

# CITY OF FLORISSANT



## COUNCIL MINUTES

November 13, 2017

The Florissant City Council met in regular session at Florissant City Hall, 955 rue St. Francois on Monday, November 13, 2017 at 7:30 p.m. with Council President Pagano presiding. The Chair asked everyone in attendance to stand and join in reciting the Pledge of Allegiance.

On Roll Call the following Councilmembers were present: Eagan, Caputa, Schildroth, Henke, Pagano, Parson, Siam, Lee and Jones. 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 Lee moved to approve the Executive and Meeting Minutes of October 23, 2017 and Work Session Minutes of October 14, 17, 24, 2017 and November 2, 2017, seconded by Jones. Motion carried.

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

- John Engelmeyer, 1281 Graham Rd., asked for details regarding Bill No. 9319 which involved modifications to the Building Code.

Councilwoman Pagano moved to amend the Agenda in order to hear from the Plan Reviewer, seconded by Eagan. Motion carried. Mr. Tossey informed the Council of overall changes proposed in the Building Department fee schedule and the possible income generated as a result. Councilman Lee requested a comparison of the current fees to the proposed fees. Discussion was had regarding Florissant's fees in comparison to other municipalities.

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 #17-11-026 to be held this night on a request to issue an amendment to B-5 Ordinance No. 6830 to allow for a restaurant with outdoor dining for the

32 property located at 8180 N. Lindbergh had been advertised in substantially the same form as appears in  
33 the foregoing publication and by posting the property. The Chair declared the Public Hearing to be  
34 open and invited those who wished to be heard to come forward.

35 Ms. Helen Lee, architect, stated that they would like to transform the Del Taco into a Crazy  
36 Bowls and Wraps. They are updating many of their older buildings with a more modern, fresh and  
37 simple feel. She displayed pictures of the updated buildings which they have completed. They are  
38 keeping the envelope of the building and converting the inside.

39 Ms. Lee stated that they would like to clad the outside of the building with cement fiber board  
40 and, with what brick remains, they would like to stain it a warm gray color. They have added touches of  
41 wood to warm up the look of the building. She displayed the various products to be used. They  
42 planned on keeping the drive-thru service.

43 Mr. Keith Kitsis, owner, stated that the hours of operation would be Mon-Sat, 10:30 am – 9:00  
44 pm and Sunday 11am to 8 pm. No alcohol will be served. He agreed to locate a trash can at the front  
45 door in order to keep trash in the shopping center to a minimum. The outdoor seating platform will be  
46 the height of a sidewalk. They hoped to be ready in approximately 90 days, depending on the weather.

47 The Chair asked if there were any citizens who would like to speak on said public hearing.  
48 Kevin O'Donnell, 512 Rancho Lane, asked about the setback of the pole sign. Ms. Lee stated that they  
49 are proposing a post sign that sits 35' back from the street. Being no other citizens who wished to  
50 speak, Councilman Eagan moved to close P.H. #17-11-026 seconded by Caputa. Motion carried.

51 Councilwoman Pagano moved to accept Substitute Bill No. 9318 Ordinance amending Article  
52 XVII "Residential Rental Real Estate", seconded by Henke. Motion carried. Councilwoman Pagano  
53 moved that Substitute Bill No. 9318 be postponed to 11/27/2017, seconded by Eagan. Motion carried.

54 Councilman Eagan moved to accept Substitute Bill No. 9319 An Ordinance providing for the  
55 repeal of Chapters 500, 505 and 510 of the Code of Ordinances of the City of Florissant, Missouri, as  
56 amended, relating to the Building Code and enacting in lieu thereof a new Chapter 505 and a new  
57 Chapter 510 on the same subject with certain modifications as hereinafter set forth, seconded by  
58 Henke. Motion carried. Councilman Lee moved that Substitute Bill No. 9319 be read for a second  
59 time, seconded by Eagan. Motion carried and Substitute Bill No. 9319 was read for a second time.  
60 Councilman Eagan moved that Substitute Bill No. 9319 be read for a third time, seconded by Jones.  
61 Motion carried and Substitute Bill No. 9319 was read for a third and final time and placed upon its  
62 passage. Before the final vote all interested persons were given an opportunity to be heard.

