

CITY OF FLORISSANT



COUNCIL MINUTES

February 26, 2018

The Florissant City Council met in regular session at Florissant City Hall, 955 rue St. Francois on Monday, February 26, 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: Henke, Pagano, Parson, Siam, Lee, Jones, Eagan, Caputa and Schildroth. 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 Parson moved to approve the Meeting Minutes of February 12, 2018, seconded by Jones. Motion carried.

The Chair stated the next item on the agenda was Hearing from Citizens of which there were none.

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 #18-02-007 to be held this night on a request to authorize a Special Use Permit to Sipp, LLC, to allow for the operation of a wine bar for the property located at 1833 Dunn Road 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.

Tiffany Whitehorn, petitioner, stated that she would like to open a wine bar. There would be no cooking on the premises, but she would have pre-packaged food/snacks available. Ms. Whitehorn would like to have a band perform on the weekends, but the live music would end at 10:00 pm. If a DJ was performing, he would stop playing at midnight. On Sundays they will serve a brunch type menu of pre-packaged muffins, pastries and cheeses and will close at 10 pm. Ms. Whitehorn noted the wine bar music would be no louder than Rizzo's Restaurant's music used to be on weekends.

33 In response to Council President Pagano's question, Ms. Whitehorn said that all the doors will
34 be closed when music is playing in consideration of the residents. She also stated that she owns the
35 beauty salon next door. Councilman Eagan asked the petitioner not to serve beverages in plastic "to
36 go" cups which will help prevent littering on the parking lot. She agreed and added that the owner of
37 the shopping center has trash cans along the front of all the businesses. Councilman Lee suggested
38 amending the bill to add that no music be allowed after 10:00 pm.

39 Councilman Parson asked the petitioner what the capacity of the establishment was, to which
40 the petitioner responded 65 persons. She stated that they will be having a full liquor license, not just
41 wine. The City Attorney suggested that if the petitioner was going to sell more than wine, it would be
42 better to reword the Special Use Permit to read "restaurant/bar" and not specify a "wine bar."

43 The Chair asked if there were any citizens who would like to speak on said public hearing.
44 Being no citizens who wished to speak, Councilwoman Pagano moved to close P.H. #18-02-007,
45 seconded by Schildroth. Motion carried.

46 The City Clerk reported that Public Hearing #18-02-008 to be held this night on a request to
47 authorize a Special Use Permit to MBR Management Corp. d/b/a Domino's Pizza to allow for the
48 operation of a carry-out restaurant with a "pick-up" window for the property located at 8428 N.
49 Lindbergh had been advertised in substantially the same form as appears in the foregoing publication
50 and by posting the property. The Chair declared the Public Hearing to be open and invited those who
51 wished to be heard to come forward.

52 Mark Ratterman, petitioner and franchisee, stated that they currently have a store located at
53 8442 N. Lindbergh, which was Domino's first restaurant in St. Louis. The corporate headquarters was
54 requiring extensive remodeling of all their stores. Since the unit next to their current location is
55 available, they have a contract to purchase it, remodel it and make the store like a brand new enlarged
56 building. This would allow them to expand and add a "pick-up" window. They have been installing
57 "pick-up" windows in Dominos over the last few years. It has been successful and is very convenient
58 for young families; especially those with small children in car seats. A customer will enter the lot off
59 of Lindbergh and exit behind the building onto Bruce Drive. Domino's has a cross-access agreement
60 with Mr. Keeven. Their drivers will use the back parking lot and parking customers will use spaces at
61 the front of the building.

62 In response to Councilman Eagan's question, Mr. Ratterman stated that one way directional
63 signs around the building will be installed to prevent collisions. All drive-thru traffic must go behind

64 the building and exit out to Bruce Dr. Mr. Ratterman informed Councilman Eagan that he could look
65 at Domino's new store in Lake St. Louis which is set up just like this one with a one-way exit around
66 the building. The petitioner agreed to install any signs necessary to make sure the traffic patterns were
67 safe.

