

CITY OF FLORISSANT



COUNCIL MINUTES

July 28, 2014

The Florissant City Council met in regular session at Florissant City Hall at 955 rue St. Francois on Monday, July 28, 2014 at 7:00 p.m. with Council President Joseph Eagan presiding. The Chair asked everyone in attendance to stand and join in the Pledge of Allegiance.

On Roll Call the following were present: Lee, Jones, Eagan, Caputa, Schildroth, Pagano, Schmidt and Hernandez. Councilman Henke was excused. 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 Hernandez moved to approve the Meeting Minutes of 7/14/2014, seconded by Schildroth. Motion carried.

The next item on the Agenda was *Hearings from Citizens*.

1. Rita Powers, 110 Seville Ct., stated that the construction at Wal-mart literally shakes her house/windows and the items in it. The noise is horrendous and they have been working in her back yard for weeks. She invited the Council to come to her home and see for themselves the disruption the construction causes. Jeff Otto told Ms. Powers that the steep, 30 foot drop off at the end of her street next to her house was the City's problem, not Wal-mart's. It is a serious safety concern and very dangerous, especially when driving at night. She is a longtime resident of Florissant and demanded that the City address her concerns.

The next item on the Agenda was *Communications*.

1. Letter dated July 18, 2014 from Charter Communications regarding the Franchise Report.
2. Email dated July 20, 2014 from Tom Price regarding the July 14th Council Meeting.

The next item on the agenda was *Public Hearings*.

The City Clerk reported that Public Hearing #14-07-018 to be held this night on a request to issue an amendment to B-5 Ordinance No. 6266 and No. 6380 to allow for

37 an adjustment to the site development plan and the parking count for the property
38 located at 3180 N. Highway 67 had been advertised in substantially the same form as
39 appears in the foregoing publication and by posting the property. The Chair declared the
40 Public Hearing to be open and invited those who wished to be heard to come forward.

41 Mark Doering, representative for Lowe's, appeared before the Council and stated
42 that, as a result of the City's modifying their parking ordinance and the construction of a
43 new Dollar Tree on the outlot, revisions to Lowe's site plan was necessary. Cross
44 access between Lowe's and the Dollar Tree was added to the site plan. At the rear of
45 Dollar Tree, they will be enlarging/adding a new island and removing eight parking
46 spaces. As a result of the parking code changes, parking was reduced from the original
47 774 spaces to 386. They will have plenty of parking.

48 Councilman Hernandez explained that this was a simple request and that the
49 Dollar Tree Store had been already approved. He hoped that this request could be
50 expedited.

51 The Chair asked if there were any other citizens who would like to speak on said
52 public hearing. Jeff Tacina, 4635 Whisper Lake, asked the petitioner to explain the
53 configuration of the parking lot at Dollar Tree. Being no other persons who wished to
54 speak, Councilwoman Pagano moved to close P.H. #14-07-018, seconded by Schmidt.
55 Motion carried.

56 The City Clerk reported that Public Hearing #14-07-019 to be held this night on
57 a request to authorize an amendment to Special Use Permit No. 4406 to Domino's Pizza
58 to allow for a carry-out, delivery and sit-down restaurant in a B-3 Zoning District for the
59 property located at 2500 N. Highway 67 had been advertised in substantially the same
60 form as appears in the foregoing publication and by posting the property. The Chair
61 declared the Public Hearing to be open and invited those who wished to be heard to
62 come forward.

63 Gary Bugaiski, petitioner, stated that Domino's have had a Florissant location for
64 over 30 years. The corporate office is now requiring all the existing restaurants to
65 renovate to reflect the new image. The restaurant will now be providing a few booths
66 and six seats. They would like to amend the special use permit to allow seating. Mr.
67 Bugaiski explained that the Planning & Zoning Commission requested that they enclose

68 their dumpster and conform to the revised parking requirements to which Domino's
69 agreed. They planned on updating the inside of the store as well, but no structural
70 changes will occur. Their hours of operation will remain the same: 10 a.m. until 10
71 p.m. Councilman Hernandez stated that since the changes were minor, he would be
72 requesting three readings of the bill.

73 The Chair asked if there were any citizens who would like to speak on said
74 public hearing. Being no persons who wished to speak, Councilman Caputa moved to
75 close P.H. #14-07-019, seconded by Lee. Motion carried.

76 Councilman Jones moved that Bill No. 9013 An Ordinance authorizing a Special
77 Use Permit to Total Tan, Inc. d/b/a Club Fitness to allow for the operation of a fitness
78 center for the property located at 745 N. Highway 67 be read for a second time,
79 seconded by Schildroth. Motion carried and Bill No. 9013 was read for a second time.
80 Councilman Jones moved that Bill No. 9013 be read for a third time, seconded by
81 Eagan. Motion carried and Bill No. 9013 was read for a third and final time and placed
82 upon its passage.

