

# CITY OF FLORISSANT



## COUNCIL MINUTES

September 25, 2017

The Florissant City Council met in regular session at Florissant City Hall, 955 rue St. Francois on Monday, September 25, 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: Lee, Jones, Eagan, Caputa, Schildroth, Henke, Pagano, Parson and Siam. 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 Parson moved to correct the meeting minutes, line 138, from "Quasi Prince Foundation" to "Kwesi Prince Foundation," seconded by Schildroth. Motion carried. Councilman Lee moved to approve the amended Meeting Minutes and Executive Minutes of September 19, 2017, seconded by Schildroth. Motion carried.

The Chair stated the next item on the agenda was a Proclamation.

A Proclamation was awarded to Dr. Rance Thomas, co-founder and president of North County Churches United for Racial Harmony and Justice, by Mayor Schneider for all Dr. Rance's efforts in coordinating various activities with other civic organizations and promoting racial harmony in North County.

The Chair stated the next item on the agenda was Police Commendations.

Chief Tim Lowery and Mayor Schneider awarded commendations to the following officers who went above and beyond in their efforts to keep Florissant a safe community:

- Detective Tim Green
- Detective Chris Easton, Detective Nick Osmer, Detective Josh Smith, Detective Brian Bussen and Detective Dewitt Edwards
- Officer Pat O'Fallon and K-9 Aresh

- 33 • Officer Richard Kohlen and Officer Kayla Fels
- 34 • Officer Mobin Malik, Detective Joshua Smith and Sgt. Tony Mocca
- 35 • Officer Benjamin Bathon
- 36 • Officer Alex Keim
- 37 • Detective Dustin Edwards
- 38 • Officer Pat O'Neil
- 39 • Detective Jo Monahan, Detective Brian Bussen and Dispatcher Matt Young
- 40

41 The Chair stated the next item on the agenda was a Certificate of Appreciation.

42 A Certificate of Appreciation was awarded to Greg Williams for assisting a Florissant Police  
43 Office in restraining a suspect.

44 Councilwoman Pagano moved to amend the Agenda in order for the Mayor to present the “2018  
45 Budget Message,” seconded by Henke. Motion carried.

46 Mayor Schneider gave an overview of the proposed 2018 Budget for the City of Florissant and  
47 distributed a copy to the Council. The Mayor presented a balanced budget and stressed that all Prop P  
48 funds will be used to improve and support the city’s Police Department. He added that the entire  
49 budget would be posted on the City’s website.

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

51 Mark Behlmann, 740 Lindsay Lane and longtime carpenter and contractor, expressed his  
52 concern about the contractor who was hired by the city for work to be done on the Weber building.  
53 Mr. Behlmann thought that the contractor was very disrespectful and rude to the Council and Mayor.  
54 He commended the Council on how they handled the situation.

55 John Engelmeyer, 1281 Graham Rd., stated that he hoped the Budget would be completed  
56 accurately and presented with full disclosure. The Council represents the citizens, not the  
57 administration, and he hoped they will due diligence. He, too, was shocked by the recent press  
58 received by Florissant regarding the changes in personnel. Councilwoman Pagano responded that the  
59 reason that the Weber building was not discussed at the recent Ward meeting was because she did not  
60 have any new information to present.

61 The next item on the Agenda was Communications.

62 Letter, dated September 13, 2017 from Mayor James Paunovich from Calverton Park thanking  
63 the Police Department for their assistance to the Calverton Park Police in apprehending a violent  
64 offender.

65 The next item on the Agenda was Public Hearings.

66 The City Clerk reported that Public Hearing #17-09-023 to be held this night on a request to  
67 issue an amendment to B-5 Ordinance No. 8105 to allow for a retail establishment (Dollar General) for  
68 the property located at 15275 New Halls Ferry Road had been advertised in substantially the same form  
69 as appears in the foregoing publication and by posting the property. The Chair declared the Public  
70 Hearing to be open and invited those who wished to be heard to come forward.

