

CITY OF FLORISSANT



COUNCIL MINUTES

January 22, 2018

The Florissant City Council met in regular session at Florissant City Hall, 955 rue St. Francois on Monday, January 22, 2018 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: Schildroth, Henke, Pagano, Parson, Siam, Lee, Jones, Eagan and Caputa. Also present was 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 Meeting Minutes of January 8, 2018, seconded by Eagan. Motion carried.

The next item on the agenda was a Certificate of Appreciation awarded to Attorney Robert Ritter for donating his time and expertise in order to facilitate the city's Crime Free Program.

The next item on the agenda was the "Eddie's Hero Award" given to Aaron and Abigail Hoffman for their volunteer service to the elderly, pre-school camps, police officers and for lending a hand where needed in the community.

Council President Pagano asked for a moment of silence to honor Josephine Schneider, mother of Mayor Schneider, who recently passed away.

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

Robert Smith, 2823 Chapel View Dr. and member of the Emergency Management Commission, stated that the Commission would be hosting another Sky Warn Class on February 21 from 6:30 – 9:30 at the Eagan Center. The class will be open to the public.

Christine Keil, 110 St. Pierre, stated that since the full time Economic Development Director of the City will be leaving in May, she asked that the Council replace his position.

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

The next item on the Agenda was Public Hearings of which there were none.

33 Councilman Siam moved that Bill No. 9343 An Ordinance authorizing a Special Permit to
34 Handyman Hardware, Inc. to change the existing ground sign, including a digital sign, in a B-3 Zoning
35 District for the property located at 500 W Washington be read for a second time, seconded by Henke.
36 Motion carried and Bill No. 9343 was read for a second time. Councilman Siam moved that Bill No.
37 9343 be read for a third time, seconded by Schildroth. Motion carried and Bill No. 9343 was read for a
38 third and final time and placed upon its passage.

39 Before the final vote all interested persons were given an opportunity to be heard. On roll call
40 the Council voted: Schildroth yes, Henke yes, Pagano yes, Parson yes, Siam yes, Lee yes, Jones yes,
41 Eagan yes and Caputa yes. Whereupon the Chair declared Bill No. 9343 to have passed and said Bill
42 became Ordinance No. 8381.

43 Councilman Eagan moved that Bill No. 9344 An Ordinance rezoning for Dunkin Donuts the
44 property located at 8115 N Lindbergh from a B-3 Extensive Commercial District to B-5 Planned
45 Commercial District to allow for the development of a sit-down, carry-out restaurant with drive-up
46 service be read for a second time, seconded by Jones. Motion carried and Bill No. 9344 was read for a
47 second time. Councilman Eagan moved that Bill No. 9344 be read for a third time, seconded by
48 Henke. Motion carried and Bill No. 9344 was read for a third and final time and placed upon its
49 passage.

50 Before the final vote all interested persons were given an opportunity to be heard.

51 Tim Kaufman, petitioner, explained that an old fence was currently located at the rear of the
52 property. Dunkin Donuts would like to replace that fence with a vinyl privacy fence to be at least the
53 same height as the existing one. The fence will be located on Dunkin Donut's property and not the
54 residences. The replacement fence would circle the property and head back eastward on Lindbergh.
55 Also, they will be re-landscaping the property, replacing the site with new shrubbery and trees in front
56 of the fence. Mr. Kaufman stated that they would not encroach upon or disturb the landscaping of the
57 residents. The dumpster will be removed from the originally planned site and be moved to a parking
58 stall so as to relocate it as far away from the residences as possible. The speaker will be turned away
59 from the residences and will also have an a.m. and p.m. function. The p.m. function reduces speaker
60 loudness at night.

61 City Attorney, John Hessel, stated that the bill would need to be amended: Subsection 2, sub
62 paragraph (5), Plan Submittal Requirements to add site plan dated 1/16/18.

63 Gene Reay, 855 Southwell, stated that he was upset because he had not been notified about the
64 second attempt to develop a Dunkin Donuts at this site. Had he known about the meeting, he would
65 have attended Planning and Zoning to discuss the details of the project. Mr. Reay presented a copy of
66 the petition that was originally signed, over a year ago, by 37 residents who were concerned about the
67 initial development.

68 Mr. Reay thanked Mr. Kaufman for moving the trash dumpster. He also expressed his concerns
69 about safety and noise as a result of the close proximity of Dunkin Donuts to his property. The dead
70 trees needed to be removed in order to prevent damage to surrounding homes. He was especially
71 concerned about the light shining into the residences.

72 Mr. Reay presented a document from St. Louis County which assured the residents that
73 Southwell and Manresa were to remain open to the public forever. He added that when the street in
74 front of his house was closed by the city, he lost a section of his property as well as loss to his property
75 value. As he mentioned at the last meeting, he had a copy of the 1958 subdivision covenant which
76 restricts development that might cause noise and nuisance disruption to the neighborhood.

77 John Hessel explained that this 1958 document was a typical subdivision provision which is an
78 agreement among private property owners. Cities do not get involved in the enforcement of these
79 private indentures or restrictive covenants. Furthermore, the City Council cannot consider this
80 covenant when deliberating on this particular proposal.

