



FLORISSANT CITY COUNCIL AGENDA

City Hall

955 rue St. Francois

Monday May 11, 2020

7:30 PM

Karen Goodwin, MMC/MRCC



Due to COVID-19 pandemic and by Order of the Governor of the State of the Missouri and by Order of the St. Louis County Executive, the Council meeting will be conducted remotely with the City Council, Mayor, City Attorney, City Clerk, staff and residents being allowed to attend through a Zoom platform. The meeting will also be available to watch via live streaming on Facebook.

The public will be allowed to speak during “Hearing from Citizens” by attending via the Zoom link and typing your name and address in the “Chat” tab prior to or during that portion of the meeting. The public is also invited to submit written comments via email to kgoodwin@florissantmo.com prior to 3 pm on Monday May 11th, 2020. Such public comments, provided they comply with the City’s guidelines found in section 110.090 of the Florissant City Code, will be read during the meeting and made a part of the official record of the meeting.

There are several Public Hearings scheduled during this meeting. The public is invited to provide comments on any Public Hearing in the following ways:

- Written comments sent prior to 3 pm on Monday May 11, 2020 to kgoodwin@florissantmo.com. Provided such comments comply with the City Code section 110.090, they will be read as a part of the public hearing for which the comment is addressed.
- Participate in the virtual meeting by offering comments when the public hearing is opened for that application. Participants will be prompted by the Council President after they submit their **name and address** in the “Chat” tab during that public hearing.

Residents are invited to attend the zoom meeting by the following methods:

As a matter of precaution, the Zoom meeting ID number and Password will be made available at Florissantmo.com, on the City of Florissant Facebook page at <https://www.facebook.com/Florissant.mo.us/>, and on the bulletin board in the Lobby at City hall, at 6pm on Monday May 11, 2020. If you need additional assistance please contact the City Clerk at kgoodwin@florissantmo.com.

Thank you for your patience and understanding regarding our meeting format change. It is extremely important that extra measures be taken to protect, employees, residents and elected officials during these challenging times.

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL OF MEMBERS

III. APPROVAL OF MINUTES

- Meeting minutes of the Council Meeting of April 27th, 2020
- Work session minutes of April 21, 2020
- Open/Closed Work session Minutes of April 21, 2020

IV. PROCLAMATION

- National Police Week

V. HEARING FROM CITIZENS

VI. COMMUNICATIONS

VII. PUBLIC HEARINGS

None		
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VIII. OLD BUSINESS

A. BILLS FOR SECOND READING

9601	Ordinance to amend B-5 Ordinance No. 6266 (as amended by Ordinance Nos. 6380, 8064, and 8224) to allow for additional 'Permitted Uses' in a B-5 Zoning District for the property located at 3180 N Highway 67.	2 nd Reading Siam
9602	Ordinance to authorize a Special Use Permit to Premier Auto Service, Inc. d/b/a Premier Auto Service to allow for an auto service and repair facility located at 1890 & 1990 N. Highway 67.	2 nd Reading Henke

IX. NEW BUSINESS

A. BOARD APPOINTMENTS

B. BILLS FOR FIRST READING

9603 Information	Ordinance of the City of Florissant, Missouri, authorizing and directing the submission of a ballot proposition to the qualified voters of the City of Florissant, Missouri, to consider imposing a local use tax at the same rate as the local sales tax of the City of Florissant, Missouri, for purchases from out-of-state vendors that exceed two thousand dollars.	Council as a Whole
9604	Ordinance amending section 340.105 "Regulation of Golf Carts, Low Speed Vehicles, and Motorized Play Vehicles" and Section 355.170 "Driving or Parking in Parks" to allow for the use of legal golf carts in city parks.	Eagan

X. COUNCIL ANNOUNCEMENTS

XI. MESSAGE FROM THE MAYOR

XII. ADJOURNMENT

THIS AGENDA WAS POSTED AT THE FLORISSANT CITY HALL AND ON THE CITY WEBSITE AT FLORISSANTMO.COM ON MAY 8TH, 2020 AT 12:00 PM ON THE BULLETIN IN THE LOBBY AT CITY HALL. ANY ONE WISHING TO ATTEND THE COUNCIL MEETING WHO HAS SPECIAL NEEDS SHOULD CONTACT THE CITY CLERK BY NOON ON MONDAY, MAY 11, 2020.

CITY OF FLORISSANT



COUNCIL MINUTES

April 27, 2020

Due to the Coronavirus (COVID-19) Pandemic, the Florissant City Council met in a virtual meeting through a Zoom platform on Monday, April 27, 2020 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: Eagan, Caputa, Henke, Pagano, Parson, Siam, Harris and Manganelli. Councilman Schildroth (technical difficulties). 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.

Mr. Hessel noted for the record that Councilman Schildroth joined the meeting at 7:34.

The City Attorney explained that the meeting was being conducted remotely because of the Coronavirus (COVID-19) Pandemic emergency. He stated that under the Sunshine Law, Section 610.015, when an emergency exists the members of the City Council who are not physically present in the Council Chambers, can vote remotely on all matters.

Councilwoman Pagano moved to approve the Council Minutes of April 13, 2020 seconded by Caputa. Motion carried.

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

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

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

The City Clerk reported that Public Hearing #20-04-015 to be held this night on a request to Rezone to amend B-5 Ordinance No. 6266 (as amended by Ord. Nos. 6380, 8064, and 8224) to allow for additional "Permitted Uses" in a B-5 Zoning District for the property located at 3180 N Highway 67 had been advertised in substantially the same form as appears in the foregoing publication and by posting the property. The Chair declared the Public Hearing to be open and invited those who wished to be heard to come forward.

33 Mr. Dejan (Dan) Dokovic, petitioner, explained that Lowe's is attempting to put a deed
34 restriction on their property, requiring that it not be used as a home improvement store. The current
35 zoning will only allow a hardware store. Mr. Dejan has someone interested in the property, and this
36 zoning difficulty has created problems. The proposed rezoning application would remove the
37 restriction.

