

# CITY OF FLORISSANT



## COUNCIL MINUTES

June 13, 2022

The Florissant City Council met in regular session at Florissant City Hall, 955 rue St. Francois on Monday, June 13, 2022 at 7:00 p.m. with Council President Eagan 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: Parson, Siam, Harris, Manganelli, Eagan, Caputa, Schildroth, Mulcahy, and Pagano. Also present was Mayor Timothy Lowery, City Clerk Karen Goodwin, and City Attorney John Hessel. A quorum being present the Chair stated that the Council Meeting was in session for the transaction of business.

Councilman Manganelli moved to approve City Council Minutes of May 23, 2022, seconded by Harris. Motion carried.

The next item on the Agenda was *Special Presentations*.

A Resolution of the House of Representatives was presented to City Attorney John Hessel which noted his receipt of the 2022 ICON award for his exemplary career within the St. Louis region. John Hessel thanked everyone for the privilege and for the recognition of what he has done and noted his honor for representing his hometown for many years.

The next item on the Agenda was *Hearing from Citizens* of which there were none.

The Chair stated that the next item on the agenda was *Second Readings*.

Councilman Eagan moved that Bill No. 9782 an Ordinance to approve a B-5 "Planned Commercial District" located at 540 Howdershell Lot "B" to allow for a car sales office for CarGroup Holdings, LLC be read for a second time, seconded by Pagano. Motion carried and Bill No. 9782 was read for a second time.

Councilman Eagan moved that Bill No. 9782 be read for a third time, seconded by Schildroth. Motion carried and Bill No. 9782 was read for a third time and placed upon its passage. Before the final vote all interested persons were given an opportunity to be heard.

Being no persons who wished to speak, on roll call the Council voted: Parson yes, Siam yes, Harris yes, Manganelli yes, Eagan yes, Caputa yes, Schildroth yes, Mulcahy yes, and Pagano yes.

Whereupon the Chair declared Bill No. 9782 to have passed and become Ordinance No. 8793.

Councilman Siam moved that Bill No. 9783 an Ordinance to amend B-5 Ordinance No. 6669 to add “Equipment Rental, Home, and General” as a permitted use located at 13939 New Halls Ferry Road, be read for the second time, seconded by Harris. Motion carried and Bill No. 9783 was read for a second time.

Councilman Siam moved that Bill No. 9783 be read for a third time, seconded by Mulcahy. Motion carried and Bill No. 9783 was read for a third time and placed upon its passage. Before the final vote all interested persons were given an opportunity to be heard.

Being no persons who wished to speak, on roll call the Council voted: Parson yes, Siam yes, Harris yes, Manganelli yes, Eagan yes, Caputa yes, Schildroth yes, Mulcahy yes, and Pagano yes.

Whereupon the Chair declared Bill No. 9783 to have passed and become Ordinance No. 8794.

Councilman Schildroth moved to accept Substitute Bill No. 9784, seconded by Parson. Motion carried.

Councilman Schildroth moved that Bill No. 9784 an Ordinance to approve a Special Use Permit to allow for a Wine Bar in a HB “Historic Business District” located at 150 Washington, be read for the second time, seconded by Siam.

Councilman Schildroth noted the concerns of residents were taken into consideration for the Substitute Bill. Motion carried and Bill No. 9784 was read for a second time.

Councilman Schildroth moved that Bill No. 9784 be read for a third time, seconded by Manganelli. Motion carried and Bill No. 9784 was read for a third time and placed upon its passage. Before the final vote all interested persons were given an opportunity to be heard.

Being no persons who wished to speak, on roll call the Council voted: Parson yes, Siam yes, Harris yes, Manganelli yes, Eagan yes, Caputa yes, Schildroth yes, Mulcahy yes, and Pagano yes.

Whereupon the Chair declared Bill No. 9784 to have passed and become Ordinance No. 8795.

