

CITY OF FLORISSANT



COUNCIL MINUTES

May 22, 2017

The Florissant City Council met in regular session at Florissant City Hall, 955 rue St. Francois on Monday, May 22, 2017 at 7:30 p.m. with Council President Pagano presiding. The Chair asked everyone in attendance to stand and join in the Pledge of Allegiance.

On Roll Call the following Councilmembers were present: Henke, Pagano, Parson, Siam, Lee, Jones, Eagan, Caputa and Schildroth. Also present was Mayor Thomas P. Schneider, City Attorney John Hessel and Deputy City Clerk Anita Moore. A quorum being present the Chair stated that the Council Meeting was in session for the transaction of business.

Councilman Eagan moved to amend the Executive Minutes of May 9, 2017 to remove the name "Schmidt" where occurring, and replace with the name "Parson," seconded by Parson. Motion carried.

Councilman Eagan moved to approve the Meeting Minutes and the amended Executive Minutes of May 9, 2017, seconded by Parson. Motion carried.

Councilwoman Pagano moved to amend the agenda to allow for a presentation by St. Louis Metropolitan Sewer District (MSD), seconded by Eagan. Motion carried.

Brian Hoelscher, Executive Director & CEO of MSD, addressed the impact of the recent flooding in Florissant. Mr. Hoelscher stated that MSD was under a "consent decree," which is a legal agreement with a federal judge to resolve sanitary sewer issues within the waste water system. The main issue that needs to be addressed is "Project Clear," which removes ground water and storm water from the waste water system. This is what is causing overflows and backups in residents' basements. Their aim tonight is to have MSD staff meet with the residents individually so that it can be determined that MSD has the most accurate, appropriate and up-to-date data for their database. They would like to know exactly what the individual problems are that each resident is dealing with. They will work with the City of Florissant to formulate a plan and program to help resolve the overflow issue. The Council and Mayor thanked Mr. Hoelscher and MSD for their efforts in working with the City to resolve this problem.

33 The Chair stated the next item on the agenda was Hearing from Citizens.

34 Greg Fisher, 351 Summit Rd., representative of “Show Me PACE,” Clean Energy District,
35 informed the Council that they had passed similar legislation on the “Residential PACE Program” in
36 December of last year. In regards to funding PACE, a non-profit organization, uses local monies to
37 fund projects that stay in Missouri which benefit homeowners. Mr. Fisher distributed information for
38 the Council and asked them to pass the appropriate legislation.

39 Paul Manganelli, 1600 Estes, thanked the Mayor and Council for maintaining an excellent golf
40 course. The staff is excellent; the course was in great shape and the greens were immaculate.

41 Rose Marie Koerner, 1720 Waterford Dr., resident for over 50 years, stated that her basement
42 has been continuously flooded. She documented the dates and as to whether the flooding was water or
43 sewage. The most recent flood was 4/29/17.

44 Jennifer Iqbal, 1700 Waterford, stated that the first 21 years she lived in the house they never
45 had any flooding. After they “concreted-in” the creek behind the house, the basement flooding began.
46 The citizens are not causing the flooding and they should not be held responsible. Each time, the
47 residents have done what MSD has instructed them to do at their own cost, but to no avail. MSD is
48 responsible for the sewage in their basements and must correct the problem.

49 William Haley, 375 Maple Dr., stated that he will never be able to sell his home with the
50 flooding problem and will have to take a considerable loss. His home is not in the flood plain. He feels
51 the flooding problem involved hooking his subdivision’s sewer system onto the existing neighboring
52 sewer system many years ago. He asked MSD when they removed the pump station at Bangert Park.
53 He had 18” of raw sewerage in his basement and the clean-up was horrendous.

54 Kris Matson, 2300 N. Waterford, stated that he has had continuous flooding and raw sewage
55 problems for years. He took advantage of the city’s sewer lateral program, hoping it would help.
56 Unfortunately it made matters worse. He has completely lost his HVAC system and his totally
57 refinished basement twice. He currently has no heat or air conditioning.