38 His company would like to improve and redevelop the site and lease it to various tenants. They
39 currently have several possibilities, including a gym, self-storage enterprise and a trampoline park. The
40 interior will be divided if necessary, but there are no major changes planned for the exterior. Lowes
41 has taken very good care of the building and it is in good shape. The petitioner currently has no plans
42 to request Tax Increment Financing. Mr. Hessel clarified that under a B-5 ordinance, a newly proposed
43 enterprise would be required to submit a site plan to Planning & Zoning and Council.

44 The Chair asked if there were any other citizens would like to speak on said public hearing.
45 Being no citizens who wished to speak, Councilman Siam moved to close P.H. #20-04-015, seconded
46 by Eagan. Motion carried.

47 The City Clerk reported that Public Hearing #20-04-016 to be held this night on a request to
48 authorize a Special Use Permit to Premier Auto Service, Inc. d/b/a Premier Auto Service to allow for an
49 auto service and repair facility located at 1890 & 1990 N Highway 67 had been advertised in
50 substantially the same form as appears in the foregoing publication and by posting the property. The
51 Chair declared the Public Hearing to be open and invited those who wished to be heard to come
52 forward.

53 Mr. Joe Dale, petitioner for Mission Hills Development, explained that Premier Auto does a
54 considerable amount of business. They need more bays contiguous to their property. They want to
55 take a portion of the existing building (1700 sf) down to the foundation and rebuild it with higher
56 masonry walls. This would enable them to install four additional bays with lifts and larger service
57 doors. The balance of the building will remain "as is." Mr. Dale stated he was aware of the restrictions
58 on the number of cars allowed on site. The hours of operation will remain the same as they are at
59 Premier Auto.

60 The Chair asked if there were any other citizens would like to speak on said public hearing.
61 Being no citizens who wished to speak, Councilman Henke moved to close P.H. #20-04-016, seconded
62 by Parson. Motion carried.

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

64 Councilman Henke moved that Bill No. 9594 to rezone for Dr. Elliot Leon the property located
65 at 1005 Dunn Rd. from R-4 "Single Family Dwelling District" to B-3 "Extensive Commercial District"
66 to be consistent with the Comprehensive Plan be read for a second time, seconded by Caputa. Motion
67 carried and Bill No. 9594 was read for a second time. Councilwoman Pagano moved that Bill No. 9594
68 be read for a third time, seconded by Schildroth. Motion carried and Bill No. 9594 was read for a third
69 and final time and placed upon its passage.

70 Before the final vote all interested persons were given an opportunity to be heard. Being no
71 citizens who wished to speak, on roll call the Council voted: Eagan yes, Caputa yes, Schildroth yes,
72 Henke yes, Pagano yes, Parson yes. Siam yes, Harris yes and Manganelli yes. Whereupon the Chair
73 declared Bill No. 9594 to have passed and became Ordinance No. 8610.

74 Councilman Henke moved that Bill No. 9595 to authorize a Special Use Permit to JP Morgan
75 Chase Bank to allow for an ATM for the property located at 790 N Hwy 67 be read for a second time,
76 seconded by Caputa. Motion carried and Bill No. 9595 was read for a second time. Councilman Henke
77 moved that Bill No. 9595 be read for a third time, seconded by Eagan. Motion carried and Bill No.
78 9595 was read for a third and final time and placed upon its passage.

79 Before the final vote all interested persons were given an opportunity to be heard. Being no
80 citizens who wished to speak, on roll call the Council voted: Eagan yes, Caputa yes, Schildroth yes,
81 Henke yes, Pagano yes, Parson yes. Siam yes, Harris yes and Manganelli yes. Whereupon the Chair
82 declared Bill No. 9595 to have passed and became Ordinance No. 8611.

83 Councilman Henke moved that Bill No. 9596 to amend B-5 Ordinance No. 8222 to allow for
84 the expansion of an urgent care facility for the property located at 1090 N. Hwy 67 be read for a second
85 time, seconded by Pagano. Motion carried and Bill No. 9596 was read for a second time.
86 Councilwoman Pagano moved that Bill No. 9596 be read for a third time, seconded by Henke. Motion
87 carried and Bill No. 9596 was read for a third and final time and placed upon its passage.

88 Before the final vote all interested persons were given an opportunity to be heard. Being no
89 citizens who wished to speak, on roll call the Council voted: Eagan yes, Caputa yes, Schildroth yes,
90 Henke yes, Pagano yes, Parson yes. Siam yes, Harris yes and Manganelli yes. Whereupon the Chair
91 declared Bill No. 9596 to have passed and became Ordinance No. 8612.

92 Councilman Siam moved that Bill No. 9597 to amend B-5 Ordinance No. 6648 to allow for a
93 sit-down, carry-out and drive through restaurants for the property located at 1955 N. Highway 67 be
94 read for a second time, seconded by Pagano. Motion carried and Bill No. 9597 was read for a second

time. Councilwoman Pagano moved that Bill No. 9597 be read for a third time, seconded by Siam. Motion carried and Bill No. 9597 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: Eagan yes, Caputa yes, Schildroth yes, Henke yes, Pagano yes, Parson yes. Siam yes, Harris yes and Manganelli yes. Whereupon the Chair declared Bill No. 9597 to have passed and became Ordinance No. 8613.

Councilman Siam moved that Bill No. 9598 to amend Table XIII-A “Parking prohibited at all times on Certain Streets” by adding thereto portions of Estates Drive be read for a second time, seconded by Pagano. Motion carried and Bill No. 9598 was read for a second time. Councilman Siam moved that Bill No. 9598 be read for a third time, seconded by Pagano. Motion carried and Bill No. 9598 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: Eagan yes, Caputa yes, Schildroth yes, Henke yes, Pagano yes, Parson yes. Siam yes, Harris yes and Manganelli yes. Whereupon the Chair declared Bill No. 9598 to have passed and became Ordinance No. 8614.