81 Councilman Parson encouraged the two parties to get together and discuss their differences for a
82 possible solution. He also stated that the Council had received a copy of the title search for the site and
83 there were no deed restrictions or covenants found.

84 Councilman Jones stated that he has had problems with the residents in his ward regarding the
85 noise from the car wash speakers. This problem has yet to be resolved.

86 Thomas Reay, 855 Southwell, expressed his dissatisfaction over the proposed fencing,
87 landscaping and the relocation of the dumpster.

88 Councilman Parson moved to amend Subsection 2, Sub Paragraph (5), Plan Submittal
89 Requirements to change the site plan to read: dated 1/16/18 by Pickett, Ray & Silver, seconded by
90 Pagano. Motion carried.

91 Being no other persons who wished to be heard, on roll call the Council voted: Schildroth yes,
92 Henke yes, Pagano yes, Parson yes, Siam yes, Lee yes, Jones no, Eagan no and Caputa no.

93 Whereupon the Chair declared Bill No. 9344 to have been amended, passed and said Bill became
94 Ordinance No. 8382.

95 Councilman Schildroth moved that Bill No. 9345 An Ordinance to approve a final subdivision
96 plat for 15275 New Halls Ferry Road in an existing B-5 Planned Commercial District be read for a
97 second time, seconded by Caputa. Motion carried and Bill No. 9345 was read for a second time.
98 Councilman Caputa moved that Bill No. 9345 be read for a third time, seconded by Jones. Motion
99 carried and Bill No. 9345 was read for a third and final time and placed upon its passage.

100 Before the final vote all interested persons were given an opportunity to be heard. On roll call
101 the Council voted: Schildroth yes, Henke yes, Pagano yes, Parson yes, Siam yes, Lee yes, Jones yes,
102 Eagan yes and Caputa yes. Whereupon the Chair declared Bill No. 9345 to have passed and said Bill
103 became Ordinance No. 8383.

104 The next item on the Agenda was Board Appointments.

105 Councilman Schildroth moved to appoint Daniel Call, 2055 Valencia Drive, to the Landmark
106 Historic District Commission as a member from Ward 9 for a term expiring on 1/22/2021, seconded by
107 Eagan. Motion carried.

108 Councilman Eagan moved to approve the request for a Beer & Wine by the Drink liquor license
109 for Thai Kitchen located at 8458 N. Lindbergh, seconded by Pagano. Motion carried. On roll call the
110 Council voted: Schildroth yes, Henke yes, Pagano yes, Parson yes, Siam yes, Lee yes, Jones no, Eagan
111 yes and Caputa yes. The liquor license was approved.

112 The next item on the Agenda was first readings of which there were none.

113 The next item on the Agenda was Council Announcements.

114 Councilman Henke asked that residents keep an eye on their neighbors during this extremely
115 cold weather.

116 Councilman Schildroth informed residents that due to cold weather, coyotes have been spotted
117 in several Florissant neighborhoods. According to the Missouri Department of Conservation, the
118 coyotes will leave once the weather becomes warmer and their food sources become available again.
119 The Department asked citizens to keep an eye on their small pets and not take their trash cans to the
120 street at night. Coyotes are afraid of people and will run away.

121 Councilman Caputa reminded residents to keep their firearms secured and not to leave them in
122 their vehicles. He also encouraged residents not to leave their cars running in an effort to reduce car
123 theft.

124 Missouri American Water will be holding public hearings regarding water rates on 1/29 in Maryland
125 Heights, on 1/29 at the Florissant Valley Community College, and on 1/30 at the University of MO -
126 St. Louis.

127 Councilman Jones encouraged everyone to donate and volunteer for TEAM. He also stated that
128 the City is aware of the many water main breaks due to the weather and he has contacted Missouri
129 American Water regarding the problems. They are doing everything possible to fix the problem. The
130 city is working diligently on code enforcement and asked for feedback and input from residents.

131 Councilwoman Pagano announced that the Budget Subcommittee will be holding a meeting on
132 1/25 at 3:00 at City Hall.

133 The next item on the Agenda was Mayor Announcements.

134 Mayor Schneider agreed that Florissant's Code Enforcement Department was probably one of
135 the best in St. Louis County. As a result of their efforts, the Insurance Services Office, an independent
136 insurance rating organization, has upgraded the city's code enforcement rating for both commercial and
137 residential properties. This higher rating helps to lower insurance costs and reduce crime.

138 The Mayor thanked everyone who expressed their condolences and sympathy to the Schneider
139 family on the passing of his mother.

140 The Council President announced that the next regular City Council Meeting was scheduled for
141 Monday, February 12, 2018 at 7:30 pm.

142 Councilman Henke moved to adjourn the meeting, seconded by Siam. Motion carried. The
143 meeting was adjourned at 8:43 p.m.

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148 The following Bills were signed by the Mayor:

149 Bill No. 9343 Ord. 8381

150 Bill No. 9344 Ord. 8382

151 Bill No. 9345 Ord. 8383

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Karen Goodwin, City Clerk