58 Jim Wood, 2740 N. Waterford Dr., stated that he has had this flooding/sewer problem since
59 2008; the most recent flooding being the fourth incident. After the 2nd flooding, MSD told them to
60 install a separation valve which he did, but it was ineffective and he flooded again. His insurance was
61 denied after the next flooding/sewer incident. These “100 year flooding events” are occurring every
62 few years and involving more people. He has done everything possible and now MSD needs to fix this

63 problem. The bacteria and raw sewage can cause serious health issues from even a simple cut on a
64 person's hand. He asked the City to notify residents about this health risk as soon as possible.

65 Antoinette Boyer, 3125 Parker Rd., has been hospitalized because of the sewage back up and
66 the health issues caused from the black mold that followed. She stated that \$2500 would not begin to
67 solve the problem, either now or in the long run. They are still making repairs from the 2015 flood
68 when the most recent one hit. Their insurance has dropped their policy and no one will buy their home.
69 MSD needs to be held accountable. (This information was relayed from her daughter.)

70 Ingrid Nebel, 2660 N Waterford, thanked the Police Department for their help over the years.
71 For many years, she has never had a flooding issue. Starting in 2015, serious sewer backup began. She
72 has always been a strong advocate for the city, but now she could not recommend buying a home in her
73 neighborhood. It is a serious health and safety concern for everyone.

74 Kenneth McClendon, 2 Lynn Meadows, Chronicles Christian Center, thanked the Public Works
75 staff for working to help him over the last 18 months to get his commercial building completed. He
76 addressed his concerns about the proposed fencing at the new courts building (prior Dick Weber Lanes)
77 and how the fencing adversely affects his property.

78 Donyel Johnson, 3225 Parker Rd., stated that the contaminated waste and sewer backup in her
79 basement is a failure on MSD's part. They have been living with this problem since 1995 and her
80 husband has been hospitalized as a result. They have spent a considerable amount of money
81 completing the suggestions by MSD after previous back-ups, but to no avail. She asked the city to do
82 what was right and in the best interest of the residents.

83 Bertha Myers, 4090 Highwillow Dr., stated her concerns regarding the behavior of the group
84 home residents who live next door. The people at that home use drugs, change occupancy, burglarize
85 the area, play loud music and leave trash in their yard. She asked the city to solve this problem. Many
86 concerned residents who live on the street were in attendance this evening.

87 Michael and Tammie Tyse, 3425 Amblewood, stated that the last two years has been a
88 nightmare. FEMA came out to help clean the sewage from their basement because their insurance
89 refused to pay for the extensive damage. During the last flood, they were out of their home for 3
90 months because it was inhabitable. His wife has Lupus and the situation is dangerously unhealthy for
91 her. He asked MSD or the city to accept the responsibility for this terrible situation.

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93 Robert Carmack, 1200 Lindsay Lane, stated that this flooding/sewer issue is totally the
94 responsibility of MSD and not the City. For 20 years, he never had a flooding issue. His basement
95 started leaking so he paid a contractor to waterproof his basement at considerable expense. He still had
96 flooding that ruined his basement. MSD demanded they install a back flow preventer. He has done
97 everything possible and now it is MSD's turn to step up-quickly and correct this dangerous situation.

98 Jennifer Jordan Hatten, Easter Seals Midwest, stated that she is the new director of the home at
99 4095 Highwillow Drive which supports four developmentally challenged individuals. Easter Seal
100 employees, with different vehicles, do frequently go to the home at different times of the day/night to
101 help those individuals. No drugs are tolerated and the prior trash situation has been straightened out
102 with Meridian.

103 The next item on the Agenda is a VFW National Association Public Service Award presented to
104 Police Officers Freddie Lee and Kim Berry, Resource Officers, for initiating a very successful
105 mentoring program for at risk students in the local elementary schools. Chief Lowery made the
106 introductions, commending these outstanding officers for taking their own ideas and turning them into
107 an incredibly successful program for area youth. Officer Berry is also a veteran. The local VFW Post
108 4105 also presented an award to Officers Lee and Berry and thanked them for their service to the
109 community.

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

111 The City Clerk reported that Public Hearing #17-05-014 to be held this night on a request to
112 authorize a Special Permit to Shackelford Associates, LLC to allow for a shopping center ground sign
113 for the property located at 1106-1148 Shackelford Road had been advertised in substantially the same
114 form as appears in the foregoing publication and by posting the property. The Chair declared the
115 Public Hearing to be open and invited those who wished to be heard to come forward.

