

The two thousand three hundred thirty seventh meeting of the Jennings City Council was held on Monday, May 23, 2016 at 6:15 p.m. at City Hall. Present were Mayor Fountain Henderson, and councilmembers Allan Stichnote, Miranda Jones, Francine Dugger, Yolonda Fortson, Phyllis Anderson, Nicole Cook, Rodney Epps and Carol Epps. Also present were City Attorney Carla Allen and City Clerk Cheryl Balke.

After roll call, a motion was made by Councilman Epps, second by Councilwoman Fortson for a closed session for legal matters (RSMO 610:021[1]). This was approved by the following roll call vote: voting in favor were Councilmembers Stichnote, Jones, Dugger, Fortson, Anderson, Cook, R. Epps and C. Epps; no one voting against or abstaining. The council then met in closed session until 7:00 p.m. to discuss a legal matter with attorney Keith Henson.

A public hearing was then held to consider two matters. First considered was a request for a liquor license, to sell intoxicating liquors of all kinds at retail, in the original package, including Sunday sales, 5531 Jennings Road, by Riddhi Patel. Sandip Patel spoke on behalf of Riddhi Patel, and stated that the hours of the store would be 8:00 a.m. to 10:00 p.m. except on Sunday. Councilman Epps asked if this was the former Dairy Queen and if he was a new owner, and the answer was "yes". Councilwoman Dugger noted that the Plan Commission had recommended approval. There were no other comments in favor of, or opposed to, the request.

Next considered was a request for a Conditional Use Permit for a fast food/carry out restaurant at 9315 Lewis and Clark, by Ali Daoud. Mr. Daoud stated that the hours of his restaurant would be 10:00 a.m. to 11:00 p.m. Monday through Saturday and 11:00 a.m. to 8:00 p.m. on Sunday. Councilman Epps asked if he operated any other restaurants and Mr. Daoud replied that he did. Councilwoman Dugger noted that the Plan Commission had placed conditions on their recommendation for approval having to do with repairs to the property. Mr. Jerome Logan spoke to state that he was a contractor working on making the repairs. Henry Johnson noted that no re-inspection had been requested yet. No one else spoke in favor of, or opposed to, the request.

The public hearing was closed and the regular meeting called to order. Mayor Fountain Henderson called for approval of the agenda, and Councilwoman Dugger asked that items D, F and G under new business be removed as the Ways and Means Committee had not been able to review them. Mayor Fountain Henderson noted that item G was "approval of bills", and that the bills needed to be paid. It was agreed that certain bills could be removed from the list of bills before approval of the remainder.

The minutes of the previous meetings of April 25, 2016 and May 11, 2016 were approved on a motion by Councilman Epps, second by Councilwoman Jones.

The meeting was then opened to the public. Chief Joe Bommarito of the Riverview Fire Protection District announced his upcoming retirement and introduced his successor, Keith Goldstein. Chief Bommarito thanked the residents and council for working with him since the merger of the Jennings Fire Department with the Riverview Fire Protection District. Chief Goldstein stated that he plans to have the firefighters be visible in the community.

Darron Moorehead of 3630 Montana spoke about his previous request to have grass cutting liens forgiven on the property at 5608 Albia Terrace as he is trying to purchase the property and rehab it as a home for his daughter. He noted that he would have to pay the back taxes and past due MSD charges along with the cost of the rehab. The council discussed whether or not this had been done in the past and whether the city had a policy to address this type of request.

Rev. Susan Sneed of 8827 Scottdale spoke about the county police contract. She stated that policing in Jennings was better under St. Louis County. She also said that she had attended the meetings for residents to have input on the RFP and that community oriented policing was at the top of the list, with officers who get out of their cars and talk to residents, treating them as worthy of respect and not just a job. She spoke about the Ferguson Commission report and the DOJ report on 21st Century Policing, and said she wants to see policing by guardianship not by control and contain. She asked the council to spend the resident's money wisely.