71 Robert Cissell, petitioner and preferred developer for Dollar General, appeared before the  
72 Council and stated that they hoped to build on the middle parcel of the three lots. Once Dollar General  
73 has been built, it will facilitate construction by the owner on the other two end lots. He stated that plan  
74 changes have been made at the request of the Planning & Zoning Commission which include a concrete  
75 approach and upgraded materials. Most Dollar Generals are constructed with ribbed panels with block.  
76 The upgrade will include the entire front being brick veneer and wrapping both of the sides. There will  
77 be metal panels instead of the ribbed metal panels. They will use a product that is similar to EIFS, but  
78 much stronger and not ribbed.

79 In regard to the installation of a fence, Mr. Cissell informed the Council that their middle lot  
80 does not abut residential property. Because of the utility lines and setbacks, any fence that they would  
81 construct would have to be torn down when the other two end developments went in. The other  
82 developments would be responsible for a fence.

83 In response to Councilman Caputa's question regarding why Dollar General did not build the  
84 store in all brick as per the City's Masonry Code, Mr. Cissell stated that the return on the investment  
85 and estimated sales would not be met "in this area" with full brick construction. He stated that they  
86 were aware of other buildings having been constructed in Florissant without full masonry and that was  
87 what they were proposing. In certain municipalities/states the size of the building might be smaller, so  
88 these buildings might be constructed of brick, although most Dollar General's are not. Mr. Cissell  
89 displayed a sample of the proposed brick veneer. Mr. Caputa stated that he would be supporting the  
90 City's masonry code for a full brick building.

91 Councilwoman Pagano questioned the petitioner's use of the phrase "not in this area." She felt  
92 that Dollar General might very well use all brick in another municipality and questioned why they  
93 weren't in Florissant. The petitioner responded that it all had to do with sales.

94 Councilman Parson agreed with Councilwoman Pagano and added that any reason not to use  
95 brick construction would have to be very significant in order to disregard the City's the masonry code.  
96 Councilman Parson asked the petitioner how much more the project would cost if they abided by the

97 city's brick ordinance. The petitioner estimated that it would cost another \$75,000 – \$80,000 for full  
98 brick veneer.

99 Councilman Siam stated that there already existed a nearby Dollar General and asked the  
100 petitioner if they had taken that into consideration. The petitioner responded yes.

101 In response to Councilman Lee's question, the petitioner stated that the proposed Dollar General  
102 would be a larger Dollar General store because they anticipated more sales. Mr. Cissell stated that he  
103 would guess that about 35% of the building will be brick veneer and 65% will be non-masonry.  
104 Several Councilmembers also stated they would have a difficult time supporting this proposal.

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

106 Paul Stock, Planning and Zoning Chairman, informed the Council that in the current form,  
107 Planning & Zoning could not support this building as presented. Mr. Stock stated that there were  
108 several things that can be done to lower the cost of the building, but that being said, the Commission  
109 was concerned with the consistency with other developments in Florissant that were required to abide  
110 by the masonry code.

111 Phil Lum, Building Commissioner, provided the calculations of the non-masonry portion of the  
112 building.

113 Being no citizens who wished to speak, Councilman Henke moved to close P.H. #17-09-023,  
114 seconded by Jones. Motion carried.

115 Councilman Schildroth moved that Bill No. 9308 An Ordinance authorizing an amendment to  
116 Special Permit No. 3472 to allow for an addition of a UPS business for the property located at 1545 S.  
117 New Florissant Road be read for a second time, seconded by Siam. Motion carried and Bill No. 9308  
118 was read for a second time. Councilman Schildroth moved that Bill No. 9308 be read for a third time,  
119 seconded by Caputa. Motion carried and Bill No. 9308 was read for a third and final time and placed  
120 upon its passage. Before the final vote all interested persons were given an opportunity to be heard.

