

# CITY OF FLORISSANT



## COUNCIL MINUTES

September 22, 2014

The Florissant City Council met in regular session at Florissant City Hall at 955 rue St. Francois on Monday, September 22, 2014 at 7:30 p.m. with Council President Joseph Eagan presiding. The Chair asked everyone in attendance to stand and join in the Pledge of Allegiance.

On Roll Call the following were present: Eagan, Caputa, Schildroth, Henke, Pagano, Schmidt, Lee and Jones. Councilman Hernandez was excused. Also present was Mayor Thomas P. Schneider, City Attorney John Hessel and City Clerk Karen Goodwin. A quorum being present the Chair stated that the Council meeting was in session for the transaction of business.

Councilman Jones moved to approve the Executive and Meeting Minutes of 9/8/2014, seconded by Schildroth. Motion carried.

The next item on the Agenda was a Proclamation calling for National Assisted Living Week 2014.

The next item on the Agenda was the Mayor's Budget Request. The Mayor announced the proposed City Budget for fiscal year 2014-15. Revenue streams, taxes, staffing needs, salaries, benefits, equipment, maintenance issues and reserve funds were all highlighted. The Mayor thanked the City Council, Department Heads and employees for their efforts in serving the residents of the City and providing input to the budget review.

The next item on the Agenda was *Hearings from Citizens*.

1. Kevin O'Donnell, 512 Rancho Lane, stated that although the recent forum held at the Eagan Center was beneficial, it was not a "forum." Many of the residents were expecting a "question-answer" session. There were no question cards available for residents to address their concerns. He would like to have heard more from the Chief.

2. Walt Kaiser, 105 N St. Charles St., stated that the new Veteran of the Year was Dr. Joe Quick. Also, the Veterans Parade this year will be held on November 9<sup>th</sup>.
3. Michael Tyree, 1001 Loekes, commended Councilmen Lee and Hernandez for attempting to get taxes reduced in the City.
4. Courtney Neiser, 1335 Bluefield and Sarah Schlereth, 2066 Retford, stated that they were starting the "Glory Road Foundation" and would like to open a teen center in Florissant so that teenagers would have a place to go and socialize.
5. Mary Moore, 3725 Seville Dr., informed the Council that she too was involved with "Glory Road Foundation," and would very much like to start a teen center in Florissant. This center would reward teens and give them a place to go, have fun and keep busy. Arts, crafts, tutoring and "fun" classes would be available. There would be no alcohol or drugs. Although they currently have a 501 C3 status, they need funding.

The next item on the Agenda was *Communications* of which there were none.

The next item on the agenda was *Public Hearings*.

The City Clerk reported that Public Hearing #14-09-024 to be held this night on a request to amend B-5 Ordinance No. 5307, as amended, to allow for the remodeling of an existing Burger King Restaurant and sign changes, located at 8411 N. Lindbergh had been advertised in substantially the same form as appears in the foregoing publication and by posting the property. The Chair declared the Public Hearing to be open and invited those who wished to be heard to come forward.

Charlene Vossenkeper and James Brinkmeyer, 8411 N Lindbergh, appeared before the Council and displayed "before and after" pictures of the store. In the proposed remodel, the brick would not be painted. They will be installing a new bathroom, painting the walls and installing a new floor. The longest time that the renovation would take would be 8 weeks but they were hoping for 4-6 weeks. They will be open during the renovation period.

The Chair asked if there were any citizens who would like to speak on said public hearing. Being no persons who wished to speak, Councilman Henke moved to close P.H. #14-09-024, seconded by Caputa. Motion carried.

The City Clerk reported that Public Hearing #14-09-025 to be held this night on a request to issue an amendment for Mission Hills Development d/b/a GMT Auto Sales to B-5 Ordinance No. 6166, as amended, by rescinding Special Use Ord. No. 7550, as amended, located at 365 N. Hwy. 67 and B-5 Ord. No. 5877, as amended, located at 620

69           Charbonier Rd. and consolidating 225 and 365 N. Hwy. 67 and 620 and 624 Charbonier  
70           Rd. into one car leasing establishment and allowing for signage had been advertised in  
71           substantially the same form as appears in the foregoing publication and by posting the  
72           property. The Chair declared the Public Hearing to be open and invited those who  
73           wished to be heard to come forward.