Councilman Schildroth moved that Bill No. 9600 authorizing an appropriation of \$45,000 from the Property Revitalization Fund of which \$2000 is appropriated to budget account No. 10-5-10-50010 “Homeownership Assistance Program” and \$43,000 is appropriated to budget account No. 10-5-10-50020 44”Property Acquisition Program” be read for a second time, seconded by Caputa. Motion carried and Bill No. 9600 was read for a second time. Councilman Schildroth moved that Bill No. 9600 be read for a third time, seconded by Pagano. Motion carried and Bill No. 9600 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, Florissant resident, asked the Council where the funds were located that were currently being transferred.. Carol O’Mara, Director of Community Development, explained the appropriation of the funds. Furthermore, Mayor Lowery stated that if Mr. Smith contacted him, he would obtain the information from the Finance Director.

Being no other citizens who wished to speak, on roll call the Council voted: Eagan yes, Caputa yes, Schildroth yes, Henke yes, Pagano yes, Parson yes, Siam yes, Harris yes and Manganelli yes. Whereupon the Chair declared Bill No. 9600 to have passed and became Ordinance No. 8615.

The next item on the Agenda was Board Appointments.

126 Councilman Eagan moved to accept the Mayor's reappointment of John Jaworski, 13651 New
127 Halls Ferry Rd, to the Senior Commission, seconded by Caputa. Motion carried.

128 Councilman Caputa moved to accept the Mayor's appointment of Kari Kenyon, 4 St. Laurence,
129 to the Disability Awareness Commission, seconded by Schildroth. Motion carried.

130 Councilman Schildroth moved to accept the Mayor's appointment of Eric Schlueter, 288 Elm,
131 to the Veterans Commission, seconded by Schildroth. Motion carried.

132 Councilman Schildroth moved to accept the Mayor's appointment of Tim Reynolds, 929 rue St.
133 Denis, to the Veterans Commission, seconded by Pagano. Motion carried.

134 Councilman Schildroth moved to accept the Mayor's appointment of Ben Hernandez, 3350
135 Rockingham, to the Veterans Commission, seconded by Pagano. Motion carried.

136 Councilman Schildroth moved to accept the Mayor's appointment of Frank Tucker, 1545 Bay
137 Meadows, to the Veterans Commission, seconded by Pagano. Motion carried.

138 Councilman Schildroth moved to accept the Mayor's appointment of Tammy Matthews, 130
139 Albert Dr., to the Veterans Commission, seconded by Pagano. Motion carried.

140 Councilman Schildroth moved to accept the Mayor's appointment of Jimmy Behlmann, 790 St.
141 Catherine, to the Veterans Commission, seconded by Pagano. Motion carried.

142 The next item on the agenda was Requests.

143 Councilman Eagan moved to approve the request to approve a Malt Liquor and Wine package
144 liquor license for Family Dollar Store # 32338 located at 350 Howdershell Road, seconded by Pagano.

145 Councilman Eagan moved to suspend the rules in order to hear from the petitioner, seconded by
146 Schildroth. Motion carried. Councilman Eagan asked Michael Mullooly if he was aware of the trash
147 problem on the property which affects the surrounding residential area. Mr. Mullooly responded that
148 he will talk to the manager and make sure the problem gets taken care of.

149 Councilman Manganelli expressed concern that the sale of single serve bottles would also
150 contribute to litter problems.

151 Councilman Schildroth asked the petitioner to monitor the parking lots of all the Family Dollar
152 stores for trash.

153 Mayor Lowery added that he has also received resident complaints regarding the trash at the
154 Family Dollar on Florissant Road.

On roll call the Council voted: Eagan yes, Caputa no, Schildroth yes, Henke yes, Pagano no, Parson no, Siam yes, Harris yes and Manganelli yes. Whereupon the Chair declared the liquor license approved.

Council as a Whole and the Mayor of the City of Florissant introduced Resolution No. 1014 supporting the Missouri legislation to pass Wayfair Internet Sales without a revenue neutral clause and said Resolution was read for the first time. Councilman Caputa moved that Resolution No. 1014 be read for a second time, seconded by Pagano. Motion carried and Resolution No. 1014 was read for a second time. Councilman Caputa moved that Resolution No. 1014 be read for a third time, seconded by Pagano. On roll call the Council voted: Eagan yes, Caputa yes, Schildroth yes, Henke yes, Pagano yes, Parson yes, Siam yes, Harris yes and Manganelli yes. Having received the unanimous vote of all members present Resolution No. 1014 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: Eagan yes, Caputa yes, Schildroth yes, Henke yes, Pagano yes, Parson yes, Siam yes, Harris yes and Manganelli yes. Whereupon the Chair declared Resolution No. 1014 to have been adopted.

The next item on the agenda was First Readings.

Councilman Siam introduced Bill No. 9601 an Ordinance to amend B-5 Ordinance No. 6266 (as amended by Ordinance Nos. 6380, 8064, and 8224) to allow for additional 'Permitted Uses' in a B-5 Zoning District for the property located at 3180 N Highway 67 and said Bill was read for the first time by title only.

Councilman Henke introduced Bill No. 9602 an Ordinance to authorize a Special Use Permit to Premier Auto Service, Inc. d/b/a Premier Auto Service to allow for an auto service and repair facility located at 1890 & 1990 N. Highway 67 and said Bill was read for the first time by title only.

The next item on the Agenda was Council Announcements.

Councilman Harris thanked residents for their kindness and generosity during this difficult time. He encouraged everyone to join their Neighborhood Watch Programs.

Councilman Manganelli thanked Mark Behlmann for the Food Pantry he organized on Lindsay Lane. It showcased Florissant in a positive light.