121 Before the final vote all interested persons were given another opportunity to be heard. On roll  
122 call the Council voted: Lee yes, Jones yes, Eagan yes, Caputa yes, Schildroth yes, Henke yes, Pagano  
123 yes, Parson yes and Siam yes. Whereupon the Chair declared Bill No. 9308 to have passed and said  
124 Bill became Ordinance No. 8347.

125 Councilman Pagano moved that Bill No. 9309 An Ordinance authorizing an appropriation of  
126 \$900,000 from the General Revenue Fund to Acct. No. 4050 "Professional Services" to cover expenses

127 from a class action agreement be read for a second time, seconded by Caputa. Motion carried and Bill  
128 No. 9309 was read for a second time.

129 Mr. Hessel explained that the funds allocated in this bill resulted from a class action law suit  
130 involving the court fees of several municipalities and their lack of specific statutory authority. The City  
131 of Florissant was involved only in regards to the “warranty surcharge.” Mr. Hessel stated that this fee,  
132 implemented in Florissant in 1965, was a reasonable surcharge and was in no way an attempt to take  
133 advantage of anyone within the court process. After considerable discussion with judges, other  
134 municipalities and the city council, it was determined that the city would be financially better off  
135 settling this case rather than litigating it.

136 Councilwoman Pagano moved that Bill No. 9309 be read for a third time, seconded by Henke.  
137 Motion carried and Bill No. 9309 was read for a third and final time and placed upon its passage.

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

139 John Engelmeyer, 1281 Graham Rd., expressed his opinion regarding the lack of responsibility  
140 shown by the State Auditor’s Office in regards to this matter.

141 On roll call the Council voted: Lee yes, Jones yes, Eagan yes, Caputa yes, Schildroth yes,  
142 Henke yes, Pagano yes, Parson yes and Siam yes. Whereupon the Chair declared Bill No. 9309 to have  
143 passed and said Bill became Ordinance No. 8348.

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

145 Councilman Eagan moved to approve a request for a Beer & Wine by the Drink Liquor License  
146 for Happy Nails Sara 2, LLC d/b/a Happy Nails located at 360 N. Hwy 67, seconded by Lee. On roll  
147 call the Council voted: Lee yes, Jones yes, Eagan yes, Caputa no, Schildroth yes, Henke yes, Pagano  
148 yes, Parson yes and Siam yes. The Chair declared that the liquor license request was approved.

149 Councilman Eagan introduced Bill No. 9310 An Ordinance rezoning for Darin Tucker the  
150 property located at 22 Floweridge Lane from R-4 Single Family Dwelling District, to R-6 Multiple  
151 Family Dwelling District to allow for construction of a duplex and said Bill was read for the first time  
152 by title only.

153 Councilwoman Pagano introduced Bill No. 9311 An Ordinance amending Miscellaneous  
154 Revenue Acct. No. 03-40330 in the amount of \$12,396.50 and appropriate \$29,000 from the General  
155 Revenue Fund to Acct. No. 03-6149 “Capital Additions” for the replacement of a totaled police  
156 vehicle and said Bill was read for the first time. Councilmen Schildroth moved that Bill No. 9311 be  
157 read for a second time, seconded by Pagano. Motion carried and Bill No. 9311 was read for a second

158 time. Councilman Schildroth moved that Bill No. 9311 be read for a third time, seconded by Pagano.  
159 On roll call the Council voted: Lee yes, Jones yes, Eagan yes, Caputa yes, Schildroth yes, Henke yes,  
160 Pagano yes, Parson yes and Siam yes. Having received the unanimous vote of all members present  
161 Bill No. 9311 was read for a third and final time and placed upon its passage.

162 Before the final vote all interested persons were given an opportunity to be heard. On roll  
163 call the Council voted: Lee yes, Jones yes, Eagan yes, Caputa yes, Schildroth yes, Henke yes, Pagano  
164 yes, Parson yes and Siam yes. Whereupon the Chair declared Bill No. 9311 to have passed and said  
165 Bill became Ordinance No. 8349.

