

CITY OF FLORISSANT



COUNCIL MINUTES

October 22, 2018

The Florissant City Council met in regular session at Florissant City Hall, 955 rue St. Francois on Monday, October 22, 2018 at 7:30 p.m. with Council President Caputa 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: Schildroth, Henke, Pagano, Parson, Siam, Harris, Jones, Eagan and Caputa. 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 Eagan moved to approve the Meeting and Executive Minutes of October 8, 2018, seconded by Harris. Motion carried.

The next item on the Agenda was a Proclamation honoring Boy Scout Troop 713 and Cub Scout Pack 797. The City Clerk read the proclamations in their entirety. Troop members expressed their gratitude for being honored by the City with the Proclamation.

The next item on the Agenda was a Certificate of Appreciation for Norman Currington. Police Chief Tim Lowery presented the certificate to Mr. Currington for his countless hours of volunteerism as a Neighborhood Watch liaison to the Police Department on behalf of the citizens of Florissant.

The next item on the Agenda was Hearing from Citizens.

Robert Smith, 2823 Chapel View Dr., had several questions regarding the budget:

- 1) Number of city employees?
- 2) How many employees are residents?
- 3) When will the September operating numbers be released?

The Mayor stated that the Finance Director would be able to provide the information.

The next item on the Agenda was Communications of which there were none.

33 The next item on the Agenda was Public Hearings.

34 The City Clerk reported that Public Hearing #18-08-027 to be held this night on a Request to
35 authorize an amendment to Special Use Permit No. 8223 to Grace & Mercy Adult Program II, LLC
36 d/b/a Grace and Mercy Adult Program to allow for the addition of an adult day care to a Banquet/Event
37 Center in a B-3 Zoning District for the property located at 11 Patterson Plaza Shopping Center had been
38 postponed to this date from October 8, 2018. The Chair declared the Public Hearing to be open and
39 invited those who wished to be heard to come forward.

40 Juanita and Mark Gullet, applicants, appeared before the Council.

41 Councilman Caputa stated that the Council had received a packet of information which included
42 a letter from Mr. Lum, Building Commissioner which stated that the plans submitted were not drawn
43 specifically. Mr. Gullet responded that the original plans submitted in May were professionally drawn.
44 He added that recently, the Council had asked for an “activity layout,” which is the one Mr. Caputa is
45 referring to, not the original professional one. Councilman Caputa did not feel like the room was set up
46 properly for an adult day care, especially the bathrooms. The noise from the event center was also a
47 concern that was affecting the neighbors.

48 Mr. Hessel stated that following the last council meeting, Mr. Gullet sent an email to him and
49 the city clerk on October 17th with attached documents requesting the removal of Sonja Dulick from the
50 request to authorize an amendment to the special use permit. A second document concerned the floor
51 plan, dated August 22, with a copy of a power point presentation. On October 17, Mr. Hessel
52 responded to Mr. Gullet in part by indicating that two different issues needed to be addressed.

53 First, the special use permit issued to Special Events/Banquet Center, of which Sonja Dulick is
54 the owner and was granted back in 2016. The Gulleys need to apply for a transfer of the special use
55 permit to put the special use permit in their name. Secondly, the City Council had concerns that two
56 separate uses could be compatible at the same location.

57 On the same day, Mr. Gullet responded that he would apply for a transfer of special use so that
58 he and his wife could continue with the event center until the previously scheduled events were
59 completed. Mr. Hessel read email correspondence between Mr. Lum and Mr. Gullet regarding
60 building plans which had been presented to Council and was part of the record. The only item before
61 the Council now is the application for an amendment to the special use permit to operate the adult day
62 program. As this goes forward the other issue is the transfer of the special use permit that was granted
63 in 2016 from Metropolitan Events over to Grace and Mercy.

64 Councilman Parson asked Mr. Hessel if the list he had asked the petitioner for at the last
65 meeting had been completed. Mr. Hessel responded that the only item missing was the transfer of
66 special use application which has to be completed at this time. In response to Councilman Parson's
67 question, Mr. Gullet stated that he had submitted a copy of the list of events scheduled up to December
68 31st, 2018 were in the packet of information sent to the Council. The end of the year coincides with the
69 end of the lease of the event center. Mr. Hessel stressed that the terms of a lease is between the
70 landlord and the leaser and is a separate issue. The City Council is only concerned with the transfer
71 of special use involving the *use* of the site. Once the transfer is completed, if anything issues at the
72 banquet center arise over the next few months, the Gulleys will be contacted and not Sandra Dulick.