83 Before the final vote all interested persons were given an opportunity to be
84 heard. On roll call the Council voted: Lee yes, Jones yes, Eagan yes, Caputa yes,
85 Schildroth yes, Henke absent, Pagano yes, Schmidt yes and Hernandez yes. Whereupon
86 the Chair declared Bill No. 9013 to have passed and said Bill became Ordinance No.
87 8063.

88 The next item on the agenda was *Board Appointments.*

89 Councilman Lee moved to appoint Rev. Robinson, 1105 Derhake Rd., to the
90 Parks & Recreation Advisory Board as a member from Ward 7 for a term expiring
91 7/28/2017, seconded by Jones. Motion carried.

92 Councilman Eagan moved to accept the Mayor's appointment of Jerry
93 Whitehead, 1045 St. Brendan, to the Traffic Commission as a member from Ward 5 for
94 a term expiring 7/28/2018, seconded by Schmidt. Motion carried.

95 Councilman Jones moved to accept the Mayor's appointment of Carole
96 Eddleman, 25 Eldorado, to the Environmental Quality Commission as a member from
97 Ward 2 for a term expiring 7/28/2017, seconded by Caputa. Motion carried.

99

100 Councilman Hernandez introduced Bill No. 9016 An Ordinance amending B-5
101 Ordinance No. 6266, as amended by Ordinance No. 6380, to allow for an adjustment to
102 the site development plan and the parking count for the property located at 3180 N.
103 Hwy. 67 and said bill was read for the first time. Councilman Hernandez moved that
104 Bill No. 9016 be read for a second time, seconded by Lee. Motion carried and Bill No.
105 9016 was read for a second time. Councilman Hernandez moved that Bill No. 9016 be
106 read for a third time, seconded by Pagano. On roll call the Council voted: Lee yes,
107 Jones yes, Eagan yes, Caputa yes, Schildroth yes, Henke absent, Pagano yes, Schmidt
108 yes and Hernandez yes. Having received the unanimous vote of all members present
109 Bill No. 9016 was read for the third and final time and placed upon its passage.

110 Before the final vote all interested persons were given an opportunity to be
111 heard. On roll call the Council voted: Lee yes, Jones yes, Eagan yes, Caputa yes,
112 Schildroth yes, Henke absent, Pagano yes, Schmidt yes and Hernandez yes. Whereupon
113 the Chair declared Bill No. 9016 to have passed and said Bill became Ordinance No.
114 8064.

115 Councilman Hernandez introduced Bill No. 9017 An Ordinance authorizing an
116 amendment to Special Use Permit No. 4406 granted to MBR Management Corp d/b/a
117 Domino's Pizza for the operation of a restaurant located at 2500 N. Hwy. 67 to allow
118 for a carry-out, delivery and sit-down restaurant and said bill was read for the first time.
119 Councilman Hernandez moved that Bill No. 9017 be read for a second time, seconded
120 by Jones. Motion carried and Bill No. 9017 was read for a second time. Councilman
121 Hernandez moved that Bill No. 9017 be read for a third time, seconded by Eagan. On
122 roll call the Council voted: Lee yes, Jones yes, Eagan yes, Caputa yes, Schildroth yes,
123 Henke absent, Pagano yes, Schmidt yes and Hernandez yes. Having received the
124 unanimous vote of all members present Bill No. 9017 was read for the third and final
125 time and placed upon its passage.

126 Before the final vote all interested persons were given an opportunity to be
127 heard. On roll call the Council voted: Lee yes, Jones yes, Eagan yes, Caputa yes,
128 Schildroth yes, Henke absent, Pagano yes, Schmidt yes and Hernandez yes. Whereupon

the Chair declared Bill No. 9017 to have passed and said Bill became Ordinance No. 8065.

Councilman Schildroth introduced Bill No. 9018 An Ordinance authorizing the naming of Pavilion #1 at Bangert Park the “Robert and Bette McLaughlin” Pavilion and said bill was read for the first time. Councilman Schildroth moved that Bill No. 9018 be read for a second time, seconded by Schmidt. Motion carried and Bill No. 9018 was read for a second time. Councilman Schildroth explained that Bette McLaughlin was the first woman elected to the Council. She and her husband, also a Councilmember, served the City for many years. Councilman Schildroth moved that Bill No. 9018 be read for a third time, seconded by Caputa. On roll call the Council voted: Lee yes, Jones yes, Eagan yes, Caputa yes, Schildroth yes, Henke absent, Pagano yes, Schmidt yes and Hernandez yes. Having received the unanimous vote of all members present Bill No. 9018 was read for the third and final time and placed upon its passage.