166 Councilwoman Pagano introduced Bill No. 9312 An Ordinance transferring \$3,500 from Acct.  
167 No. 01-5-06-27000 "Gasoline-Golf" to Acct. No. 01-5-06-3000 "Golf Course Equipment Repairs" for  
168 unanticipated equipment repairs for the golf course and said Bill was read for the first time.  
169 Councilmen Lee moved that Bill No. 9312 be read for a second time, seconded by Schildroth. Motion  
170 carried and Bill No. 9312 was read for a second time. Councilman Lee moved that Bill No. 9312 be  
171 read for a third time, seconded by Schildroth. On roll call the Council voted: Lee yes, Jones yes,  
172 Eagan yes, Caputa yes, Schildroth yes, Henke yes, Pagano yes, Parson yes and Siam yes. Having  
173 received the unanimous vote of all members present Bill No. 9312 was read for a third and final time  
174 and placed upon its passage.

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

176 John Engelmeyer, 1281 Graham Rd., stated that he appreciated the fact that the explanation  
177 provided was thorough and he supported the bill.

178 On roll call the Council voted: Lee yes, Jones yes, Eagan yes, Caputa yes, Schildroth yes,  
179 Henke yes, Pagano yes, Parson yes and Siam yes. Whereupon the Chair declared Bill No. 9312 to  
180 have passed and said Bill became Ordinance No. 8350.

181 The next item on the Agenda was Council Announcements.

182 Councilman Schildroth informed the residents that the 20<sup>th</sup> Annual Fall Festival will be held on  
183 Sunday, October 8<sup>th</sup> in Old Town. The Knights of Columbus Annual Tootsie Roll collection will be  
184 held at several Florissant locations and he encouraged residents to be supportive.

185 Councilman Henke announced that the Old Town Partners "Wednesday Night Out" will be held  
186 at Hendl's this upcoming Wednesday evening.

187 Councilman Jones thanked the residents who called him with concerns regarding the city's  
188 upcoming budget. Also he encouraged residents to volunteer/donate to the T.E.A.M. Food Pantry.

189 Councilman Eagan reminded everyone of the upcoming Food Truck Night on Friday, October  
190 13<sup>th</sup> at the Knights of Columbus grounds. October 21<sup>st</sup> is the Race to the Shrine in Old Town.

191 Councilman Caputa stated October is Emergency Preparedness Month and he encouraged  
192 residents to go to St. Louis County's website regarding procedures to implement during times of  
193 disasters. Also, he encouraged residents to secure their firearms and not leave them in their vehicles.  
194 He added that there had been a very good turnout at the recent Neighborhood Watch Meeting.

195 Councilman Lee informed the residents about the upcoming combined ward meeting for Wards  
196 1, 3, and 4 to be held next Wednesday, October 11<sup>th</sup> at 7 p.m.

197 The next item on the Agenda was Mayor Announcements.

198 The Mayor stated that before the "Wednesday Night Out" festivities begin, there will be a  
199 plaque dedication on the Walk of History to Gretchen Crank, Historic Florissant Inc. president. On  
200 October 6<sup>th</sup>, KMOV TV, Great Day St. Louis, will be hosting their show from the front of City Hall.  
201 The Missouri Transportation Task Force will hold their next meeting at Meramec Jr. College at 1 pm.  
202 on Oct. 18<sup>th</sup>.

203 The next City Council Meeting was scheduled for Monday, October 9, 2017 at 7:30 pm.

204 Councilman Schildroth moved to adjourn the meeting, seconded by Henke. Motion carried.  
205 The meeting was adjourned at 9:00 p.m.

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Karen Goodwin, City Clerk

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211 The following Bills were signed by the Mayor:

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213 Bill No. 9308 Ord. 8347

214 Bill No. 9309 Ord. 8348

215 Bill No. 9311 Ord. 8349

216 Bill No. 9312 Ord. 8350

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