73 Councilman Eagan noted that after having looked at the documents submitted, it looked like
74 Ms. Dulick had taken her name off of the Grace and Mercy lease. Ms. Dulick still owns the Special
75 Use Permit. Councilman Eagan asked the petitioners if, after 12/31/2018, it was their plan to book
76 events. Mr. and Mrs. Gullet responded no. Councilman Eagan stated that he does not want to operate
77 two businesses in the same facility. In regards to the adult day care, there are three restrooms. Mr.
78 Eagan wants to know how many employees and seniors will be using those facilities. Mr. Gullet
79 responded that they will comply with state regulations on the number of people who can use three
80 restrooms.

81 Councilman Jones stated that after viewing the facility, he felt the nurse's station should have a
82 sink. He questioned why Sonja Dulick never attended the council meetings since she was so involved
83 with this request. He too was concerned with resident complaints from people in the neighborhood.
84 Ms. Gullet stated that she had met with Chief Lowery and he gave her suggestions on what to do with
85 the remaining events based on the cities' ordinances. She has spoken to the remaining client bookings
86 and insisted that all music at the events must end at 11 pm. They are following Chief Lowery's
87 suggestions meticulously.

88 Councilman Henke asked for clarification and identification on the list of year end events. The
89 petitioners stated that after the end of the year, the business will be strictly an adult day care. No more
90 outside events will take place there.

91 Councilman Harris asked the petitioner what their objection was to applying for a transfer of
92 special use. Mr. Gullet responded that since they assumed the lease, they thought that took care of the
93 issue. The lease is not a transfer of special use. In response to Councilman Harris's question, Mr.
94 Gullet stated that Grace and Mercy is a "for profit" business.

95 Councilwoman Pagano asked who accepted the deposits from the people who have contracts
96 with the event center until the end of the year, Ms. Dulick or the petitioner. Ms. Gullet stated that Ms.
97 Dulick received the majority of the deposits and Ms. Gullet received some. In regards to the charity
98 events on the list, no money was exchanged. In response to Councilwoman Pagano's question, the
99 petitioner stated that their lease is on a month to month basis. No congregation will hold services in the
100 adult day care center. Councilwoman Pagano expressed concerns regarding the layout of the nurse
101 station, restroom and beds for patients in the adult day care.

102 Mr. Hessel explained that he will be presenting two ordinances to the City Council. One will be
103 for a transfer of special use permit from Metropolitan events to Grace and Mercy. This would amend
104 this Special Use for the banquet event center so that it would terminate as of Dec 31, 2018. Then a
105 second ordinance would be written which would amend the special use permit for this location
106 previously granted to Metropolitan events now transferred over to Mr. and Mrs. Gullet and that would
107 allow for an adult day care center. In regards to the Adult Day Care, the Council has the power to
108 impose additional stipulations, beyond what the state requires, in the final ordinance.

109 The Chair asked if there were any citizens who would like to speak on said public hearing.
110 Being no citizens who wished to speak, Councilman Henke moved to close P.H. #18-08-027, seconded
111 by Pagano. Motion carried.

112 The City Clerk reported that Public Hearing #18-10-031 to be held this night on a request to
113 authorize an amendment to Special Use Permit No. 8130, as amended, to allow for the expansion of an
114 auto repair and auto body shop d/b/a MAG Automotive for the property located at 8461 N. Lindbergh
115 had been advertised in substantially the same form as appears in the foregoing publication and by
116 posting the property. The Chair declared the Public Hearing to be open and invited those who wished
117 to be heard to come forward.

118 Mark Gillette, petitioner and franchisee, explained that his business needed more waiting room
119 area, and he would like to expand into where the vacated store used to be. They have permits issued to
120 start the construction if approved. After he takes down the adjoining wall, it will allow him space to
121 work on 12 more cars. He has consulted with Mr. Lum on safety ventilation requirements.

122 Councilman Eagan stated that Mr. Gillette has been a good neighbor and he has no problems
123 with the proposal. The operating hours are 8-5 and will not change. The Chair asked if there were any
124 citizens who would like to speak on said public hearing. Being no citizens who wished to speak,
125 Councilman Eagan moved to close P.H. #18-10-031, seconded by Caputa. Motion carried.

