

CITY OF FLORISSANT



COUNCIL MINUTES

September 26, 2022

The Florissant City Council met in regular session at Florissant City Hall, 955 rue St. Francois on Monday, September 26, 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: Eagan, Caputa, Schildroth, Mulcahy, Pagano, Parson, Siam, Harris, and Manganelli. 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 Harris moved to approve City Council Minutes of September 26, 2022, seconded by Manganelli. Motion carried.

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

Robert Johns, stated the streets of Florissant are becoming dangerous because of speeding along side streets like Shackleford, Lindsey Ln, and Charbonier. He noted concerns with dangerous drivers and expired temporary tags.

Danny Flowers, stated he was returning to speak again on towing services in the City of Florissant. He noted he reached out to the Missouri Attorney General's Office regarding the concerns with Bolin Towing not keeping records of his vehicle being towed. Mr. Flowers asked the City of Florissant to look into the issues with the business.

The Chair stated that the next item on the agenda was *Public Hearings*.

The City Clerk reported that Public Hearing 22-09-022 for the Request to amend Special Use Permit 8751 to allow for an outdoor cooking area for Kingston 10 located at 1157-1159 N. Highway 67. The Chair declared the Public Hearing open.

Dean Treston, owner, noted he is wanting to add an outdoor cooking area due to the overwhelming demand for his food. Councilman Mulcahy noted concerns with requests for the fence and rear door remaining closed with the business location. He continued with concerns in the back of the building with the residence in the rear. Mr. Treston noted he did have an incident where he needed to cook outside and the business is 100ft away from the residential fence with cooking under this request beginning at 8am and completing at 4pm. He stated there would be a 6ft fence protecting the smoker to prevent the public

32 from touching it. Councilman Eagan reminded Mr. Treston of a conversation from the previous public
33 hearing which discussed dance hall permits, cover charges, and special events. He noted a flyer found
34 online of a cover charge for tables at Kingston 10. Mr. Treston stated he hired a marketing team which
35 put together the flyer, once he was notified by Phil Lum he had the flyer removed. He noted he is a
36 restaurant before anything else. Councilman Eagan stated the restaurant had equipment in the back for
37 cooking and much concern was brought up because of the residential properties in the back. Mr. Treston
38 stated a new lunch special and the grill was used to make the grill marks on the wraps. He noted St. Louis
39 County Health Department had not approved the grill in the back at this time. Mr. Treston stated he was
40 understanding the letter noted a charcoal grill could not be used in the back and the new grill was an
41 electric grill. Councilman Caputa noted he would prefer a privacy fence around the smoker. Mr. Treston
42 stated there is a privacy fence around the property and it is why the Planning and Zoning Commission
43 recommended a cyclone fence.

44 Being no further comments, Councilman Mulcahy moved to close the Public Hearing, seconded
45 by Schildroth. Motion carried.

46 The Chair stated the next item on the agenda was *Proclamations*.

47 Roberto's Italian Restaurant celebrated 60 years of business in Florissant. Councilman Eagan
48 thanked the Camenzind family for providing jobs and great food to his family over the years. Councilman
49 Harris thanked the family for being in Florissant, their dedication to the city, and for always helping with
50 events. The Camenzind family thanked the City Council and Mayor for the Proclamation and customers
51 for their continuous business and their employees.

52 The City Clerk reported that Public Hearing 22-09-023 for the Public Hearing to fix and establish
53 the tax rate of real property taxes as approved by the voters at the Special Bond Election on August 2,
54 2022. The Chair declared the Public Hearing open.

55 Ed Kuper, Assistant Finance Director, noted Proposition A was passed with 61% of the vote. He
56 stated this is the fix and establish the tax rate for the bond issue. Mr. Kuper continued it is a 20-year term
57 general obligation bond for the purpose of funding major new improvements and renovations of the
58 aquatic facilities totaling approximately \$10 million. He noted the tax will be on real, personal, and other
59 tangible property in the City of Florissant. He concluded the proposed rate is \$0.12 per \$100 of valuation.