Councilman Eagan reminded everyone to donate to the TEAM food pantry, especially during this time of need. He also encouraged everyone to not drop their guard down now, and continue to practice social distancing and wear masks.

Councilman Schildroth thanked a resident in his ward that is making masks and helped him when he needed some. He also asked people to patronize local Florissant restaurants and businesses.

Councilman Henke encouraged residents to continue their efforts on fighting the virus.

Councilman Caputa reminded everyone to secure their firearms and not leave guns in their vehicles. He added that it was the time of year to do yard work and clean up around the house.

The next item on the Agenda was Mayor Announcements.

The Mayor announced that all full time employees with the exception of the police department have gone to a 24 hour work week and 16 hour unemployment. Hopefully this will take some pressure off of the city's budget. He asked residents to be patient during this difficult time.

The Council President announced that the next regular City Council Meeting was scheduled for Monday, May 11, 2020 at 7:30 pm.

Councilman Schildroth moved to adjourn the meeting, seconded by Eagan. Motion carried. The meeting was adjourned at 8:40 p.m.



Karen Goodwin, MPPA/MMC/MRCC
City Clerk

The following Bills were signed by the Mayor:

Bill No. 9594	Ord. 8610
Bill No. 9595	Ord. 8611
Bill No. 9596	Ord. 8612
Bill No. 9597	Ord. 8613
Bill No. 9598	Ord. 8614
Bill No. 9600	Ord. 8615



CITY OF FLORISSANT
WORK SESSION MEETING MINUTES
April 21, 2020

Due to the Coronavirus (COVID-19) Pandemic, the Florissant City Council met in a virtual work session through a Zoom platform on Tuesday April 21, 2020 at 6:30 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: Eagan, Caputa, Henke, Pagano, Parson, Siam, Harris Manganelli and Councilman Schildroth. 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.

Mayor Lowery stated that he felt it was important to inform the council about budget cuts that are being proposed by the department heads. He said that some things could be revisited in July or August because the city will not have actual numbers regarding reduced revenues until late June. Mayor Lowery stated that the budget is the Council's budget and he wants to keep them informed on any reduction in spending.

Mayor Lowery stated that he would like to start with Kimberlee Johnson, the Director of Finance to go over the numbers and projections. Then the department heads will discuss the proposed reductions in their prospective departments.

Mrs. Johnson, Director of Finance reviewed the revenue projections. She stated that they are projecting a 25% reduction in sales taxes and 15% reduction in utility taxes. At the current time the revenues are trending close to the budgeted numbers, but the city will not know actual numbers until June. She said that the deficit could be at \$3.6 million according to those projections. The proposed budget reductions are \$1.8 million so another \$1.8 million is needed. Mrs. Johnson reviewed the specific funds and projections for revenue deficits.

Mayor Lowery stated that he does not feel that we can bring the reserve down in the amount of the deficit. He feels that the city needs to cut where possible to reduce that number as much as possible.

Councilman Manganelli asked about the vehicle lease that was approved by the Council. Mayor Lowery stated that he is working to hold up the lease if possible.

Councilwoman Pagano asked about the financial reports, the last one was in November. Mrs. Johnson stated that she is hoping to have the financial statements through February by the end of the week.

Chief Fagan stated that they took a close look at their budget and reviewed the proposed projects and purchases that they will be putting on hold or eliminating. He also noted that they have 2 police officer positions open that they will not fill because they are able to utilize the school resource officers for the time being to maintain service.

Councilman Caputa asked if the Student Resource officers are still under contract with the School district. Chief Fagan stated that the officers are still under contract with the School District. Councilman Eagan clarified that there is a hiring freeze currently.

Councilman Henke asked if the number of calls for service has changed. Chief Fagan stated that they are able to handle the calls for service.

Councilwoman Pagano asked if all of the reductions mentioned by the Chief are included in the lists provided by the finance department. Mrs. Johnson explained what was included in the initial list of reductions.

Councilman Caputa asked for an itemized list of the reductions. Mayor Lowery stated that he would have a list by the end of the week.

Todd Hughes, Public Works Director reviewed his reductions by fund. He stated that out of the General fund they reduced several items in the amount of \$141,500. Mr. Hughes discussed the Street Improvement Fund, stating that there will be hold on the street projects and holding off on the purchase of the street sweeper at a total savings of \$1.44M. Capital Improvement Fund is being reduced by \$1.158 M.

Councilman Caputa asked about emergency repairs and road work being done in house. Mr. Hughes stated that patches can be done in house. Councilman Manganelli asked if there are additional cuts in the numbers presented by Mr. Hughes. Mr. Hughes stated that not all the cuts are included in the original numbers sent to the Council. Mayor Lowery stated that he feels that the city will be able to do street work, just everything is on hold for now.

Councilman Schildroth asked about the old street sweeper. Mr. Hughes stated that they did some repairs to the old street sweeper and they hope that it can make it through for the time being. Council discussed renting vs. leasing a street sweeper. Councilman Henke suggested that the street sweeping service might be a suspend able service in the current situation. Mr. Harris asked about the potential of insurance savings.

Mayor Lowery stated that the renovations at City Hall will continue because we have already committed to finishing the project. Mr. Hughes stated that the work on City Hall will begin on Thursday, April 23rd.

Cheryl Thompson-Stimage, Parks Director reviewed the reductions in the parks department. She reviewed staffing, staff shirts and the potential savings if the pools do not open or the summer playground is cancelled. She outlined the supplies that could be saved. She also mentioned that there is a question of whether or not to cancel the 4th of July fireworks. The Northwinds band has already cancelled. Mrs. Thompson reviewed the Capital Addition reductions and the General Fund. Mayor Lowery discussed the issues with opening the pool and the expenses. Mrs. Thompson stated that it takes about 4-6 weeks to open the pool.

Mayor Lowery stated that he is looking for direction on the closing of the pool, summer camp and the 4th of July event.