116 John Krone, petitioner with Warren Signs, appeared before the Council and explained that he
117 had worked through all the concerns of the Planning and Zoning Commission. The sign is now
118 setback further than was originally placed. This location is safer and has more visibility. Mr. Krone
119 stated that he felt this petition's "hardship request" was because, driving northbound on Shackelford,
120 none of the wall signs of the tenants are visible. This sign will display all tenants in the shopping center
121 and, most importantly, the new Urgent Care. The sign is 19 1/2 feet off of the road. The Chair asked if
122 there were any citizens who would like to speak on said public hearing.

123 Being no citizens who wished to speak, Councilman Jones moved to close P.H. #17-05-014,
124 seconded by Lee. Motion carried.

125 Councilman Henke moved that Bill No. 9277 An Ordinance amending Chapter 125.056 “Wage
126 Increase & Schedule” by amending Subsection A “Job Classification and Grade Level” by changing the
127 grade level for the court clerk from “8” to “9” be read for a second time, seconded by Pagano.
128 Councilman Lee moved to table Bill No. 9277, seconded by Caputa. On roll call the Council voted:
129 Henke yes, Pagano yes, Parson yes, Siam yes, Lee yes, Jones yes, Eagan yes, Caputa yes and
130 Schildroth yes. Whereupon the Chair declared Bill No. 9277 to have been tabled.

131 Councilman Caputa moved that Bill No. 9279 An Ordinance to authorize a Special Use Permit
132 for True Dreams Banquet & Rental Space to allow for a banquet hall for the property located at 47
133 Florissant Oaks Shopping Center be read for a second time, seconded by Siam. Motion carried and Bill
134 No. 9279 was read for a second time. Councilman Jones moved that Bill No. 9279 be read for a third
135 time, seconded by Schildroth. Motion carried and Bill No. 9279 was read for a third and final time
136 and placed upon its passage. Before the final vote all interested persons were given an opportunity to
137 be heard. On roll call the Council voted: Henke yes, Pagano yes, Parson yes, Siam yes, Lee yes, Jones
138 yes, Eagan yes, Caputa yes and Schildroth yes. Whereupon the Chair declared Bill No. 9279 to have
139 passed and said Bill became Ordinance No. 8319.

140 Councilwoman Pagano moved that Bill No. 9280 An Ordinance authorizing a supplemental
141 appropriation of \$3,571 to Acct. No. 4010 “Salaries” and \$273 to Acct. No. 4013 “Employee Benefits”
142 for a part-time City Hall cashier for an interim period of 8 weeks be read for a second time, seconded
143 by Caputa. Motion carried and Bill No. 9280 was read for a second time. Councilwoman Pagano
144 moved that Bill No. 9280 be read for a third time, seconded by Caputa. Motion carried and Bill No.
145 9280 was read for a third and final time and placed upon its passage. Before the final vote all interested
146 persons were given an opportunity to be heard. On roll call the Council voted: Henke yes, Pagano yes,
147 Parson yes, Siam yes, Lee yes, Jones yes, Eagan yes, Caputa yes and Schildroth yes. Whereupon
148 the Chair declared Bill No. 9280 to have passed and said Bill became Ordinance No. 8320.

149 Councilman Parson moved that Bill No. 9282 An Ordinance authorizing a Transfer of Special
150 Permit No. 8255 from Kolfe, LLC to Parsons Convenience Stores, Inc. for the operation of a
151 convenience store, filling station and existing sign located at 12785 New Halls Ferry Road be read for a
152 second time, seconded by Schildroth. Motion carried and Bill No. 9282 was read for a second time.
153 Councilman Schildroth moved that Bill No. 9282 be read for a third time, seconded by Henke.

154 Motion carried and Bill No. 9282 was read for a third and final time and placed upon its passage.
155 Before the final vote all interested persons were given an opportunity to be heard. On roll call the
156 Council voted: Henke yes, Pagano yes, Parson yes, Siam yes, Lee yes, Jones yes, Eagan yes, Caputa
157 yes and Schildroth yes. Whereupon the Chair declared Bill No. 9282 to have passed and said Bill
158 became Ordinance No. 8321.