68 Councilman Siam expressed his concern that a customer, after having gone through the "drive-
69 up" window, might try to turn around and exit off of Lindbergh. Mr. Ratterman explained that their
70 signs will be very specific on the path they must take to exit the site. Also, there is no space to turn
71 around. He added that there are no outside speakers or vehicle stacking. The customers call ahead and
72 the pizza will be ready. There is no waiting.

73 The Chair asked if there were any citizens who would like to speak on said public hearing.
74 Being no citizens who wished to speak, Councilman Eagan moved to close P.H. #18-02-008, seconded
75 by Lee. Motion carried.

76 The City Clerk reported that Public Hearing #18-02-009 to be held this night on a request to
77 rezone the property located at 180 Dunn Road from B-3 "Extensive Business District" to establish a
78 new Historic District had been advertised in substantially the same form as appears in the foregoing
79 publication and by posting the property. The Chair declared the Public Hearing to be open and invited
80 those who wished to be heard to come forward.

81 Terry Turner, petitioner, explained he had purchased the Meyer House in order to live there.
82 Afterwards, he was informed that, although the building was stable, he could not live there because it
83 wasn't zoned properly for that. He has been restoring the house over the last year and repairing the
84 building will be a continuous project. There is currently a weaving business on the first floor which
85 will remain. Mr. Turner added that the barn will require extensive repairs.

86 The Chair asked if there were any citizens who would like to speak on said public hearing.

87 Nancy Quaid, resident and businesswoman, thanked Mr. Turner for saving a Florissant icon.
88 Ms. Quaid runs the weaving business and has worked there for over 30 years. Now her business can
89 remain in the house thanks to Mr. Turner.

90 Being no other citizens who wished to speak, Councilman Schildroth moved to close P.H. #18-
91 02-009, seconded by Caputa. Motion carried.

92 At the request of the petitioner, Councilman Schildroth moved to postpone Bill No. 9339 An
93 Ordinance authorizing an amendment to B-5 Ord. No. 6836 to allow for an addition of the Siteman

94 Cancer Center and parking in an existing B-5 Zoning District located at 1225 Graham Rd. to 3/12/2018,
95 seconded by Eagan. Motion carried.

96 Councilman Siam moved that Bill No. 9349 An Ordinance to authorize an amendment to B-5
97 Ordinance No. 5733, as amended, to allow for a remodeling of a retail establishment (Target) for the
98 property located at 2341 N. Hwy. 67 be read for a second time, seconded by Henke. Motion carried
99 and Bill No. 9349 was read for a second time. Councilman Siam moved that Bill No. 9349 be read for
100 a third time, seconded by Henke. Motion carried and Bill No. 9349 was read for a third and final time
101 and placed upon its passage.

102 Before the final vote all interested persons were given an opportunity to be heard. On roll call
103 the Council voted: Henke yes, Pagano yes, Parson yes, Siam yes, Lee yes, Jones yes, Eagan yes,
104 Caputa yes and Schildroth yes. Whereupon the Chair declared Bill No. 9349 to have passed and said
105 Bill became Ordinance No. 8387.

106 Councilman Siam moved that Bill No. 9350 An Ordinance to authorize a Special Use Permit to
107 to Chick-fil-A, Inc. d/b/a Chick-fil-A to allow for the establishment of a sit-down, carry-out and drive-
108 through restaurant and signage for the property located at #1 Flower Valley be read for a second time,
109 seconded by Henke.

110 Councilman Siam moved to amend Bill No. 9350 to reflect a sign change, under Section (1)
111 Subsection (1)(f) to replace the sign height to 32 feet, seconded by Schildroth. Motion carried.

112 Councilman Parson moved to amend Section 1, Subsection (1)(e), shopping center ground sign,
113 in accordance with drawings submitted 2/26/18, seconded by Henke. Motion carried.

114 On the motion for a second reading, motion carried and amended Bill No. 9350 was read for a
115 second time. Councilman Parson moved that amended Bill No. 9350 be read for a third time, seconded
116 by Henke. Motion carried and amended Bill No. 9350 was read for a third and final time and placed
117 upon its passage.