John Engelmeyer, 1281 Graham Rd., reiterated that he still does not know what changes were made to the bill and how they would affect the common homeowner. He was concerned about the cost to elderly residents. Mr. Tossey and Mr. Lum responded to Mr. Engelmeyer's questions regarding residential water heaters and venting requirements in bathrooms.

On roll call the Council voted: Eagan yes, Caputa yes, Schildroth yes, Henke yes, Pagano yes, Parson yes, Siam yes, Lee yes and Jones yes. Whereupon the Chair declared Substitute Bill No. 9319 to have passed and said Bill became Ordinance No. 8357.

Councilman Schildroth moved that Bill No. 9320 An Ordinance authorizing an appropriation of \$225,000 from the Sewer Lateral Fund to Acct. No. 0850 "Professional Services" to allow for reimbursement to the Metropolitan Sewer District (MSD) for the installation of backflow prevention valves be read for a second time, seconded by Henke. Motion carried and Bill No. 9320 was read for a second time. Councilman Siam moved that Bill No. 9320 be read for a third time, seconded by Jones. Motion carried and Bill No. 9320 was read for a third and final time and placed upon its passage.

Before the final vote all interested persons were given an opportunity to be heard. John Engelmeyer, 1281 Graham Rd., asked for an explanation of the bill. The Mayor explained that this bill helped provide relief to residents affected by the 2015 and 2016 flooding. Mr. Hessel stated that this was a joint program between MSD and the City which benefited the public and is an appropriate use of funds. Councilman Caputa asked who was responsible for the contractors used. Mr. Hessel stated that MSD was responsible for hiring the contractors and the liabilities associated with it. He added that he had advised the city not to assume those responsibilities and liabilities. Councilman Jones stated that he was upset about backdoor deals that occurred at City Hall regarding this issue.

On roll call the Council voted: Eagan yes, Caputa yes, Schildroth yes, Henke yes, Pagano yes, Parson yes, Siam yes, Lee yes and Jones yes. Whereupon the Chair declared Bill No. 9320 to have passed and said Bill became Ordinance No. 8358.

Councilman Jones moved that Bill No. 9321 An Ordinance amending Schedule XIII, Table XIII "Parking Prohibited at all times on Certain Streets" by adding portions of Florisota Drive be read for a second time, seconded by Eagan. Motion carried and Bill No. 9321 was read for a second time. Councilman Jones moved that Bill No. 9321 be read for a third time, seconded by Caputa. Motion carried and Bill No. 9321 was read for a third and final time and placed upon its passage. Before the final vote all interested persons were given an opportunity to be heard. On roll call the Council voted: Eagan yes, Caputa yes, Schildroth yes, Henke yes, Pagano yes, Parson yes, Siam yes, Lee yes and

Jones yes. Whereupon the Chair declared Bill No. 9321 to have passed and said Bill became Ordinance No. 8359.

The next item on the Agenda was Board Appointments of which there were none.

Councilman Eagan moved to approve the Transfer of Special Use Permit No. 8163 from HRLH, Inc. d/b/a Viet Thai to Ou Leng LLC d/b/a Thai Kitchen for the operation of a sit-down, carry-out restaurant located at 8458 N. Lindbergh, seconded by Caputa. Motion carried.

Councilman Jones moved to approve the request for George Awwad for a permit to keep chickens located at 825 Daniel Boone Drive, seconded by Pagano. Motion carried.

Councilman Jones moved to approve the request for Alison Brockham-Ruiz for a permit to keep 2 hens located at 807 Loekes Dr., seconded by Caputa. Motion carried.

Councilwoman Pagano introduced Bill No. 9322 An Ordinance amending Ord. No. 6830 to allow for a restaurant with outdoor dining for the property located at 8180 N. Lindbergh was read for the first time by title only.

