeiture funds in escrow to  
187 Forfeiture Revenue Acct. No 01-4-34511 and to the Forfeiture Expenditure Acct. No.  
188 01-5-49-61000 for the purchase of various pieces of safety equipment and training for

189            the police department and said Bill was read for the first time. Councilman Eagan moved  
190            that Bill No. 8983 be read for a second time, seconded by Schmidt. Motion carried and  
191            Bill No. 8983 was read for a second time. Councilman Eagan moved that Bill No. 8983  
192            be read for a third time, seconded by Caputa. On roll call the Council voted: Schildroth  
193            yes, Stinnett yes, Pagano yes, Schmidt yes, Hernandez yes, Lee yes, Grib yes, Eagan yes  
194            and Caputa yes. Having received the unanimous vote of all members present Bill No.  
195            8983 was read for the third and final time and placed upon its passage. Before the final  
196            vote all interested person were given an opportunity to be heard. On roll call the  
197            Council voted: Schildroth yes, Stinnett yes, Pagano yes, Schmidt yes, Hernandez yes,  
198            Lee yes, Grib yes, Eagan yes and Caputa yes. The Chair declared Bill No. 8983 to have  
199            passed and said Bill became Ordinance No. 8032.

200                       The next item on the Agenda was Council Announcements.

201                       Councilman Lee thanked Karen Goodwin, all the volunteers, Delmar Gardens,  
202                       and the many sponsors for a wonderful Shamrock Ball which benefits Valley Industries.  
203                       The City of Bellfontaine Neighbors will be included in the event next year.

204                       Councilman Eagan stated that over the next 4 weekends, the St. Ferdinand  
205                       Athletic Association will be hosting a benefit basketball tournament and barbeque to  
206                       support Back Stoppers and F.O.C.U.S, an organization that benefitted returning Marines.

207                       Councilman Stinnett stated that the Mayors Ball was a wonderful event this year  
208                       and all proceeds go to benefit a worthy cause, Valley Industries. In regard to the  
209                       comments regarding the recent “Meet and Greet” at JFK, all the residents that he had  
210                       talked with enjoyed the event. Many were pleased with the more informal, casual  
211                       setting of the “Meet and Greet” rather than an official ‘Ward Meeting.’”

212                       Councilman Caputa thanked the Mayor, Karen Goodwin and all the volunteers  
213                       for a great time at the Mayor’s Ball. He stated that testing on Cold Water Creek began  
214                       last week.

215                       Councilman Schildroth thanked all the Mayors, Karen Goodwin and sponsors for  
216                       hosting the Mayor’s Ball which was a great event. Also, he welcomed Lacy Clay to  
217                       Florissant who recently opened an office on Graham Road.

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219

220 The next item on the Agenda was Mayor Announcements.  
221 Mayor Schneider stated that he visited North County Tech On March 6<sup>th</sup> for their  
222 open house.  
223 The 2<sup>nd</sup> annual Party on Ice was being sponsored by DARE on March 7<sup>th</sup>.  
224 The 6<sup>th</sup> Annual Confluence Trash Bash will be held on March 15<sup>th</sup>.  
225 The Wild Bird Sanctuary will visit the Silver Words Club meeting at Sunset Park  
226 Nature Lodge on March 20<sup>th</sup>.  
227 The Florissant Food Truck Nights will be held on April 23<sup>rd</sup>.  
228 The Dress Barn Clothing Store will be opening at Cross Keys Shopping Center.  
229 Finally, Mayor Schneider announced that winter was officially over since the  
230 frozen custard stands were now open.  
231 Council President Schildroth stated that the next regular meeting is on March 24,  
232 2014 in the Council Chambers at 7:00 pm.  
233 Councilwoman Pagano moved to adjourn the meeting, seconded by Stinnett.  
234 Motion carried. The meeting was adjourned at 7:59 p.m.

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Anita Moore, Acting City Clerk

241 The following Bills were signed by the Mayor:

242  
243 8978 Ord. 8028  
244 8980 Ord. 8029  
245 8981 Ord. 8030  
246 8982 Ord. 8031  
247 8983 Ord. 8032  
248