118 Before the final vote all interested persons were given an opportunity to be heard. On roll call
119 the Council voted: Henke yes, Pagano yes, Parson yes, Siam yes, Lee yes, Jones yes, Eagan yes,
120 Caputa yes and Schildroth yes. Whereupon the Chair declared amended Bill No. 9350 to have passed
121 and said Bill became Ordinance No. 8388.

122 The next item on the Agenda was Board Appointments.

Councilman Henke moved to reappoint Ben Eye, 985 Washington St., to the Parks and Recreation Advisory Board as a member from Ward 6 for a term expiring on 1/13/2021, seconded by Pagano. Motion carried.

Councilman Eagan moved to reappoint Jules Blair, 745 Naomi, to the Environmental Quality Commission as a member from Ward 2 for a term expiring on 2/23/2021, seconded by Jones. Motion carried.

Councilman Siam moved to approve the request for a Full Liquor by the Drink license for Al's Lounge located at 2731 N. Hwy. 67, seconded by Eagan. Motion carried. On roll call the Council voted: Henke yes, Pagano yes, Parson yes, Siam yes, Lee yes, Jones yes, Eagan yes, Caputa yes and Schildroth yes. The liquor license was approved.

Councilman Schildroth moved to approve the request to keep four chickens for John Reece located at 6 Blanchette Drive, seconded by Parson. Motion carried.

The next item on the Agenda was first readings.

Council as a Whole introduced Bill No. 9362 An Ordinance amending Ordinance No. 8366 by adding a new Section (3) to clarify the treatment of payments being made in accordance with Ordinance No. 8366 and said Bill was read for the first time. Councilman Schildroth moved that Bill No. 9362 be read for a second time, seconded by Eagan.

Councilman Eagan moved to amend, in Section (3), to eliminate Paragraph 4," seconded by Henke. Mr. Hessel explained that the reason for the suggested amendment to eliminate Paragraph 4 of Section (3), was because the paragraph had been mistakenly included. Mr. Hessel apologized for the error. It was never the intent of the City Council to treat the incentives, i.e., compensation for sick leave payments and lump sum payments, as compensation under the retirement plans. They are deemed 'extraordinary' payments. Vacation earned should not be included in this ordinance. On the motion to amend, motion carried.

On the motion for a second reading, motion carried and amended Bill No. 9362 was read for a second time. Councilman Lee moved that amended Bill No. 9362 be read for a third time, seconded by Schildroth. Councilman Lee apologized to employees for the error and encouraged them to seek out the proper information and make their decisions accordingly. On roll call the Council voted: Henke yes, Pagano yes, Parson yes, Siam yes, Lee yes, Jones yes, Eagan yes, Caputa yes and Schildroth yes. Having received the unanimous vote of all members present amended Bill No. 9362 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: Henke yes, Pagano yes, Parson yes, Siam yes, Lee yes, Jones yes, Eagan yes, Caputa yes and Schildroth yes. Whereupon the Chair declared amended Bill No. 9362 to have passed and said amended Bill became Ordinance No. 8389.

Council as a Whole introduced Bill No. 9363 An Ordinance authorizing 32 hours of paid administrative leave per year for unclassified employees and said bill was read for the first time by title only.

Council President Pagano introduced Bill No. 9364 An Ordinance authorizing a Special Use Permit to Sipp, LLC to allow for the operation of a wine bar for the property located at 1833 Dunn Road and said bill was read for the first time by title only.

Councilman Eagan introduced Bill No. 9365 An Ordinance authorizing a Special Use Permit to MBR Management Corp. d/b/a Domino's Pizza to allow for the operation of a carry-out restaurant with a pick-up window for the property located at 8428 N. Lindbergh and said bill was read for the first time by title only.

Councilman Schildroth introduced Bill No. 9366 An Ordinance to rezone the property located at 180 Dunn Road from B-3 "Extensive Business District" to establish a new Historic District the "John B. Myers House Historic District" and said bill was read for the first time by title only.

Councilwoman Pagano introduced Bill No. 9367 An Ordinance authorizing the Mayor of the City of Florissant to enter into a program agreement for federal funding for project number STP-5622(601) for the improvement of the intersection of St. Ferdinand and N. Hwy 67 and said bill was read for the first time. Council President Pagano moved to suspend the rules in order to hear from the Director of Public Works, Lou Jearls, seconded by Schildroth. Motion carried. Mr. Jearls explained that the city had applied for a grant from East-West Gateway to improve the entrance to St. Ferdinand Park. Florissant was awarded an 80% reimbursement grant.