Councilman Jones introduced Bill No. 9323 An Ordinance authorizing a transfer of Special Use Permit No. 8163 from HRLH, Inc. d/b/a Viet Thai to Ou Leng LLC d/b/a Thai Kitchen for the operation of a sit-down, carry-out restaurant located at 8458 N. Lindbergh was read for the first time by title only.

Councilman Jones introduced Bill No. 9324 An Ordinance approving the Community Development Block Grant (CDBG) FY2018 Annual Action Plan for the City of Florissant, Missouri and authorizing and directing the Mayor to submit such plan to the United States Department of Housing and Urban Development was read for the first time by title only.

Councilman Jones introduced Bill No. 9325 An Ordinance adopting the budget for the City of Florissant for the fiscal year commencing on December 1, 2017 and ending on November 30, 2018 and providing for its effective date was read for the first time. Councilman Eagan moved that Bill No. 9325 be read for a second time for the purpose of discussion, seconded by Pagano. Motion carried. Councilman Lee thanked the Council for their hard work putting together the budget and ensured the residents that Proposition P Funds were used only for police department expenses. Councilman Lee moved to postpone Bill No. 9325 to 11/27/2017, seconded by Caputa. Motion carried.

Councilman Jones introduced Bill No. 9326 An Ordinance authorizing a one-time retirement incentive opportunity for City of Florissant full-time employees who qualify was read for the first time by title only.

Councilwoman Pagano introduced Bill No. 9327 An Ordinance authorizing a transfer of \$15,000 from Acct. No. 01-5-06-28020 "Golf Course Merchandise-Concessions" to Acct. No. 01-5-06-26000 "Golf Course Utilities" to cover golf course utility costs through the end of the fiscal year and said Bill was read for the first time. Councilman Lee moved that Bill No. 9327 be read for a second time, seconded by Schildroth. Motion carried and Bill No. 9327 was read for a second time. Councilman Lee moved that Bill No. 9327 be read for a third time, seconded by Siam. On roll call the Council voted: Eagan yes, Caputa yes, Schildroth yes, Henke yes, Pagano yes, Schmidt yes, Siam yes, Lee yes and Jones yes. Having received the unanimous vote of all members present Bill No. 9327 was read for the third and final time and placed upon its passage.

Before the final vote all other interested persons were given an opportunity to be heard. Kevin O'Donnell, 512 Rancho Lane, questioned why these funds were not planned for in the current budget and needed an additional appropriation. Councilman Lee stated that this not a new appropriation, simply an adjustment among the golf accounts.

Being no other persons who wished to be heard, on roll call the Council voted: Eagan yes, Caputa yes, Schildroth yes, Henke yes, Pagano yes, Parson yes, Siam yes, Lee yes and Jones yes. Whereupon the Chair declared Bill No. 9327 to have passed and said Bill became Ordinance No. 8360.

Councilman Jones introduced Bill No. 9328 An Ordinance amending Section 125.065.A "Job Classification and Grade Level" by adding and deleting certain job classifications was read for the first time by title only.

Councilman Jones introduced Bill No. 9329 An Ordinance amending Ord. No. 8182 which established compensation plan for part-time employees of the City of Florissant and which contains an effective date clause was read for the first time by title only.

Councilman Jones introduced Bill No. 9330 An Ordinance amending Ord. No. 8182 establishing a length of service plan for part-time employees by adding the position of "Economic Development Coordinator" was read for the first time by title only.

Councilwoman Pagano introduced Bill No. 9331 An Ordinance authorizing an appropriation of \$15,000 from the General Revenue Fund to Acct. No. 493001 "Vehicle" to cover operating expenses through the remainder of the fiscal year and said Bill was read for the first time. Councilman

Schildroth moved that Bill No. 9331 be read for a second time, seconded by Eagan. Motion carried and Bill No. 9331 was read for a second time. Councilman Schildroth moved that Bill No. 9331 be read for a third time, seconded by Eagan. On roll call the Council voted: Eagan yes, Caputa yes, Schildroth yes, Henke yes, Pagano yes, Schmidt yes, Siam yes, Lee yes and Jones yes. Having received the unanimous vote of all members present Bill No. 9331 was read for the third and final time and placed upon its passage.