Councilman Manganelli asked about adjusting the mowing schedule. Mrs. Thompson-Stimage stated that they are using every full time person they have to make sure the grass gets cut. Adjustments are being made on a regular basis to accommodate the change in working hours.

Councilman Schildroth asked about the tree trimming that is being put on hold for now? Mrs. Thompson said yes. Some things will still be done because they are already under contract but they are stopping. Councilman Schildroth stated that he feels that the pool should be closed, the summer camp should be cancelled and the 4th of July fireworks display should be cancelled unless the situation drastically changes in the next 10 days to 2 weeks.

Councilwoman Pagano stated that she is apprehensive about closing Bangert and wants to wait and see on closing the pool or open it later and she is not necessarily in favor of cancelling the fireworks.

Councilman Eagan stated that there are no shows in June in Maryland Heights. He feels that the city can go without the pool, summer camp and fireworks this year. He suggested that the fireworks could possibly be pushed back to Fall Festival, the city needs to be conservative because there could be a second wave. Councilman Eagan asked about the concerts in the park. Mayor Lowery stated that they are looking into contracts and that the Valley of Flowers has not been cancelled, but postponed and the format has changed a bit.

Councilman Harris stated that he agreed with pushing back or cancelling the fireworks. He is concerned about the summer camp cancellation. Could the summer camp be consolidated?

He is concerned about parents having to work. He understands the closing of the pool. Mrs. Thompson discussed the scheduling of the indoor pool. Mr. Harris asked about the golf course. Mrs. Thompsons stated that they allowing golf carts but requiring the golfers to clean the carts before and after they use them, they are providing cleaning supplies. They are only accepting credit card payments at this time.

Councilman Parson stated that he is in favor of cutting the fireworks for this year. With regard to the pool, he feels that the city should consult a health professional to determine if it is safe to swim. Mrs. Thompson stated that they have spoken to the Health Department and they said that the level of chlorine in the pool would kill the virus. Councilman Parson asked about a shorter season. He has concern about closing the summer camp.

Councilman Siam supports closing Bangert Pool, summer camp and the fireworks. He feels that the safety of large congregations could be dangerous, in addition to the budget concerns.

Councilman Manganelli stated that he supports not opening Bangert Pool. He feels that people won't want to attend summer camp or the pool. He is in favor of postponing the fireworks for a later celebration.

Councilwoman Pagano asked about tournaments at the golf course. Mrs. Thompson stated that all tournaments have either rescheduled or have been cancelled until the end of May. Mr. Hessel stated that he feels there will not be any tournaments this year at all.

Councilman Henke stated that he agrees with others that the fiscal responsibility and the social responsibility requires us to cancel the fireworks, the summer camp and the opening of Bangert pool.

Councilman Harris asked about making any other adjustments at the golf course. Mrs. Johnson stated that they did not include any revenue from tournaments in the projections.

Steve Weiersmueller, IT/Media Director, discussed the savings of \$35,000 in the General Fund with reductions in contractors, uniforms, office expense, training and professional services. \$34,000 savings were found in the Capital Improvement Fund. He stated that they are hoping that Charter Spectrum will return \$10,000 to the City. He discussed running fiber optic lines to save money.

Councilman Caputa reiterated that they would like an itemized list of expenditure reductions.

Councilman Harris asked how the process works for making changes. Mayor Lowery stated that these things are essentially on hold and can be put back if the situation changes.

Mr. Hessel stated that it is within the Mayor's authority to determine whether or not the money is spent that is in the budget. He recommended not making any formal changes to the budget at this time.

The Mayor asked for a closed session to discuss personnel.

Councilman Siam asked if all of the reductions have been accounted for in the sheet presented to the council.

Question: Robert Smith asked about having copies of the itemized reductions when it is available.

There being no further business to discuss Councilman Eagan moved to adjourn the meeting at 8:25 pm, seconded by Manganeli, motion carried.

Karen Goodwin, MPPA/ MMC/MRCC
City Clerk



CITY OF FLORISSANT
CITY COUNCIL
OPEN-CLOSED WORK SESSION
April 21, 2020

Due to the Coronavirus (COVID-19) Pandemic, the Florissant City Council met in a virtual work session through a Zoom platform on Tuesday, April 21, 2020 immediately following the open work session. with Council President Caputa presiding.

On Roll Call the following Councilmembers were present: Eagan, Caputa, Henke, Pagano, Parson, Siam, Harris and Manganelli and Councilman Schildroth. 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 Henke moved to call for a closed meeting to discuss personnel matters and confer with the City Attorney pursuant to Section 610.021(3) of the Revised Statutes of Missouri, seconded by Caputa. On Roll Call the Council voted: Parson yes, Schildroth yes, Henke yes, Eagan yes, Caputa yes, Pagano yes, Manganelli yes, Harris yes, Siam yes. Motion carried.

The Council proceeded into a closed session at 8:25 pm via the Zoom platform and discussed personnel issues and conferred with the City Attorney.

Councilman Schildroth moved to open the closed executive session, seconded by Eagan. On roll call the Council voted: Parson yes, Schildroth yes, Henke yes, Eagan yes, Caputa yes, Pagano yes, Manganelli yes, Harris yes, Siam yes. Motion carried.

There being no further business to discuss, Councilman Eagan motioned to adjourn, seconded by Manganelli. Motion carried and the meeting adjourned at 8:58 p.m.