Councilman Harris moved that Bill No. 9788 an Ordinance to amend Title III “Traffic Code” Schedule III “Stop Intersections”, Table IIIA “One Way Stops” by adding Bobolink at Flamingo and Chickadee at Flamingo, be read for the second time, seconded by Caputa. Motion carried and Bill No. 9788 was read for a second time.

Councilman Harris moved that Bill No. 9788 be read for a third time, seconded by Mulcahy. Motion carried and Bill No. 9788 was read for a third time and placed upon its passage. Before the final vote all interested persons were given an opportunity to be heard.

Being no persons who wished to speak, on roll call the Council voted: Parson yes, Siam yes, Harris yes, Manganelli yes, Eagan yes, Caputa yes, Schildroth yes, Mulcahy yes, and Pagano yes.

Whereupon the Chair declared Bill No. 9788 to have passed and become Ordinance No. 8796.

64 Councilman Harris moved that Bill No. 9789 an Ordinance to amend Title III “Traffic Code”  
65 Schedule III “Stop Intersections”, Table IIIB “Two Way Stops” by adding Swan at Flamingo, be read for  
66 the second time, seconded by Eagan. Motion carried and Bill No. 9789 was read for a second time.

67 Councilman Harris moved that Bill No. 9789 be read for a third time, seconded by Caputa. Motion  
68 carried and Bill No. 9789 was read for a third time and placed upon its passage. Before the final vote all  
69 interested persons were given an opportunity to be heard.

70 Being no persons who wished to speak, on roll call the Council voted: Parson yes, Siam yes,  
71 Harris yes, Manganelli yes, Eagan yes, Caputa yes, Schildroth yes, Mulcahy yes, and Pagano yes.

72 Whereupon the Chair declared Bill No. 9789 to have passed and become Ordinance No. 8797.

73 The Chair stated that the next item on the agenda was *Board Appointments*.

74 Councilwoman Pagano made a motion to accept the mayor’s appointment of John Jaworski,  
75 13651 New Halls Ferry, to the Veteran’s Commission as a member from Ward 9 with a term expiring on  
76 6/13/2025. Seconded by Schildroth, motion carried.

77 Councilman Schildroth made a motion to accept the mayor’s appointment of Brandon Brookfield,  
78 155 Brower Court, to the Youth Advisory Commission as a member from Ward 5 with a term expiring  
79 on 6/13/2025. Seconded by Caputa, motion carried.

80 The Chair stated that the next item on the agenda was *Requests*.

81 Councilman Manganelli moved to refer the Request to transfer Special Use Permit no. 5580 from  
82 Delor Distributing, Inc d/b/a Cannoli’s Sicilian Cuisine to 2.0 Restaurant for the location and operation  
83 of a restaurant located at 462 N. Highway 67 to the Planning and Zoning Commission for  
84 recommendation, seconded by Pagano.

85 Councilman Mulcahy asked for clarification from council regarding the Special Use permit. City  
86 Attorney Hessel noted the original Special Use permit was granted for a sit-down, carry-out restaurant  
87 and not for a comedy show or any additional shows which results in the applicant needing to take the  
88 Special Use Request to the Planning and Zoning Commission. Motion carried.

89 Councilman Parson moved accept the Request to approve a Full Liquor by the Drink license for  
90 Plush Lounge for a restaurant/bar located at 12667 New Halls Ferry Road, seconded by Pagano.

91 Councilman Parson made a motion to suspend the rules to speak with the petitioner, seconded by  
92 Pagano. Motion carried.

93 Councilman Parson noted an incident on Memorial Day weekend which has influenced decision  
94 for him to not support a liquor license at this restaurant. Prince Koroma clarified the event was  
95 unfortunate and he did not play a part in the patron who was walking by and came by while intoxicated  
96 and uninvited. Councilwoman Pagano noted her agreement with Councilman Parson, she asked why the