Beverly Harris of 8721 Jennings Station Road stated that she supported the St. Louis County Police. She also said that she disagreed with the effort to impeach the Mayor and complimented Mayor Fountain Henderson on the great job she did as a councilwoman. She stated that she was a victim of tazing by a former Jennings police officer. She also spoke about Kirkwood shooter Cookie Thornton and stated that he was a member of the council.

Linda Schmerber of 7026 Idlewild announced the Jennings Historical Society meeting on June 14th and

Noted that the Jennings History books were available at City Hall or from her. She announced the Fairview High School all-school reunion on September 24th. She also noted her support for the St. Louis County Police.

Percillia Jones of 5512 Janet announced the Jennings Police block party on July 9th and the Neighborhood Watch barbecue on September 9th. She encouraged residents and councilmembers to get involved with Neighborhood Watch. Councilwoman Jones congratulated Ms. Jones on her son's recent graduation from Jennings High School.

Gussie Harrison of 9207 Catalina spoke about tall grass at a property near her that has been vacant for many years, and thanked Councilwoman Dugger for her help in getting the grass cut by the city.

Teona McGhaw-Boure of 10523 Olney introduced herself and stated that she was running for state representative in the 75th District.

Next were councilmembers' reports. Councilman Epps reported that six properties on Hamilton had grass that was waist high. He also reminded residents of his lend a lawnmower program. He announced the Ward 4 cleanup on Saturday, June 25th. He also thanked resident Lorraine Clowers for her concern about property maintenance in Ward 4.

Councilwoman Cook thanked Henry Johnson for responding to several complaints she had received in Ward 3. She also reminded residents of a new Facebook page for Ward 3, and asked that posts be positive.

Councilwoman Fortson reported attending several events including the dedication of a wing in the high school to Dr. Anderson, two concerts in the park, and the high school graduation ceremony.

Councilwoman Dugger spoke about grass complaints and stated that the current system of handling them was not working. She said that notifications for properties that had been on the list for several years should go out early. She spoke about the developer at River Roads who wants to start a new project but has not cut the grass on the property. She thanked the Building Department and Public Works for responding to her requests. She announced a concert in the park on June 3rd at which the Kiwanis and St. Louis Q would be offering food and drinks for sale. She also announced the Kiwanis fishing derby in Koeneman Park on June 11th.

Councilwoman Anderson noted attending a barbecue with residents on Idlewild. She noted receiving complaints about tall grass and about an issue with a shared driveway on Fletcher.

Councilman Stichnote noted receiving a complaint about a house in Ward 1 with a blue tarp on the roof for several months. He also asked that flags at Koeneman Park be changed as they were ripped. He said that something needed to be done to get the grass cut as needed. He also noted that crime was down in Ward 1 this month, and that he supported renewing the contract with St. Louis County for police services.

Councilwoman Epps thanked everyone for attending.

Councilwoman Jones asked for a grass cutting list for all wards and asked why she was not seeing grass crews out in the community. Henry Johnson noted that the grass cutting contract had been awarded late this year, that the Building Department was understaffed and that rain had also been a problem. He stated that he would meet with the grass contractor to discuss the matter. Councilwoman Jones suggested asking that additional crews be added to catch up. Councilman Epps asked if the city was scheduling the grass crews, Henry replied that we provide the contract with a list and he schedules the crews. Councilwoman Jones spoke about "Jennings North" being available on the "Next Door" website. She also congratulated the Jennings High School graduating seniors.

Monthly reports were approved on a motion by Councilman Epps, second by Councilwoman Cook.

Reporting for their committees, Councilwoman Dugger reported on the Plan Commission meeting at which they discussed a request for a Conditional Use Permit for a convenience store at 7365 W. Florissant, another Conditional Use Permit for the operation of a restaurant at 9315 Lewis & Clark, and site plan review of Phase II of Jennings Place. She noted that the Plan Commission would like to see the former Boatmen's Bank building taken down before Phase II of Jennings Place is built.

For the Beautification Committee, Councilman Epps reported that the gardens were being planted for the season.