74           Joe Dale, petitioner representing GMT, stated that Mr. Travers, owner of the  
75           property, had an opportunity to purchase 620 Charbonier Rd. which is contiguous to the  
76           current GMT Auto on N. Hwy. 67. Purchasing this property would give the petitioner  
77           the opportunity to connect the property on Lindbergh with the Charbonier property, thus  
78           enabling access to GMT from Charbonier Road. Consequently, it would eliminate a  
79           situation where dangerous, U-turns are frequently made by customers driving from Hwy  
80           270. Currently there is a concrete barrier along Lindbergh, preventing customers from  
81           turning left into GMT's lot. There will be no changes to the existing building on the site  
82           and will probably house the sales staff. They will use only one of the existing curb cuts  
83           and will re-stripe that area. GMT has been approved for another pole sign and an  
84           entrance sign at the second curb cut. The City required that all four lots in the  
85           development be consolidated, which the petitioner is currently working on.

86           The Chair asked if there were any other citizens who would like to speak on said  
87           public hearing. Being no other persons who wished to speak, Councilman Lee moved to  
88           close P.H. #14-09-025, seconded by Pagano. Motion carried.

89           Councilwoman Pagano moved that Bill No. 9027 Ordinance authorizing an  
90           amendment to Special Use Permit No. 2027, as amended, to allow for remodeling for the  
91           property located at 4595 Washington be read for a second time, seconded by Schildroth.  
92           Motion carried and Bill No. 9027 was read for a second time. Councilwoman Pagano  
93           moved that Bill No. 9027 be read for a third time, seconded by Jones. Motion carried  
94           and Bill No. 9027 was read for a third and final time and placed upon its passage.  
95           Before the final vote all interested persons were given an opportunity to be heard.  
96           Seeing none, on roll call the Council voted: Eagan yes, Caputa yes, Schildroth yes,  
97           Henke yes, Pagano yes, Schmidt yes, Hernandez absent, Lee yes and Jones yes.  
98           Whereupon the Chair declared Bill No. 9027 to have passed and said Bill became  
99           Ordinance No. 8074.

100 Councilman Eagan moved that Bill No. 9029 An Ordinance authorizing an  
101 appropriation of \$325,000 from the Park Improvement Fund to Account No. 0961  
102 “Capital Additions” for the replacement of the ball field lights and light poles on Fields  
103 #1 and #2 in St. Ferdinand Park be read for a second time, seconded by Schildroth.  
104 Motion carried and Bill No. 9029 was read for a second time. Councilman Henke  
105 moved that Bill No. 9029 be read for a third time, seconded by Caputa. Motion carried  
106 and Bill No. 9029 was read for a third and final time and placed upon its passage.  
107 Before the final vote all interested persons were given an opportunity to be heard.

108 Kevin O'Donnell, 512 Rancho Lane, asked if the \$75,000 difference between the  
109 initial appropriation and what was being appropriated tonight, would go back to the City.  
110 Also he asked if there was an actual estimate on the lights.

111 Councilman Eagan moved to suspend the rules to talk to City Engineer, Tim  
112 Barrett, seconded by Schildroth. Motion carried. Mr. Barrett explained that they were  
113 fortunate in getting a very good price from the contractor on the first phase and there is  
114 no guarantee that this will happen again. Also, Fields #1 and #2 sit farther away from  
115 the power source and installation could be more costly.

116 Seeing no other persons who wished to speak, on roll call the Council voted:  
117 Eagan yes, Caputa yes, Schildroth yes, Henke yes, Pagano yes, Schmidt yes, Hernandez  
118 absent, Lee yes and Jones yes. Whereupon the Chair declared Bill No. 9029 to have  
119 passed and said Bill became Ordinance No. 8074.

120 The next item on the agenda was *Board Appointments*.

121 Councilwoman Pagano moved to re-appointment Pamela Lee, 635 Derhake, to  
122 the Citizens Participation Committee as a member from Ward 7 for a term expiring  
123 8/14/2015, seconded by Lee. Motion carried.

124 Councilman Schildroth moved to re-appointment Paul Smith, 1110 St.  
125 Bernadette, to the Citizens Participation Committee as a member from Ward 5 for a term  
126 expiring 8/12/2015, seconded by Lee. Motion carried.