Councilman Caputa moved that Bill No. 9436 An Ordinance authorizing a transfer of \$10,000 from the Parks Utilities Acct. (5-47-26000) to the Bangert Utilities Acct. (5-46-26000) for the purpose of supplementing the Bangert Utilities Acct. for the remainder of the fiscal year be read for a second time, seconded by Henke. Motion carried and Bill No. 9436 was read for a second time. Councilman Henke moved that Bill No. 9436 be read for a third time, seconded by Jones. Motion carried and Bill No. 9436 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.

Robert Smith, 2823 Chapel View Dr., asked how it was determined that \$10,000 was needed for that account.

Councilman Eagan moved to suspend the rules in order to hear from the Parks Director, seconded by Henke. Motion carried. Cheryl Thompson, Interim Parks Director, stated that this amount was estimated based on last year's numbers. She would like to transfer the \$10,000 just to be on the safe side but added that it all might not be needed.

Being no other citizens who wished to speak, on roll call the Council voted: Schildroth yes, Henke yes, Pagano yes, Parson yes, Siam yes, Harris yes, Jones yes, Eagan yes and Caputa yes. Whereupon the Chair declared Bill No. 9436 to have passed and became Ordinance No. 8461.

Councilman Henke moved that Bill No. 9437 An Ordinance authorizing a transfer of \$20,000 from the Parks Utilities Acct. (5-47-26000) to the Civic Center Utilities Acct. (5-44-26000) for the purpose of supplementing the Civic Center Utilities Acct. for the remainder of the fiscal year be read for a second time, seconded by Pagano. Motion carried and Bill No. 9437 was read for a second time. Councilman Siam moved that Bill No. 9437 be read for a third time, seconded by Pagano. Motion carried and Bill No. 9437 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 citizens who wished to speak, on roll call the Council voted: Schildroth yes, Henke yes, Pagano yes, Parson yes, Siam yes, Harris yes, Jones yes, Eagan yes and Caputa yes. Whereupon the Chair declared Bill No. 9437 to have passed and became Ordinance No. 8462.

Councilman Henke moved to accept substitute Bill No. 9438 An Ordinance authorizing a transfer of Special Use Permit No. 7978 from Hertz Car Sales to Top Gear Auto LLC located at 1285 N Hwy 67 for the operation of a used auto sales and service business , seconded by Pagano, motion carried.

Councilman Henke moved that Substitute Bill No. 9438 be read for a second time, seconded by Caputa. Motion carried and Substitute Bill No. 9438 was read for a second time. Councilman Henke moved that Substitute Bill No. 9438 be read for a third time, seconded by Schildroth. Motion carried and Substitute Bill No. 9438 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 citizens who wished to speak, on roll call the Council voted: Schildroth yes, Henke yes, Pagano yes, Parson yes, Siam yes, Harris yes, Jones yes, Eagan yes and Caputa yes. Whereupon the Chair declared Substitute Bill No. 9438 to have passed and became Ordinance No. 8463.

Councilman Harris moved to accept the Mayor's appointment of Alaina Cribbett, 2232 Marrisa, to the Youth Advisory Commission as a youth member from Ward 1 with a term expiring 10/22/2021, seconded by Pagano. Motion carried.

Councilman Henke moved to appoint Dan Sullivan, 501 Clark, to the Board of Adjustment as an alternate member from Ward 6 for a term expiring on 10/22/2023, seconded by Caputa. Motion Carried.

Councilman Eagan moved to accept the application for a Transfer of Special Use Permit No. 4247 from Archway Pizza, Inc. d/b/a Domino's Pizza to SFP Enterprises, Inc. d/b/a Busloop Burgers for the operation of a carry-out restaurant located at 8442 N. Lindbergh, seconded by Siam. Motion carried.

Councilman Schildroth moved to suspend the rules to hear from the petitioner, Ms. Porter, seconded by Eagan. Motion carried. Ms. Porter stated that there is a Busloop Burger restaurant on St. Charles Rock Road and the restaurants are family owned. The Council welcomed Ms. Porter and her business to Florissant.

The next item on the agenda was bills for first reading.

Councilman Caputa introduced Bill No. 9439 An Ordinance authorizing an amendment to Special Use Permit No. 8130, as amended, to allow for the expansion of an auto repair and auto body shop d/b/a MAG Automotive located at 8461 N. Lindbergh and said Bill was read for the first time by title only.