For the Solid Waste Committee, no meeting was held but a meeting may be needed to discuss residents who do not pay their trash bill.

For the Municipal League, Councilwoman Dugger reported attending the meeting at which East West Gateway and MO American Water were the speakers. She reminded councilmembers that training was available both live and online for elected officials, and stated that she and Councilwoman Fortson would attend the elected officials training in Columbia, MO in June.

For the Park Committee, Councilwoman Jones stated that a meeting would be held soon, and noted meeting with the consultant, Ken Keitel, and Public Works staff regarding park improvements scheduled for this year under a grant.

For the Public Works Committee, Councilwoman Fortson reported on a meeting regarding regulations for dumpsters and pods. She also stated that the Policy Review Committee had met to talk about the sick leave policy.

For the Ways and Means Committee, Councilwoman Dugger reported holding a meeting with new committee members to discuss plans for the year.

Under legal business, Bill #2455, approving a liquor license for Riddhi Patel to sell intoxicating liquors of all kinds, at retail, in the original package, including Sunday sales, at 5531 Jennings Road, was given its first reading on a motion by Councilman Epps, second by Councilwoman Fortson. The second reading was done on a motion by Councilman Epps, second by Councilwoman Fortson. The bill was approved to become Ordinance #2404 by the following roll call vote: voting in favor were Councilmembers Stichnote, Jones, Dugger, Fortson, Anderson, Cook, R. Epps and C. Epps; no one voting against or abstaining.

Bill #2456, authorizing a Conditional Use Permit to Ali Daoud to operate a fast food/carry out restaurant at 9315 Lewis & Clark, was given its first reading on a motion by Councilman Epps, second by Councilwoman Fortson. The second reading was done on a motion by Councilman Epps, second by Councilwoman Fortson. The bill was approved to become Ordinance #2405 by the following roll call vote: voting in favor were Councilmembers Stichnote, Jones, Dugger, Fortson, Anderson, Cook, R. Epps and C. Epps; no one voting against or abstaining.

Bill #2457, authorizing a settlement agreement in a class action lawsuit (Samantha Jenkins ET AL, Civil Action #4:15-CV-00252-CEJ) was given its first reading on a motion by Councilman Epps, second by Councilwoman Fortson. The second reading was done on a motion by Councilman Epps, second by Councilwoman Fortson. The bill was approved to become Ordinance #2406 by the following roll call vote: voting in favor were Councilmembers Stichnote, Jones, Dugger, Fortson, Anderson, Cook, R. Epps and C. Epps; no one voting against or abstaining. It was noted that one detail would be revised as per the earlier discussion in closed session.

Bill #2458, authorizing a ballot proposal for the November 8, 2016 election authorizing the city to continue the application and collection of local sales tax on the titling of motor vehicles, etc purchased out of state, was given its first reading on a motion by Councilwoman Jones, second by Councilwoman Cook. The second reading was done on a motion by Councilman Epps, second by Councilwoman Fortson. The bill was approved to become Ordinance #2407 by the following roll call vote: voting in favor were Councilmembers Stichnote, Jones, Dugger, Fortson, Anderson, Cook, R. Epps and C. Epps; no one voting against or abstaining.

Before considering a proposed ordinance to renew the contract with police services with the St. Louis County Police Department, a motion was made by Councilwoman Jones, second by Councilwoman Fortson, for a five minute recess. Following the recess, Bill #2459 was given its first reading on a motion by Councilwoman Jones, second by Councilman Epps. The second reading was done on a motion by Councilman Epps, second by Councilwoman Jones. A discussion was held regarding the wording of the contract and the wording of the bill in regard to the term of the contract. On a motion by Councilwoman Jones, second by Councilman Epps, the bill was amended to state that the contract will be for one year (June 1, 2016 to May 31, 2017), with the option to renew for an additional year (June 1, 2017 to May 31, 2018.) This amendment was approved by the following roll call vote: voting in favor were Councilmembers Stichnote, Jones, Fortson, Anderson, Cook, R. Epps and C. Epps; no one voting against, Councilwoman Dugger abstaining. Councilwoman Dugger asked what the amount of the contract would be in the second year, it was noted that the amount was not known at this time. The bill was then approved to become Ordinance #2408 by the following roll call vote: voting in favor were Councilmembers Stichnote, Jones, Fortson, Cook, R. Epps and C. Epps; no one voting against, Councilwoman Dugger and Councilwoman Anderson abstaining.