97 bouncer felt the need to search family and friends. Mr. Koroma clarified this was a friend who would  
98 lock the door and open it for any friends or family who were over the age of 21 to come in. He noted this  
99 was not a soft opening, but just friends and family who were in town and hoping to have the restaurant  
100 open for them to visit. Councilwoman Pagano questioned why a restaurant/bar would need two officers  
101 at the door while other restaurant/bars in the area do not have officers. Mr. Koroma noted he has done  
102 research and witnessed many incidents and fights break out at restaurants/bars in the area and he wants  
103 to have police presence in the parking lot as a preventative measure. Chief Fagan, Police Chief, stated  
104 about 60 to 70 people who were presented and the person who was assaulted noted there were likely  
105 closer to 100 people present. Chief Fagan noted the man who is being claimed to have wandered by was  
106 formally invited to the event when the assault occurred. He stated there was alcohol inside the building  
107 without the liquor license being issued. Chief Fagan noted property damage occurred to businesses  
108 around Plush Lounge in addition to the assault. City Attorney Hessel stated the request to not allow  
109 alcohol would be an amendment to the Special Use Permit and noted two issues. One issue the transfer  
110 of the Special Use which allowed Jay's Lounge to be run as a restaurant and bar, not a nightclub, which  
111 would require him to go back to the Planning and Zoning Commission, and whether or not he complies  
112 with the current Special Use Permit. The second issue which the granting or denial of the liquor license,  
113 this would allow him to operate a restaurant without the bar portion and serving alcohol. Mr. Hessel noted  
114 the City Council needs to address problems when they arrive rather than waiting to address them later.  
115 Councilman Eagan stated he has accepted everything that was said from the beginning. He stated the  
116 establishment was labelled for hookah with his social media reflecting the same information and  
117 contradicted his initial requests to the council. Councilman Eagan noted in a visit to the establishment,  
118 he witnessed cocktail tables in front of a DJ booth, which does not depict a restaurant and noted the  
119 flooring around the area looks more like a dance floor in a nightclub. A VIP area is sectioned off in the  
120 building with a sofa type seating area and high-top tables around the restaurant and look more like bar  
121 area seating. He noted the social media still has not changed as well as hours of operation not reflecting  
122 a sports bar. He stated the reservation system, VIP system, and memberships could be used for better and  
123 more premiere seating which is another trait of a nightclub. Councilman Eagan noted the soft opening  
124 ended in a patron being left drunk and assaulted on the side of the road. It was an understanding that a  
125 state-of-the-art video system was supposed to be installed and did not capture the event which unfolded  
126 at the establishment. He stated Mr. Koroma claimed no responsibility in the incident, however, he  
127 violated city ordinances by not notifying the police of the assault. Councilman Parson clarified the initial  
128 beginning request was for a restaurant and bar, but if the liquor license is not approved, he can still open  
129 his establishment as a restaurant without alcohol. Mr. Koroma noted the reason it looks like a nightclub

is because it is a modern style of restaurant to allow for easy transitions between different types of events like corporate parties and special events.

On roll call the Council voted: Parson no, Siam no, Harris no, Manganelli no, Eagan no, Caputa no, Schildroth no, Mulcahy no, and Pagano no. Motion failed.

Councilman Siam moved to accept the Request to transfer Special Use Permit no. 8603 from Shade Partners, LLC to Shade Restaurant & Bar, LLC for the location of a restaurant and bar located at 1752-1756 N. New Florissant Road, seconded by Pagano.

Councilman Manganelli moved to suspend the rules to speak with the petitioner, seconded by Caputa. Motion carried.

Lisa West, petitioner, noted the business will be a barbeque restaurant exactly how they requested it on the previous Special Use Permit. City Attorney Hessel noted the Special use permit would have to be followed in the transfer and have had discussion of cameras inside and outside the restaurant, no shading of windows, and staff would potentially have more requests based on each special use transfer. He mentioned the petitioner may be asked to relocate the smoker and provide cover of the smoker and smoker enclosure. Ms. West noted the shading on the windows is being removed and her intentions are the eventually come back and change the restaurant to a brunch location with a full kitchen. She stated she wants to get in and continue as a barbeque restaurant to start before having a new request for a brunch restaurant. Ms. West stated she would open at 11am to 10pm Tuesday to Saturday, shorter hours on Sunday, and closed on Monday. Councilman Siam clarified the smoker would be screened in per the ordinance. Ms. West noted she has had employees from Shade Restaurant who were interested in continuing employment, but she noted her high standards may not allow for previous employees to stay with the business. She also mentioned an application for liquor license will be applied for. Ms. West stated she worked with a business for 20 years in which she made sure businesses were complying with State and Local Liquor Laws as well as working with local grocery stores for liquor tastings.