Before the final vote all interested persons were given an opportunity to be heard. Jeff Tacina, 4635 Whisper Lake, questioned the reason for naming a pavilion after anyone. On roll call the Council voted: Lee yes, Jones yes, Eagan yes, Caputa yes, Schildroth yes, Henke absent, Pagano yes, Schmidt yes and Hernandez yes. Whereupon the Chair declared Bill No. 9018 to have passed and said Bill became Ordinance No. 8066.

Councilman Lee introduced Bill No. 9019 An Ordinance authorizing an appropriation of \$10,000 from the General Revenue Fund to Budget Acct. No. 4050 “Professional Services” for the purpose of funding an outside independent salary survey of all positions within the City of Florissant and said bill was read for the first time. Councilman Lee moved that Bill No. 9019 be read for a second time for the purpose of discussion, seconded by Hernandez. Councilman Lee moved to postpone Bill No. 9019 to 8/25/2014 in order for the bill to be discussed at the next work session, seconded by Hernandez. Motion carried.

Councilman Lee introduced Bill No. 9020 An Ordinance amending Chapter 600, Article X “Utility License Tax” of the Florissant City Code Sections 605.327 “Gas Companies, Electric Companies, and Water Company” and 605.330 “Telephone and

160 Telecommunication Companies” by re-establishing the residential utility tax rate to 5%
161 in the City of Florissant and said bill was read for the first time. Councilman Lee
162 moved that Bill No. 9020 be read for a second time for the purpose of discussion,
163 seconded by Hernandez. Councilman Lee moved to postpone Bill No. 9020 to
164 8/25/2014 in order for the bill to be discussed at the next work session, seconded by
165 Hernandez. Motion carried.

166 Councilman Eagan introduced Bill No. 9021 An Ordinance amending the
167 General Fund Budget to reflect \$37,500 from the Asset Forfeiture Funds in Escrow to
168 Forfeiture Revenue Acct. 01-4-34511 and to the Forfeiture Expenditure Acct. 01-5-
169 4961000 for the purchase of supplies and equipment for the Police Department and said
170 bill was read for the first time. Councilman Eagan moved that Bill No. 9021 be read
171 for a second time, seconded by Jones. Motion carried and Bill No. 9021 was read for a
172 second time. Councilman Schildroth moved that Bill No. 9021 be read for a third
173 time, seconded by Pagano. On roll call the Council voted: Lee yes, Jones yes, Eagan
174 yes, Caputa yes, Schildroth yes, Henke absent, Pagano yes, Schmidt yes and Hernandez
175 yes. Having received the unanimous vote of all members present Bill No. 9021 was
176 read for the third and final time and placed upon its passage.

177 Before the final vote all interested persons were given an opportunity to be
178 heard. On roll call the Council voted: Lee yes, Jones yes, Eagan yes, Caputa yes,
179 Schildroth yes, Henke absent, Pagano yes, Schmidt yes and Hernandez yes.
180 Whereupon the Chair declared Bill No. 9021 to have passed and said Bill became
181 Ordinance No. 8067.

182 The next item on the Agenda was Council Announcements.

183 Councilman Caputa reminded all residents that next Tuesday, August 5th, was
184 election day and encouraged everyone to vote.

185 Councilman Eagan congratulated Cannoli’s Restaurant on celebrating their 20th
186 anniversary. The Florissant Police Welfare Association will be hosting a golf
187 tournament on 9/29 at the Florissant Golf Club.

188 The next item on the Agenda was Mayor Announcements.

Mayor Schneider stated the City County-CPC Championship, hosted by the City at St. Ferdinand Park, was very successful. Area Florissant teams won/placed in many of the games.

The Mayor and Johnny Londoff will be on KTRS to discuss Proposition S.

The Mayor declared August to be “Florissant City Council Appreciation Month.” Dave Reynolds and Don Bond will be honored in the month of August.

July 30th will be the next “Wednesday Night Out” in Old Town. The outdoor movie at the Shrine will be *Frozen*.

August 5th will be National Night Out in Florissant. Dog Days will be held on Aug 15 and 16th at Koch Aquatic Center.

The next City Council Meeting is scheduled for August 11.

Councilman Schmidt moved to adjourn the meeting, seconded by Hernandez. Motion carried. The meeting was adjourned at 7:41 p.m.

Karen Goodwin, City Clerk

The following Bills were signed by the Mayor:

Bill 9013	Ord. 8063
Bill 9016	Ord. 8064
Bill 9017	Ord. 8065
Bill 9018	Ord. 8066
Bill 9021	Ord. 8067