159 The next item on the agenda was Board Appointments.

160 Councilman Caputa moved to accept the Mayor's reappointment of Robert Smith, 2823 Chapel
161 View, to the Emergency Management Commission as a member from Ward 4 for a term expiring on
162 3/24/2020, seconded by Pagano. Motion carried.

163 Councilman Lee moved to appoint Ron Azzanni, 1070 Cedar, to the Minimum Standard Board
164 of Appeals as a member from Ward 1 for a term expiring on 5/22/2020, seconded by Eagan. Motion
165 carried.

166 Councilman Jones introduced Bill No. 9283 An Ordinance to authorize a Special Permit to
167 Shackelford Associates, LLC, to allow for a shopping center ground sign for the property located at
168 1106-1148 Shackelford Road and said Bill was read for the first time by title only.

169 Councilman Siam introduced Bill No. 9284 An Ordinance amending Section 220.040
170 "Containers-Specifications" by deleting the Section in its entirety and replacing it with a new Section
171 and amending Section 405.245 "Screening and Berming" by adding "R-5" and "R-6" Zoning Districts
172 for the purpose of modifying regulations regarding commercial dumpsters and said Bill was read for
173 the first time by title only.

174 The next item on the Agenda was Council Announcements.

175 Councilman Henke thanked the letter carriers and residents who contributed to the recent letter
176 carrier food drive. He announced that "Wednesday Night Out" will be starting in Old Town Florissant
177 on rue St. Francois.

178 Councilman Schildroth encouraged all the residents to nominate a home for the "Beautiful
179 Home Award." On July 9th he will be hosting the "Friends of Betty Schildroth" golf tournament at the
180 Florissant Golf Club to benefit Mercy Hospital.

181 Councilman Jones invited everyone to a Labor Club Barbeque on June 5th at St. Ferdinand Park.
182 He encouraged any resident who had flooding or sewage issues to contact the City Engineer or MSD as
183 soon as possible so that it can be documented. He thanked the City's Senior office for putting together

184 a wonderful “Cardinal Day” over at the Eagan Center. He also thanked the mail carriers for their recent
185 food drive and encouraged all residents to volunteer/donate to T.E.A.M.

186 Councilman Eagan stated that he had received several complaints regarding the taste of the
187 city’s water. Missouri American Water assured him that it was a seasonal change and will be taken
188 care of in several days. There will be an Explorer Trivia Night scheduled for June 3. The Maryland
189 Heights Police Officers Golf Tournament will be held on June 9th to benefit Ranken Jordan Hospital.

190 Councilman Caputa encouraged residents to secure their firearms and not leave them in their
191 vehicles. All residents should leave their porch lights on for added security. He also encouraged
192 everyone to become members of their local Neighborhood Watch.

193 Councilwoman Pagano announced that there will be a city wide BBQ on June 14 at the Eagan
194 Center: “Neighbors Meeting Neighbors.” The rain-out location will be at the JJE ice rink.

195 The next item on the Agenda was Mayor Announcements. There has been a change of location
196 for the Memorial Day Celebration from Koch Park to the VFW Post on St. Francois at 11 a.m. on May
197 29th. The Missouri Torch Run for Special Olympics will take place on May 25th. The “Mother-Son,
198 Daddy-Daughter Dance” will be held at the Nature Lodge on Friday, June 2. The annual summer
199 playground camp will be held June 5 to July 14.

200 The Mayor read a proclamation announcing National Public Works Week on May 21-27. He
201 commended Lou Jearls, Director of Public Works and the entire public works department for all their
202 efforts in maintaining the city’s infrastructure.

203 The next City Council Meeting is scheduled for Monday, June 12, 2017 at 7:30 pm.
204 Councilman Siam moved to adjourn the meeting, seconded by Parson. Motion carried. The meeting
205 was adjourned at 9:03 p.m.

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211 The following Bills were signed by the Mayor:

212 Bill No. 9279 Ord. 8319

213 Bill No. 9280 Ord. 8320

214 Bill No. 9282 Ord. 8321

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Anita Moore, Deputy City Clerk