Councilman Jones introduced Bill No. 9440 An Ordinance authorizing a transfer of Special Use Permit No. 4247 from Archway Pizza, Inc. d/b/a Domino's Pizza to SFP Enterprises Inc. d/b/a Busloop Burgers for the operation of a carry-out restaurant located at 8442 N. Lindbergh and said Bill was read for the first time. Councilman Eagan moved that Bill No. 9440 be read for a second time, seconded

by Schildroth. Motion carried and Bill No. 9440 was read for a second time. Councilman Eagan moved that Bill No. 9440 be read for a third time, seconded by Caputa. On roll call the Council voted: Schildroth yes, Henke yes, Pagano yes, Parson yes, Siam yes, Harris yes, Jones yes, Eagan yes and Caputa yes. Having received the unanimous vote of all members present Bill No. 9440 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: Schildroth yes, Henke yes, Pagano yes, Parson yes, Siam yes, Harris yes, Jones yes, Eagan yes and Caputa yes. Whereupon the Chair declared Bill No. 9440 to have passed and became Ordinance No. 8464.

The next item on the Agenda was Council Announcements.

Councilman Jones stated that the speed limit on Lindsay Lane has dropped from 30 to 25 miles per hour. He stated that TEAM always needed help and donations. There will be a considerable amount of street work being done around the city in the next few months. He stated that the trash issue is a non-stop problem in the city. Everyone needs to do their part.

Councilman Parson stated that Wards 8 & 9 will be holding a joint ward meeting on November 14 at the Eagan Center at 7 p.m. All are welcome. He reminded everyone of the “Florissant Five Program” which encourages residents to check on and get to know at least five of their neighbors.

Councilman Harris stated that the litter pick up that was held on Saturday, October 20th, along Mullanphy Rd. was successful. He thanked the Neighborhood Watch Program and Florissant Police Department for all their help. He also stated that he enjoyed the “Race to the Shrine” which was held over the weekend.

Councilwoman Pagano thanked Karen Goodwin and Old Town Partners for organizing another very successful Fall Festival this year. It was a wonderful event and well attended. She thanked Councilman Eagan for his efforts with the “Race to the Shrine” event. On November 1st, Wards 5 and & 7 will be hosting a ward meeting at the Justice Center at 7 pm.

Councilman Eagan thanked the city employees for their efforts with the “Race to the Shrine.”

Councilman Henke agreed that the city employees and Karen Goodwin do a spectacular job in their efforts implementing the Fall Festival.

Councilman Schildroth thanked Dan Sullivan for volunteering to serve on the Board of Adjustment. He thanked the Fall Festival and “Race to the Shrine” Committees for two wonderful events again this year. He reminded the residents not to leave their cars unattended during the

upcoming cold months. He congratulated former Councilwoman Geri Debi on receiving the historic preservation medal from the Daughters of American Revolution on November 3, at 2 pm at the Shrine School House.

Councilman Caputa announced that on Nov. 3rd Ward 4 Neighborhood Watch will hold a trash pick-up on Humes and Patterson Roads. Volunteers will meet at Walker Elementary at 9:45. He reminded firearm owners to keep firearms secured in their homes and not leave them in their vehicles. He reminded the residents not to leave their cars unattended during the upcoming cold months.

The next item on the Agenda was Mayor Announcements.

Mayor Schneider thanked North County Churches United for Racial Harmony and Justice for the Life Time Achievement Award that was awarded to him in a recent ceremony. Florissant will be hosting the Municipal League Meeting at the Justice Center on October 25th. Also on October 25th the seniors will be having their annual Halloween Party at the Eagan Center. Family Boo Bash will be held on Saturday October 27th at the Eagan Center and “Halloween Swim and Skate” on October 31.

Mayor Schneider recently uncovered some significant Florissant memorabilia. One was a plaque dedication for Dunegant Park listing the post World War II founding fathers of Florissant. They also found a new plaque that memorialized Harry Truman’s stopover in Florissant when he was running for the senate in 1934. Research indicates that the speech was given in Florissant at St. Francois and St. Pierre Streets. A street party is planned for outside Bunkers for the plaque dedication. The Veterans Parade is scheduled for November 11th.

The Council President announced that the next regular City Council Meeting was scheduled for Monday, November 12, 2018 at 7:30 pm. The next Budget Meeting was scheduled for October 23, 2018 at 6 pm in Council Chambers.

Councilman Schildroth moved to adjourn the meeting, seconded by Pagano. Motion carried. The meeting was adjourned at 9:26 p.m.

Karen Goodwin, City Clerk

The following Bills were signed by the Mayor:

Bill No. 9436 Ord. 8461

Bill No. 9437 Ord. 8462

Bill No. 9438 (Sub) Ord. 8463

250	Bill No. 9440	Ord. 8464
251		