60 Being no further comments, Councilman Eagan moved to close the Public Hearing, seconded by
61 Mulcahy. Motion carried.

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

63 Councilman Siam moved that Bill No. 9793 an Ordinance authorizing a transfer of Special Use
64 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 be read for the second time, seconded by Eagan. Before the vote, all interested persons were given an opportunity to speak.

Councilman Eagan verified with City Attorney Hessel that the full compliance would have to be met prior to the business license or occupancy permit is issued. Motion carried and Bill No. 9793 was read for a second time.

Councilman Siam moved that Bill No. 9793 be read for a third time, seconded by Eagan. Motion carried and Bill No. 9793 was ready for a third time and placed upon its passage. Before the final vote, all interested persons were given an opportunity to be heard.

Lisa West, petitioner, wanted clarification on the window tinting with the structure inside the business. Councilman Eagan noted the council received a memo from Building Commissioner, Phil Lum. Mr. Lum noted he believed all the tinting should be removed, however furnishing was placed inside the building without approval by the previous tenant which blocks the window from access. He stated the booths are not able to be moved easily and removal would cause structural changes to the building. Ms. West noted taking the tinting out in the areas in question would leave exposed wood and would not allow anyone to see inside the building. Mr. Hessel stated the administration can interpret the “no tinting” to mean allowing visual inside the building which would not be possible with the tinted windows in question due to the structures. Ms. West clarified the booths would need to be removed to have access to remove the remaining tinting on the windows then be replaced. Council members continued to express concern regarding safety of patrons due to tinting on the windows. Mr. Lum noted there wouldn’t be an issue had the previous owner not installed the booths and window tinting in the building.

On roll call the Council voted: Eagan yes, Caputa yes, Schildroth yes, Mulcahy yes, Pagano yes, Parson yes, Siam yes, Harris yes, and Manganelli yes.

Whereupon the Chair declared Bill No. 9793 to have been passed and become Ordinance No. 8824.

Councilman Mulcahy moved that Bill No. 9815 an Ordinance to authorize a Special Use Permit to Princeton Dew d/b/a 2.0 restaurant to allow for a sit-down, carry-out restaurant located at 462 N. Highway 67 be read for the second time, seconded by Schildroth. Motion carried and Bill No. 9815 was read for a second time.

Councilman Mulcahy moved that Bill No. 9815 be read for a third time, seconded by Pagano. Motion carried and Bill No. 9815 was ready 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: Eagan yes, Caputa yes, Schildroth yes, Mulcahy yes, Pagano yes, Parson yes, Siam yes, Harris yes, and Manganelli yes.

98 Whereupon the Chair declared Bill No. 9815 to have been passed and become Ordinance No.
99 8825.

100 Councilman Siam moved that Bill No. 9816 an Ordinance to authorize a Special Use Permit to
101 NGA International d/b/a African Naturals to allow for a carry-out restaurant located at 2715 N. Hwy 67
102 be read for the second time, seconded by Parson. Motion carried and Bill No. 9816 was read for a second
103 time.

104 Councilman Siam moved that Bill No. 9816 be read for a third time, seconded by Manganelli.
105 Motion carried and Bill No. 9816 was ready for a third time and placed upon its passage. Before the final
106 vote, all interested persons were given an opportunity to be heard.

107 On roll call the Council voted: Eagan yes, Caputa yes, Schildroth yes, Mulcahy yes, Pagano yes,
108 Parson yes, Siam yes, Harris yes, and Manganelli yes.