Under unfinished business, the council discussed a request from Darron Moorehead to forgive liens on the property at 5608 Albia Terrace as he wishes to purchase and rehab the property. A motion was made by Councilwoman Anderson, second by Councilman Epps, to forgive the liens, and the motion failed by the following roll call vote: voting in favor were Councilmembers Anderson, Cook and R. Epps; voting against were Councilmembers Stichnote, Jones, Dugger, Fortson and C. Epps. The council discussed their concerns about setting a precedent. Councilman Epps noted that liens had been forgiven in the past on a case-by-case basis and that it was at the council's discretion to do so. City Attorney Carla Allen recommended that the council set a policy regarding forgiveness of liens before agreeing to do so. On a motion by Councilwoman Jones, second by Councilwoman Dugger, the matter was tabled to the next meeting and will be discussed by the policy committee.

Under new business, the council reviewed recommendations from the Public Works Committee regarding establishing regulations to cover dumpsters and pods in residential areas of the city. On a motion by Councilwoman Epps, second by Councilwoman Jones, the city attorney was directed to prepare an ordinance based on these recommendations.

Next discussed was an agreement with St. Louis County to maintain an island on W. Florissant near Solway that is going to be landscaped by St. Louis County. Councilman Epps stated that the city could not keep up with what it is already supposed to be doing and that he did not think we should take on anything else. Councilman Stichnote noted that the island is within the city limits of Ferguson and not Jennings. A motion was made by Councilwoman Jones, second by Councilwoman Anderson, to sign the agreement; the motion failed by the following roll call vote: voting in favor was Councilwoman Jones, voting against were Councilmembers Stichnote, Dugger, Fortson, Anderson, Cook, R. Epps and C. Epps; no one abstaining.

Next discussed was an offer by a resident to purchase the property at 5512 Helen, owned by the city, for \$1,000. This matter was tabled on a motion by Councilwoman Jones, second by Councilwoman Fortson.

A motion was made by Councilwoman Epps, second by Councilman Epps to pay former city attorney Jamis Kresyman \$1,440 in past due invoices that had not been approved by the mayor. The motion failed by the following roll call vote: voting in favor were councilmembers R. Epps and C. Epps, voting against were councilmembers Jones, Dugger, Fortson, Anderson and Cook, Councilman Stichnote abstaining.

Next discussed was a recommendation by Councilmembers Stichnote and Rodney Epps that none of the newly-created positions be filled until the police contract is signed and the budget amended to allow for payment of the contract. No action was taken.

No action was taken on budget amendments requested by the City Clerk as the Ways and Means Committee had not discussed them. They were tabled on a motion by Councilwoman Dugger, second by Councilwoman Anderson.

Next discussed were bills submitted for payment. Bills from Jamis Kresyman, Labrynth, Thomson Reuters and Westlaw were not approved pending research, the rest of the bills were approved on a motion by Councilman Epps, second by Councilwoman Jones (7-1, Dugger).

For the Mayor's report, Mayor Fountain Henderson reported attending several events including the grand opening of Dee's Place, the Police Memorial Breakfast, a webinar on computer upgrades and a meeting concerning the park grant. She thanked Councilwoman Dugger for her work on the police contract and the budget and asked councilmembers to return phone calls from residents. She noted forming a committee of councilmembers to review city policies and announced the retirement of Riverview Fire Chief Joe Bommarito on May 25th. The meeting was then adjourned.

*
Mayor Yolonda Fountain Henderson

ATTEST:

City Clerk

*Mayor Fountain Henderson was impeached before signing these minutes.