Before the final vote all other interested persons were given an opportunity to be heard. Being no persons who wished to be heard, on roll call the Council voted: Eagan yes, Caputa yes, Schildroth yes, Henke yes, Pagano yes, Schmidt yes, Siam yes, Lee yes and Jones yes. Whereupon the Chair declared Bill No. 9331 to have passed and said Bill became Ordinance No. 8361.

Council President Pagano moved to cancel the second meeting in December, seconded by Caputa. Motion carried.

The next item on the Agenda was Council Announcements.

Councilman Lee read from the police logs and noted that many thefts were a result of unlocked vehicles and open garages. He encouraged residents to use common sense in securing their property.

Councilman Parson stated that there would be a Ward meeting for Wards 8 & 9 at the Eagan Center on November 14<sup>th</sup> at 7 pm. and he encouraged all residents to attend. He also thanked Commons Lane Elementary School for inviting the Mayor and Council to attend their “High Five Fridays.” He agreed with Councilman Lee regarding residents securing their property in order to reduce crime.

Councilman Henke thanked the VFW Post for hosting the outstanding Veterans Day Parade.

Councilman Schildroth stated that the Washington Street Project is now complete and he thanked St. Louis County for their work and contractors. The Graham Road project is nearing completion and encouraged resident to continue to exercise patience. He echoed Mr. Henke’s remark and thanked the VFW post for sponsoring a wonderful Veterans Day Parade.

Councilman Caputa reminded residents to keep their firearms secured. He thanked all veterans for their service and wished Happy Birthday to the Marine Corps. He asked residents to join their local Neighborhood Watch Program-it works!

Councilman Eagan also thanked all the veterans for their service, including those Councilmen who served.

Councilman Jones encouraged everyone to donate and volunteer for TEAM. He noted that construction on Shackelford is approximately half completed. Speed cameras have been installed for the safety of the workers and residents.

Councilman Lee addressed the issue about a recent postcard that Mayor Schneider sent out to the residents of Ward 1 encouraging them to run for Councilperson of Ward 1. The postcard was paid for by “Friends of Mayor Schneider” which is the Mayor’s reelection campaign fund. Councilman Lee stated that he and his fellow Council members do much more work to earn their salary than attend two Council Meetings a month. Also, the postcard requested that anyone interested in this elected position should send their resumes to the Mayor’s home email address. The Mayor had given Mr. Lee \$50 to share with the Council for an “attitude adjustment.” Councilman Lee returned the \$50.

The next item on the Agenda was Mayor Announcements.

The Mayor announced that he would donate the \$50 to T.E.A.M. He enjoyed the recent “High Five Friday” visit to Common Lanes Elementary School. He stated that the ice rink was up and running and will be open until March. He congratulated Sgt. Mark Pounders and Sean Robertson, Theatre Manager for being awarded North County Inc.’s “30 Over 30” award. Florissant will host the CYC All City Council Championship games for girls. The grand opening for Raising Canes will be 11/14. Christmas with Santa in Old Town will be held on December 2 from 2-4 and the tree lighting at 5:15. Project Liftoff will be held afterwards. Winter Break Camp is scheduled for children around the holidays and urged parents to call the civic centers for more information.

The Council President announced that the next regular City Council Meeting was scheduled for Monday, November 27, 2017 at 7:30 pm.

Councilman Eagan moved to adjourn the meeting, seconded by Jones. Motion carried. The meeting was adjourned at 9:07 p.m.

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Karen Goodwin, City Clerk

The following Bills were signed by the Mayor:

SBill No. 9319	Ord. 8357
Bill No. 9320	Ord. 8358
Bill No. 9321	Ord. 8359
Bill No. 9327	Ord. 8360
Bill No. 9331	Ord. 8361