109 Whereupon the Chair declared Bill No. 9816 to have been passed and become Ordinance No.
110 8826.

111 The Chair stated the next item on the agenda was *Resolutions*.

112 The Council as a whole introduced Resolution 1044 “Resolution of support for a Land and Water
113 Conservation grant for relocation of a new restroom at Duchesne Park and expansion of the dog park
114 with amenities”. Councilman Schildroth made a motion for a second reading, seconded by Caputa.
115 Motion carried, Resolution 1044 was read for the second time. Councilman Schildroth made a motion
116 for a third reading, seconded by Pagano.

117 On roll call the Council voted: Eagan yes, Caputa yes, Schildroth yes, Mulcahy yes, Pagano yes,
118 Parson yes, Siam yes, Harris yes, and Manganelli yes. Motion carried, Resolution 1044 was read for the
119 third time. Before the final vote, all interested persons were given an opportunity to be heard.

120 Being no persons who wished to speak, on roll call the Council voted: Eagan yes, Caputa yes,
121 Schildroth yes, Mulcahy yes, Pagano yes, Parson yes, Siam yes, Harris yes, and Manganelli yes. Motion
122 carried, Resolution 1044 was passed.

123 The Council as a whole introduced Resolution 1045 “Resolution of the City of Florissant adopting
124 the 2020-2025 St. Louis Regional Hazard Mitigation Plan”. Councilman Caputa made a motion for a
125 second reading, seconded by Mulcahy. Motion carried, Resolution 1045 was read for the second time.
126 Councilman Caputa made a motion for a third reading, seconded by Siam.

127 On roll call the Council voted: Eagan yes, Caputa yes, Schildroth yes, Mulcahy yes, Pagano yes,
128 Parson yes, Siam yes, Harris yes, and Manganelli yes. Motion carried, Resolution 1045 was read for the
129 third time. 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: Eagan yes, Caputa yes, Schildroth yes, Mulcahy yes, Pagano yes, Parson yes, Siam yes, Harris yes, and Manganelli yes. Motion carried, Resolution 1045 was passed.

The Council as a whole introduced Resolution 1046 “Resolution authorizing the offering for sale of general obligation bonds of the City of Florissant, Missouri”. Councilman Eagan made a motion for a second reading, seconded by Manganelli. Motion carried, Resolution 1046 was read for the second time. Councilman Manganelli made a motion for a third reading, seconded by Siam.

On roll call the Council voted: Eagan yes, Caputa yes, Schildroth yes, Mulcahy yes, Pagano yes, Parson yes, Siam yes, Harris yes, and Manganelli yes. Motion carried, Resolution 1046 was read for the third time. 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: Eagan yes, Caputa yes, Schildroth yes, Mulcahy yes, Pagano yes, Parson yes, Siam yes, Harris yes, and Manganelli yes. Motion carried, Resolution 1046 was passed.

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

Councilman Siam moved to approve the Request for a Full Package Liquor license for Big Daddy’s Liquor and Convenience Inc. located at 2726 N. Lindbergh, seconded by Parson.

Councilman Manganelli noted this location is directly across the street from Cross Keys Middle School and wanted verification this was far enough away from the school. City Clerk Karen Goodwin verified this was checked by Public Works prior to the application being accepted.

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

Councilman Caputa moved to approve the Request for a Full Package Liquor license for United Mart Inc. d/b/a Convenience One located at 22 Patterson Plaza, seconded by Eagan. Motion carried.

Councilman Caputa noted this establishment has been in operation for almost 20 years in the city and the liquor license is being approved for the new owner of the business.

On roll call the Council voted: Eagan yes, Caputa yes, Schildroth yes, Mulcahy yes, Pagano yes, Parson yes, Siam yes, Harris yes, and Manganelli yes. Motion carried, liquor license was approved.

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

The Council as a whole introduced Bill No. 9820 an Ordinance fixing and establishing the rate of taxation to be levied upon all real estate and tangible personal property in the city of Florissant, county of St. Louis, State of Missouri, for the year 2022, for the payment of interest and principal on the General Obligation Bonds authorized by the voters at the Special Bond Election on August 2, 2022 was read for

the first time. Councilman Schildroth moved that Bill No. 9820 be read for a second time, seconded by Eagan. Motion carried and Bill No. 9820 was read for a second time.