Karen Goodwin
City Clerk

WHEREAS: we acknowledge 2020 National Police Week to honor the service and sacrifice of those law enforcement officers killed in the line of duty while protecting our communities and safeguarding our democracy; and

WHEREAS: there are approximately 900,000 law enforcement officers serving in communities across the United States, including the dedicated members of the Florissant Police Department; and

WHEREAS: nearly 60,000 assaults against law enforcement officers are reported each year, resulting in approximately 16,700 injuries; and

WHEREAS: sadly, over the last decade, an average of 151 officers a year have been killed in the line of duty. And throughout U.S. history more than 21,000 law enforcement officers have made the ultimate sacrifice; and

WHEREAS: the names of these dedicated public servants are engraved on the walls of the National Law Enforcement Officers Memorial in Washington, D.C.; and

WHEREAS: new names of fallen heroes are being added to the National Law Enforcement Officers Memorial this spring, including 61 officers killed in 2020 to date and 146 officers killed in the previous year; and

WHEREAS: May 15, 2020 is designated as Peace Officers Memorial Day, in honor of all fallen officers and their families and U.S. flags should be flown at half-staff.

NOW, THEREFORE, I, TIMOTHY J. LOWERY, MAYOR OF THE CITY OF FLORISSANT AND THE CITY COUNCIL do hereby formally designate May 10-16, 2020, as National Police Week in the City of Florissant, and publicly salute the service of law enforcement officers in our community and in communities across the nation.

In Witness Whereof I hereunto Set My Hand
And Cause To Be Affixed The Seal Of The
City Of Florissant, Missouri, this 11th day of
May 2020.

Mayor Timothy J. Lowery

Jeff Caputa – Council President

1 INTRODUCED BY COUNCILMAN SIAM
2 APRIL 27, 2020

3
4 BILL NO. 9601

ORDINANCE NO.

5
6 **ORDINANCE TO AMEND B-5 ORDINANCE NO. 6266 (AS AMENDED BY**
7 **ORDINANCE NOS. 6380, 8064, AND 8224) TO ALLOW FOR**
8 **ADDITIONAL PERMITTED USES IN A B-5 ZONING DISTRICT FOR**
9 **THE PROPERTY LOCATED AT 3180 N HIGHWAY 67.**

10
11 WHEREAS, the City Council passed and approved Ordinance No.6266 authorized a
12 proposed development at 3180 N. Hwy 67; and

13 WHEREAS, the Planning and Zoning Commission of the City of Florissant has
14 recommended to the City Council at their meeting of April 6th, 2020 that Ordinance No. 6266
15 (as amended by Ordinance Nos. 6380, 8064, and 8224) to allow for additional 'Permitted Uses'
16 in a B-5 Zoning District for the property located at 3180 N Highway 67; and

17 WHEREAS, due and lawful notice of a public hearing no. 20-04-015 on said proposed
18 change was duly published, held and concluded on 27th day of April, 2020 by the Council of the
19 City of Florissant; and

20 WHEREAS, the Council, following said public hearing, and after due and careful
21 deliberation, has concluded that the amendment of Ordinance No. 6266 (as amended by
22 Ordinance Nos. 6380, 8064, and 8224), as hereinafter set forth, to be in the best interest of the
23 public health, safety and welfare of the City of Florissant; and

24
25 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
26 FLORISSANT, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

27
28
29 Section 1: 'B-5' Ordinance No. 6266 (as amended by Ordinances Nos. 6380, 8064 and
30 8224), at 3180 N. Highway 67 is hereby amended to allow for additional uses in an existing 'B-
31 5' District as requested, subject to the regulations of the 'B-5' Planned Commercial District, with
32 permitted uses allowed being those within the 'B-3' Extensive Business District without a
33 Special Permit.

34
35 Ordinance No. 6266, Section 2, Paragraph 1, shall be changed to read as
36 follows:

37 “The uses permitted in the ‘B-5’ Planned Commercial District shall be
 38 for a retail home improvement center, hardware store-type, **and any**
 39 **other Uses listed as permitted in the ‘B-3’ Extensive Business**
 40 **District**, with a structural height not to exceed 45 feet, 0 inches, as
 41 depicted on Exhibit “A” provided, however that the **portion of the**
 42 **property described as a “wetland”** shall be used and maintained
 43 exclusively as wetland with no development of any kind without approval
 44 of the city council.”
 45

46 Section 2: Except as herein amended Ordinance No. 6266 (as amended by Ordinances
 47 Nos. 6380, 8064 and 8224) shall remain in full force and effect.
 48

49 Section 3: This ordinance shall become in full force and effect immediately upon its
 50 passage and approval.

51
 52 Adopted this _____ day of _____, 2020.
 53

54 _____
 55 Jeff Caputa
 56 President of the Council
 57

58 Approved this _____ day of _____, 2020.
 59
 60

61 _____
 62 Timothy J. Lowery
 63 Mayor, City of Florissant
 64

65 ATTEST:
 66

67 _____
 68 Karen Goodwin, MPPA/MMC/MRCC
 69 City Clerk



CITY OF FLORISSANT

PUBLIC HEARING NOTICE

A Public Hearing will be held by the Florissant City Council on Monday, April 27th, 2020 at 7:30 p.m.

Due to COVID-19 pandemic and by Order of the Governor of the State of the Missouri, the Council meeting will conducted remotely with the Council, Mayor, staff and residents being allowed to attend through a Zoom platform.

The Public Hearing will be held on the following proposition:

To issue an amendment to B-5 Ordinance No. 6266 (as amended by Ordinance Nos. 6380, 8064, and 8224) to allow for additional 'Permitted Uses' in a B-5 Zoning District for the property located at 3180 N Highway 67 (legal description to govern). Citizens and parties of interest will have the opportunity to be heard at said public hearing. Anyone with special needs should contact the City Clerk at least 5 days before said public hearing by calling 839-7630 or TDD 839-5142.

Karen Goodwin, MMC City Clerk.

APPLICATION TO THE CITY OF FLORISSANT PLANNING AND ZONING
COMMISSION TO AMEND THE PROVISIONS OF AN EXISTING B-5
PLANNED COMMERCIAL DISTRICT ORDINANCE



PLANNING & ZONING ACTION:

Address of Property:

3180 N. Hwy 67

Council Ward 9 Zoning B-5'

Initial Date Petitioner Filed 3/16/2020
Building Commissioner to complete
ward, zone & date filed

PETITION TO AMEND B-5 ORDINANCE # 6266 to allow those permitted uses in "B-3"
Enter ordinance number or number requesting to amend.