127 Councilman Eagan moved to appointment Matthew Hartmann, 370 rue St. Denis,  
128 to the Board of Adjustment as a member from Ward 6 for a term expiring 9/22/2019,  
129 seconded by Schmidt. Motion carried.

130 Councilman Eagan introduced Resolution No. 974 A Resolution of the City of  
131 Florissant supporting a grant application to replace the tennis courts at Tower Court  
132 Park and said Resolution was read for the first time. Councilman Henke moved that  
133 Resolution No. 974 be read for a second time, seconded by Pagano. Motion carried  
134 and Resolution No. 974 was read for a second time. Councilman Schildroth moved  
135 that Resolution No. 974 be read for a third time, seconded by Lee. On roll call the  
136 Council voted: Eagan yes, Caputa yes, Schildroth yes, Henke yes, Pagano yes,  
137 Schmidt yes, Hernandez absent, Lee yes and Jones yes. Having received the  
138 unanimous vote of all members present Resolution No. 974 was read for the third and  
139 final time and placed upon its passage.

140 Before the final vote all interested persons were given an opportunity to be  
141 heard. Seeing none, on roll call the Council voted: Eagan yes, Caputa yes, Schildroth  
142 yes, Henke yes, Pagano yes, Schmidt yes, Hernandez absent, Lee yes and Jones yes.  
143 Whereupon the Chair declared Resolution No. 974 to have been adopted.

144 The next item on the agenda was *Requests*.

145 Councilman Lee moved to approve a request for a Transfer of an existing, non-  
146 conforming Special Use Permit from Druce Karmer d/b/a Cut Rate Liquor to Cut Rate  
147 Liquor Enterprises, LLC d/b/a Cut Rate Liquor for the operation of a package liquor  
148 store located at 2162-64 N. Waterford, seconded by Jones. Motion carried and the  
149 request was approved.

150 Councilman Eagan introduced Bill No. 9030 An Ordinance transferring an  
151 existing, non-conforming Special Use Permit from Druce Kramer d/b/a Cut Rate  
152 Liquor to Cut Rate Liquor Enterprises, LLC d/b/a Cut Rate Liquor for the operation of  
153 a package liquor store located at 2162-64 N. Waterford and said Bill was read for the  
154 first time. Councilman Lee moved that Bill No. 9030 be read for a second time,  
155 seconded by Schildroth. Motion carried and Bill No. 9030 was read for a second time.  
156 Councilman Lee moved that Bill No. 9030 be read for a third time, seconded by  
157 Schildroth. On roll call the Council voted: Eagan yes, Caputa yes, Schildroth yes,  
158 Henke yes, Pagano yes, Schmidt yes, Hernandez absent, Lee yes and Jones yes. Having  
159 received the unanimous vote of all members present Bill No. 9030 was read for the  
160 third and final time and placed upon its passage.

161 Before the final vote all interested persons were given an opportunity to be  
162 heard. Seeing none, on roll call the Council voted: Eagan yes, Caputa yes, Schildroth  
163 yes, Henke yes, Pagano yes, Schmidt yes, Hernandez absent, Lee yes and Jones yes.  
164 Whereupon the Chair declared Bill No. 9030 to have passed and said Bill became  
165 Ordinance No. 8076.

166 Councilman Eagan introduced Bill No. 9031 An Ordinance authorizing an  
167 amendment for Burger King to B-5 Ord. No. 5307, as amended, to allow for the  
168 remodeling of an existing business located at 8411 N. Lindbergh with sign changes and  
169 said Bill was read for the first time. Councilman Eagan moved that Bill No. 9031 be  
170 read for a second time, seconded by Schildroth. Motion carried and Bill No. 9031 was  
171 read for a second time. Councilman Eagan moved that Bill No. 9031 be read for a  
172 third time, seconded by Pagano. On roll call the Council voted: Eagan yes, Caputa  
173 yes, Schildroth yes, Henke yes, Pagano yes, Schmidt yes, Hernandez absent, Lee yes  
174 and Jones yes. Having received the unanimous vote of all members present Bill No.  
175 9031 was read for the third and final time and placed upon its passage.