Councilman Schildroth moved that Bill No. 9820 be read for a third time, seconded by Caputa. On roll call the Council voted: Eagan yes, Caputa yes, Schildroth yes, Mulcahy yes, Pagano yes, Parson yes, Siam yes, Harris yes, and Manganelli yes. Having received a unanimous vote of all members present Bill No. 9820 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.

Seeing none, on roll call the Council voted: Eagan yes, Caputa yes, Schildroth yes, Mulcahy yes, Pagano yes, Parson yes, Siam yes, Harris yes, and Manganelli yes.

Whereupon the Chair declared Bill No. 9820 to have passed and become Ordinance No. 8827.

The Council as a whole introduced Bill No. 9821 an Ordinance authorizing and directing the issuance, sale and delivery of General Obligation Bonds, Series 2022, of the City of Florissant, Missouri; prescribing the form and details of said bonds; providing for the levy and collection of an annual tax for the purpose of paying the principal of and interest on said bonds as they become due; and authorizing certain other documents and actions in connection therewith was read for the first time.

Councilman Eagan introduced Bill No. 9822 an Ordinance authorizing a transfer of \$20,000 from Budget Account No. 03-5-03-52000 "Street Contracts" to Budget Account No. 03-5-03-33000 "Materials and Supplies" for additional concrete slab replacement was read for the first time. Councilman Eagan moved that Bill No. 9821 be read for a second time, seconded by Parson. Motion carried and Bill No. 9821 was read for a second time.

Councilman Caputa moved that Bill No. 9821 be read for a third time, seconded by Schildroth. On roll call the Council voted: Eagan yes, Caputa yes, Schildroth yes, Mulcahy yes, Pagano yes, Parson yes, Siam yes, Harris yes, and Manganelli yes. Having received a unanimous vote of all members present Bill No. 9821 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.

Seeing none, on roll call the Council voted: Eagan yes, Caputa yes, Schildroth yes, Mulcahy yes, Pagano yes, Parson yes, Siam yes, Harris yes, and Manganelli yes.

Whereupon the Chair declared Bill No. 9821 to have passed and become Ordinance No. 8828.

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

Councilwoman Pagano offered condolences to the family of Mike Spring who served in the Missouri House of Representatives for 8 years and always had Florissant in his best interests.

Councilman Mulcahy announced an event on Saturday, October 1 to benefit the St. Ferdinand Shrine and Knights of Columbus at the Duschene Grounds. It will consist of a washers tournament put

195 on by Old Town Partners from 2pm to 4pm costing \$20 with registration at FlorissantOldTown.com. He
196 noted live music, food, and gift baskets would be available following the tournament to help raise funds
197 from 3pm to 10pm.

198 Councilman Manganelli noted on Friday, October 7 from 5pm to 8pm the final Florissant Food
199 Truck Knights would be held with food and live music. He wished his oldest daughter, Angela, a happy
200 25th birthday.

201 Councilman Caputa reminded residents to secure firearms in their home and not their vehicles.
202 He stated keeping porch lights on help to deter theft.

203 Councilman Eagan reminded residents of the final Wednesday Night Out at Hendel's with a
204 plaque dedication prior to the event at 5:30pm. He noted Councilman Caputa would be holding Council
205 Action on Tuesday, September 27th.

206 The Council President stated the next regular City Council Meeting will be Monday, October 10,
207 2022 at 7:00 pm.

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

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The following Bills were signed by the Mayor:

215	Bill No. 9793	Ord. No. 8824
216	Bill No. 9815	Ord. No. 8825
217	Bill No. 9816	Ord. No. 8826
218	Bill No. 9820	Ord. No. 8827
219	Bill No. 9822	Ord. No. 8828



Karen Goodwin, MPPA/MMC/MRCC
City Clerk