1) Comes Now Dejan (Dan) Dokovic LLC without a Special Use.
(Individual's name, corporation, partnership, etc.)
Enter name of petitioner. If a corporation, state as such. If applicable include DBA (Doing Business As).

and states to the Planning and Zoning Commission that he (she) (they) has (have) the following legal
interest in the tract of land located in the City of Florissant, State of Missouri, described on page 3 of this petition.

Legal interest in the Property Owner Under Contract

State legal interest in the property. (i.e., owner of property, lease); also submit copy of deed or lease or letter of
authorization from owner to seek a special use.

- A. The petitioner (s) hereby states that he (she) (they) is (are) submitting a description of the property for which
the Permit is petitioned by giving bearings & distances (metes and bounds). Not required if description is
identical to "B".
- B. The petitioner (s) hereby states that he (she) (they) is (are) submitting a survey or plat of the property drawn
to a scale of 100 feet or less to the inch, referenced to a point easily located on the ground as street
intersection, centerline of creek having a generally known name, etc., showing dimensions, bearings and
distances of the property, north arrow and scale.
- C. Acreage to nearest tenth of an acre of the property for which rezoning is petitioned 21.285
2. The petitioner(s) hereby further state(s) that the property herein described in this petition is presently zoned in
a B-5 District and is presently being used for Vacant Lowe's Home Improvement Center

State current use of property, (or, state: vacant).


3. The petitioner(s) hereby state(s) the following reasons to justify the amendment to the existing B-5 ordinance:
In order to complete an economically viable project, we need to remove the Ordinance 6266 creating a restriction on the property.

List reason for the amendment request.

4. The petitioner(s) further states(s) that they (he) (she) can comply with all of the requirements of the City of Florissant, including setback lines and off-street parking.
5. The petitioner(s) further state(s) that they (he) (she) further represent(s) and warrants that they (he) (she) has (have) not made any arrangement to pay any commission, gratuity or consideration, directly or indirectly, to any official employee or appointee of the City of Florissant, with respect to this application.

PRINT PETITIONER'S NAME Dejan (Dan) Dokovic

Print Name

PETITIONER(S) SIGNATURE (S) 

FOR Bamboo Acquisitions, LLC

(company, corporation, partnership)

Print and sign application. If applicant is a corporation or partnership signature must be a CORPORATE OFFICER or PARTNER. NOTE: Corporate officer is an individual named in corporate papers.

6. I (we) hereby certify that (indicate one of the following):
- ☐ I (we) have a legal interest in the herein above described property.
 - ☐ I am (we are) the duly appointed agent(s) of the petitioner (s), and that all information given here is true and a statement of fact.

Petitioner may assign an agent to present petition to the Commission and Council. The agent must sign the petition in this section, and provide address and telephone number

SIGNATURE _____

ADDRESS _____

STREET

CITY

STATE

ZIP CODE

TELEPHONE NUMBER _____

BUSINESS

I (we) the petitioner (s) do hereby appoint _____ as
Print name of agent.

my (our) duly authorized agent to represent me (us) in regard to this petition.

Signature of Petitioner(s) or Authorized Agent

NOTE: Be advised when the petitioner and/or his duly authorized agent appears before the Planning and Zoning Commission and make the presentation, the same individuals must also appear before the City Council for that presentation. Also if the descriptions of plats or surveys are incorrect, or if the petition form is not correctly and completely filled out it will be returned for corrections and may have to be re-submitted.

Please check the box for the appropriate type of operation then fill in applicable section (a), (b) or (c). Corporations are to submit copy of Missouri corporate papers with registration papers.

1) Type of Operation: Individual: ☐ Partnership: ☒ Corporation: ☐

(a) If an individual:

- (1) Name and Address _____
- (2) Telephone Number _____
- (3) Business Address _____
- (4) Date started in business _____
- (5) Name in which business is operated if different from (1) _____
- (6) If operating under a fictitious name, provide the name and date registered with the State of Missouri, and a copy of the registration.

(b) If a partnership:

- (1) Names & addresses of all partners Dejan (Dan) Dokovic
- (2) Telephone numbers 314-270-5992
- (3) Business address 600 Emerson, Suite 210, Creve Coeur, MO, 63141
- (4) Name under which business is operated Bamboo Acquisitions, LLC
- (5) If operating under fictitious name, provide date the name was registered with the State of Missouri, and a copy of the registration.

(c) If a corporation:

- (1) Names & addresses of all partners _____
- (2) Telephone numbers _____
- (3) Business address _____
- (4) State of Incorporation & a photocopy of incorporation papers _____
- (5) Date of Incorporation _____
- (6) Missouri Corporate Number _____
- (7) If operating under fictitious name, provide the name and date registered with the State of Missouri, and a copy of registration. _____
- (8) Name in which business is operated _____
- (9) If the property location is in a strip center, give dimensions of your space under square footage and do not give landscaping information.

Please fill in applicable information requested.

Name Dejan (Dan) Dokovic
Address 600 Emerson, Suite 210, Creve Coeur, MO, 63141
Property Owner Bamboo Acquisitions, LLC
Location of property 3180 N. Hwy 67, Florissant, MO,
Dimensions of property 910' x 663'
Property is presently zoned B-5 per ordinance # 6266
Current & Proposed Use of Property Lowe's; self storage; retail gym; retail TBD
Type of Sign _____ Height _____
Type of Construction Masonry Number Of Stories 1
Square Footage of Building 135,197 SF Number of Curb Cuts 2
Number of Parking Spaces 724 Sidewalk Length _____
Landscaping: No. of Trees _____ Diameter _____
No. of Shrubs _____ Size _____
Fence: Type _____ Length _____ Height _____

PLEASE SUBMIT NINE (9) FOLDED COPIES OF THE FOLLOWING:

1. Plan or drawing showing zoning of adjoining properties.
2. Plan or drawing showing location of property in relation to major streets and all adjoining properties.
3. Drawing showing measurement of tract and overall area of tract.
4. Plan or drawing showing proposed parking layout, landscaping, parking lighting, signage and trash enclosure.