176 Before the final vote all interested persons were given an opportunity to be  
177 heard. Seeing none, on roll call the Council voted: Eagan yes, Caputa yes, Schildroth  
178 yes, Henke yes, Pagano yes, Schmidt yes, Hernandez absent, Lee yes and Jones yes.  
179 Whereupon the Chair declared Bill No. 9031 to have passed and said Bill became  
180 Ordinance No. 8077.

181 Councilman Eagan introduced Bill No. 9032 An Ordinance approving a  
182 settlement agreement with Centurylink, Inc; Centurytel of Missouri, LLC d/b/a  
183 Centurylink; Centurytel log distance, LLC d/b/a Centurylink long distance; Embarq  
184 Missouri, Inc. and the City of Florissant, Missouri and said Bill was read for the first  
185 time. Councilman Lee moved that Bill No. 9032 be read for a second time, seconded  
186 by Eagan. Motion carried and Bill No. 9032 was read for a second time. Councilman  
187 Schildroth moved that Bill No. 9032 be read for a third time, seconded by Pagano. On  
188 roll call the Council voted: Eagan yes, Caputa yes, Schildroth yes, Henke yes, Pagano  
189 yes, Schmidt yes, Hernandez absent, Lee yes and Jones yes. Having received the  
190 unanimous vote of all members present Bill No. 9032 was read for the third and final  
191 time and placed upon its passage.

Before the final vote all interested persons were given an opportunity to be heard. Seeing none, on roll call the Council voted: Eagan yes, Caputa yes, Schildroth yes, Henke yes, Pagano yes, Schmidt yes, Hernandez absent, Lee yes and Jones yes. Whereupon the Chair declared Bill No. 9032 to have passed and said Bill became Ordinance No. 8078.

Councilman Eagan introduced Bill No. 9033 An Ordinance approving an appropriation of a total of \$99,200 from the General Revenue Fund, \$80,000 to Acct. No. 4910 "Salaries – Police" and \$19,200 to Acct. No. 4913 "Benefits – Police" to fund additional overtime for the police department and said Bill was read for the first time by title only.

The next item on the Agenda was Council Announcements.

Councilman Schildroth reminded everyone that the Fall Festival in Old Town will be held on October 12. He encouraged residents to participate in the delicious chili at the *Chile Cook Off* located in front of Click Heating and Cooling.

Councilman Jones stated that on 9/25 there would be a Town Hall Meeting at the JF K Center.

Councilman Lee stated that there would be four unique birds of prey on display at the Fall Festival this year, including an American Bald Eagle.

Councilman Henke stated that this Wednesday would be the "Wednesday Night Out" at Hendel's Restaurant.

The next item on the Agenda was Mayor Announcements.

Mayor Schneider stated that this Wednesday, Charlotte Ballard would be honored with a plaque on the Walk of History in Old Town. Ms. Ballard was the first woman licensed master plumber in the State of Missouri and a founding member of many of the City's historical associations.

The Youth Advisory Commission will be hosting a Halloween Dance on Friday October 24<sup>th</sup> from 6:30 – 9 at the JFK Center. The Parks Department will host a "Winter Break Camp" for children K through 5<sup>th</sup> grade, 7:30 a.m. to 5:30 p.m. from December 22 - Jan 2.

The recent annual Senior Town Hall meeting was well attended and very informative. The September 18<sup>th</sup> community forum meeting at the James J. Eagan

223 Center was also very successful and well attended. There will be another Community  
224 Forum on September 25<sup>th</sup> at 7 pm at the John F. Kennedy Center for Wards 1, 2, 3, & 4.

225 The Smash Band has been rescheduled to play on October 11<sup>th</sup> at the band shell  
226 at 100 St. Francois.

227 Jimmy John's will be opening a restaurant in Florissant.

228 The next City Council Meeting is scheduled for October 13, 2014 at 7:30 pm.

229 Councilman Schmidt moved to adjourn the meeting, seconded by Henke. Motion  
230 carried. The meeting was adjourned at 8:30 p.m.

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236 The following Bills were signed by the Mayor:

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238 Bill No. 9027 Ord. No. 8074

239 Bill No. 9029 Ord. No. 8075

240 Bill No. 9030 Ord. No. 8076

241 Bill No. 9031 Ord. No. 8077

242 Bill No. 9032 Ord. No. 8078

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Karen Goodwin, City Clerk