The Chair stated that the next item on the agenda was *Bills for First Reading*.

Councilman Mulcahy introduced Bill No. 9791 an Ordinance vacating a portion of Brown Street at St. Joseph (a paper street) was read for the first time.

The Council as a whole introduced Bill No. 9792 an Ordinance authorizing an appropriation of \$17,500 from the Park Improvement Fund to account no. 09-5-09-50040 "Aquatic Center Prop A" to cover educational materials was read for the first time.

Councilman Eagan moved that Bill No. 9792 be read for a second time, seconded by Schildroth. Motion carried and Bill No. 9792 was read for a second time.

Councilman Caputa moved that Bill No. 9792 be read for a third time, seconded by Pagano. On roll call the Council voted: Parson yes, Siam yes, Harris yes, Manganelli yes, Eagan yes, Caputa yes, Schildroth yes, Mulcahy yes, and Pagano yes. Having received a unanimous vote of all members present Bill No. 9785 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.

Being no persons who wished to speak, on roll call the Council voted: Parson yes, Siam yes, Harris yes, Manganelli yes, Eagan yes, Caputa yes, Schildroth yes, Mulcahy yes, and Pagano yes.

Whereupon the Chair declared Bill No. 9792 to have passed and become Ordinance No. 8798.

The next item on the Agenda was *Council Announcements*.

Councilman Manganelli thanked all who came out to the Ward 2 block party and encouraged everyone to connect with neighbors and have gatherings of their own. He noted the Italian Festival on October 1<sup>st</sup> is still in the planning stages. Finally, the next Florissant food truck night is Friday, June 17<sup>th</sup> from 4pm to 8pm at the Knights of Columbus grounds.

Councilman Schildroth congratulated John Hessel on his Resolution from the House of Representatives and the residents near Graham Road and Lowery Estates for their patience during a power outage in the area.

Councilman Caputa reminded residents to lock their firearms in their homes, not their vehicles, to turn on their porch lights, and join their Neighborhood Watch.

Councilman Eagan reminded residents to watch out for their neighbors and pets during the next few days in the heat.

The next item was *Mayor Announcements*.

Mayor Lowery noted a plaque dedication would be taking place for Robert and Mark Thielman, on Wednesday, June 22<sup>nd</sup> on rue St. Francois beginning at 5:30pm. He noted the Mayor's for Meals event would be taking place from June 20<sup>th</sup> to the 24<sup>th</sup> with six locations for drop off. Mayor Lowery noted the Hispanic Festival would be taking place on Saturday, June 25<sup>th</sup> from 10am to 10pm and Sunday, June 26<sup>th</sup> from 11pm to 9pm at the Knights of Columbus Grounds. He stated the 4<sup>th</sup> of July celebration would be taking place at the James J. Eagan Center with a band beginning at 7:15pm and fireworks at 9:15pm.

The Council President stated the next regular City Council Meeting will be Monday, June 27, 2022 at 7:00 pm.

Councilman Siam moved to adjourn the meeting, seconded by Caputa. Motion carried. The meeting was adjourned at 8:09 p.m.

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199 The following Bills were signed by the Mayor:

200	Bill No. 9782	Ord. No. 8793
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201	Bill No. 9783	Ord. No. 8794
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202	Bill No. 9784	Ord. No. 8795
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203	Bill No. 9788	Ord. No. 8796
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204	Bill No. 9789	Ord. No. 8797
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205	Bill No. 9792	Ord. No. 8798
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Karen Goodwin, MPPA/MMC/MRCC  
City Clerk