Councilwoman Pagano moved that Bill No. 9367 be read for a second time, seconded by Henke. Motion carried and Bill No. 9367 was read for a second time. Councilwoman Pagano moved that Bill No. 9367 be read for a third time, seconded by Lee. On roll call the Council voted: Henke yes, Pagano yes, Parson yes, Siam yes, Lee yes, Jones yes, Eagan yes, Caputa yes and Schildroth yes. Having received the unanimous vote of all members present Bill No. 9367 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.

185 Being no persons who wished to speak, on roll call the Council voted: Henke yes, Pagano yes,
186 Parson yes, Siam yes, Lee yes, Jones yes, Eagan yes, Caputa yes and Schildroth yes. Whereupon the
187 Chair declared Bill No. 9367 to have passed and said Bill became Ordinance No. 8390.

188 Councilwoman Pagano introduced Bill No. 9368 An Ordinance amending revenue account No.
189 03-4-03300 "Miscellaneous Revenue" in the amount of \$371,140 and appropriating the sum of \$463,
190 925 from the Capital Improvement Fund to Acct. No. 0350 "Professional Services" for the replacement
191 of St. Anthony Bridge over Fountain Creek and said bill was read for the first time. Council President
192 Pagano moved to suspend the rules in order to hear from the Director of Public Works, Lou Jearls,
193 seconded by Schildroth. Motion carried. Mr. Jearls explained that the city had applied for a grant
194 from East-West Gateway Coordinating Council to replace the St. Anthony Bridge over Fountain Creek.
195 The funds were allocated last year but not spent. Mr. Jearls asked that the monies be rolled over to this
196 year's budget.

197 Councilman Caputa moved that Bill No. Bill No. 9368 be read for a second time, seconded by
198 Jones. Motion carried and Bill No. Bill No. 9368 was read for a second time. Councilman Caputa
199 moved that Bill No. Bill No. 9368 be read for a third time, seconded by Schildroth. On roll call the
200 Council voted: Henke yes, Pagano yes, Parson yes, Siam yes, Lee yes, Jones yes, Eagan yes, Caputa
201 yes and Schildroth yes. Having received the unanimous vote of all members present Bill No. 9368 was
202 read for a third and final time and placed upon its passage. Before the final vote all interested persons
203 were given an opportunity to be heard.

204 Being no persons who wished to speak, on roll call the Council voted: Henke yes, Pagano yes,
205 Parson yes, Siam yes, Lee yes, Jones yes, Eagan yes, Caputa yes and Schildroth yes Whereupon the
206 Chair declared Bill No. Bill No. 9368 to have passed and said Bill became Ordinance No. 8391.

207 The next item on the Agenda was Council Announcements.

208 Councilman Henke asked for a moment of silence for the victims of the recent school shooting
209 in Florida. He asked everyone to have a civilized discussion with each other on gun control.

210 Councilman Parson asked Florissant residents to get to know their "Florissant Five" - their
211 closest neighbors. Studies show this deters crime in area neighborhoods. He announced that on
212 February 26, 1926, Mr. Carter G. Woodson originated what has now become known as Black History
213 Month.

214 Councilman Lee reminded everyone that this Sunday Old Town Partners will be hosting a
215 fundraiser, 'Breakfast at Hendels' starting at 8 o'clock.

216 Councilman Schildroth stated that, along with other Councilmembers and staff, he attended the
217 informational meeting regarding the Cold Water Creek cleanup process which affected some areas of
218 Florissant.

219 Councilman Jones encouraged everyone to donate and volunteer at T.E.A.M. located on rue St.
220 Catherine.

221 Councilman Eagan stated that the annual St. Ferdinand BQ and Basketball Tournament had
222 begun and will continue through the month of March to benefit the Cooper Tracy Family.

223 Councilman Caputa reminded residents to keep their firearms secure and not to leave them in
224 their vehicles. In an effort to reduce crime, he also encouraged residents to lock their cars, leave their
225 porch lights on at night and join their local Neighborhood Watch Program.

226 At the February 20 Work Session Council Meeting, no staff was in attendance. No staff had
227 been authorized to attend by the administration and it resulted in a waste of time. Since this situation
228 has occurred on other occasions, Councilman Caputa asked for an explanation.

229 Mayor Schneider stated that he has always retained the position that Work Sessions should be
230 held the same night as the Council Meeting, either before or after the regular meeting as they have for
231 decades. That way the City Attorney would be present along with the majority of Council members
232 would be present. He had explained this in a memo to the Council last week.

233 Councilman Lee stated that for the 15 years that he has been on the Council, they have always
234 had Work Session Meetings that have been very productive and more casual. He doesn't see any
235 reason to pay the city attorney to come in early before or stay late after a Council meeting to discuss
236 items that he would not have any reason to weigh in on. He felt disrespected that no staff was in
237 attendance at the Work Session Meeting on Tuesday, especially since the meeting had been scheduled
238 weeks in advance. He was under the assumption that the Council could compel the attendance of a
239 Department Heads, and that the Mayor is a "welcome, invited guest."

240 Council President Pagano stated that she works hard to get all Council members to agree on a
241 scheduled time for the Work Sessions and she does this usually weeks in advance. It is difficult with
242 everyone's different schedules. She feels the Work Session Meetings are very productive, causal and
243 members can "bounce ideas/thoughts" off of each other. She had no idea that she would *not* have any
244 staff in attendance until that night and that they were told, in fact, not to come. As President of the
245 Council, she too felt disrespected. There are many important updates that Councilmembers need to

246 know in order to budget properly and to pass along to residents, including Koch Pool, Crime Free and
247 the Court Building.

248 Councilman Jones stated that he did not understand why the Mayor did not send staff to these
249 productive Work Session meetings.

250 The City Attorney stated that he did not know why he was being brought into this discussion.
251 That being said, he clarified that he will always show respect to the Mayor and City Council. Mr.
252 Hessel stated that he represents other municipalities and attends other night meetings. To the extent
253 that he can accommodate Florissant's Council, he will attend other meetings when needed. In a prior
254 discussion with the Mayor, he had said that it would obviously benefit his schedule to have meetings on
255 the same night as Council meetings. But if the Council needed him at other meetings, if his schedule
256 allowed, he would be in attendance.

257 In response to Council President Pagano's question, Mr. Hessel stated that he would not
258 normally be in attendance for a Work Session meeting regarding updates to city projects or budgeting.
259 These meetings do not usually require a legal opinion.

260 Councilman Lee suggested that the Council President explicitly state which Department
261 Heads/administration she would like at the next Work Session.

262 The Mayor stated that two of the items on the last Work Session Agenda could possibly have
263 had legal problems.

264 The next item on the Agenda was Mayor Announcements.

265 Mayor Schneider applauded the young people for standing up to gun violence in light of the
266 recent high school shooting. He hoped the momentum continues. He stated that although the Corp of
267 Engineers was doing a good job cleaning up Cold Water Creek, the city will be asking them to expedite
268 the process.

269 Fifth through eighth graders will be having a *free* skate on March 2. Marygrove also has their
270 annual fundraising "Bloom Event" on March 2nd. The Mayor's Shamrock Ball will be held on March
271 3 to benefit Valley Industries. On March 24 there will be the annual "Easter Egg Hunt." The "Buckle
272 Up Phone Down" campaign encourages wearing seat belts and bans texting in Missouri.

273 The Council President announced that the next regular City Council Meeting was scheduled for
274 Monday, March 12, 2018 at 7:30 pm.

275 Councilman Parson moved to adjourn the meeting, seconded by Lee. Motion carried. The
276 meeting was adjourned at 9:00 p.m.

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The following Bills were signed by the Mayor:

Bill No. 9349	Ord. 8387
Bill No. 9350	Ord. 8388
Bill No. 9362	Ord. 8389
Bill No. 9367	Ord. 8390
Bill No. 9368	Ord. 8391

Karen Goodwin, City Clerk