**PROVIDE LEGAL DESCRIPTION OF PROPERTY PERTAINING TO THIS
PETITION**

(Close legal description with acreage to the nearest tenth of an acre).

Provide a legal description of the property. If part of a shopping center list address and state part of what shopping center (i.e.: 351 N. Highway 67 part of Florissant Meadows Shopping Center). If property is a single lot, list full written legal description with bearings and distances.

SEE ATTACHED.

PROVIDE LOCATION MAP SHOWING AREA INVOLVING THIS PETITION

Provide a drawing of a location map showing the nearest major intersection or include on plans.

SEE ATTACHED.

STAFF CHECK LIST / REVIEW SHEET

ADDRESS OF PROPERTY _____ CURRENT ZONING B-5

PROPERTY OWNER OF RECORD _____ PHONE NO. _____

AUTHORIZED AGENT _____ PHONE NO. _____

PROPOSAL to amend permitted uses to include those permitted in 'B-3'

I) a. Uses - Are uses stipulated without a special use Yes / No

b. What current District would this proposal be a permitted use: _____

c. Proposed uses for out lots: _____

2) Performance Standards:

a) Vibration: Is there any foreseen vibration problems at the property line? Yes / No

b) Noises: Will the operation or proposed equipment exceed 70 decibels? Yes / No

c) Odor is there any foreseen problem with odor? Yes / No

d) Smoke: Will the operation emit any smoke which could exceed a density described as No. 1 on the Ringleman Chart? Yes / No

e) Toxic gases: Is there any foreseen emission of toxic gases from the operation? Yes / No

f) Is there foreseen emission of dirt, dust, fly ash, and other forms of particle matter? Yes / No

g) Is there any dangerous amount of radiation produced from the operation? Yes / No

h) Is there any glare or heat which would be produced outside of an enclosure? Yes / No

i) Is screening of trash dumpsters, mechanical equipment, incinerators, etc, shown? Yes / No

j) Is buildings screened from adjoining residential? Yes / No

3) Are height of structures shown? Yes / No

4) Are all setbacks shown? Yes / No

5) Are building square footages shown? Yes / No

6) What is the exterior construction of the buildings? _____

7) Is off street loading shown? Yes / No

8) Parking:

a) Does parking shown meet the ordinance? Yes / No

b) Is a variance required in accordance with the ordinance? Yes / No

c) Ratio shown _____ to _____

d) Total Number _____

e) Will cross access and cross parking agreements be required? Yes / No

f) Is the parking lot adequately landscaped? Yes / No

9) Are there any signs? Yes / No

Number of signs shown _____

Type of Signs _____

Are sizes, heights, details, and setbacks shown? Yes / No

10) Are existing and proposed contours shown at not more than five (5) feet intervals? Yes / No

11) Is the approximate location of all isolated trees having a trunk diameter of six inches or all tree masses and proposed landscaping shown? Yes / No

- 12) Are two section profiles through the site showing preliminary building form, existing natural grade and proposed final grade shown? Yes / No
- 13) Is proposed ingress/egress onto the site and internal traffic movements shown? Yes / No
- 14) Was a traffic study submitted? Yes / No
Does the City Staff recommend a traffic study? Yes / No
- 15) Are preliminary plans for sanitation and drainage (sanitary & storm water) facilities shown? Yes / No
- 16) Is a legal description of the property shown? Yes / No
Does legal description appear to be proper? Yes / No
- 17) Is an out-boundary plat of the property submitted? Yes / No
- 18) Suggested time limitations of construction: Start _____ Finish _____
- 19) Is parking lot lighting shown? Yes / No
- 20) Are new walkways required? Yes / No
- 21) Is there sufficient handicapped access? Yes / No
- 22) a) Are there proposed curb-cuts? Yes / No
b) Do the curb-cuts meet the City ordinances? Yes / No
- 23) Will this project require any street improvements? Yes / No
- 24) Staff recommendations for site development plans: _____

- 25) Staff Comments: see staff report.

3/18/2020
Date Application reviewed
Philip E. [Signature]
Building Commissioner or Staff Signature

1
2
3
MEMORANDUM



4
5
6
7
8
CITY OF FLORISSANT- Building Division

"Preserve and improve the health, safety, and welfare of our residents, businesses and the general public in the City of Florissant; while at the same time maintaining property values and improving the quality of life in the City of Florissant."

9 To: Planning and Zoning Commissioners Date: March 27, 2020

10
11 From: Philip E. Lum, AIA-Building Commissioner c: Todd Hughes, P.E.,
12 Director Public Works
13 Deputy City Clerk
14 Applicant
15 File
16
17
18

19 Subject: **3180 N. Highway 67** Request recommended approval to amend a 'B-5'
20 Ord. 6266 (as amended by Ordinances Nos. 6380, 8064 and 8224), to
21 allow for additional Permitted Uses, in a 'B-5' District.
22

23
24
STAFF REPORT
CASE NUMBER PZ-040620-1

25
26
27 **I. PROJECT DESCRIPTION:**

28 This is a request for recommended approval to amend the provisions of a 'B-5', to allow
29 for additional Permitted Uses in a 'B-5' District. The property is part of a 'B-5' District
30 Lowe's ord.6266, however, this petition is to modify Uses within the 'B-5' district,
31 therefore, an amendment to this 'B-5' is required for this parcel as it affects Ord. 6266,
32 attached.
33

34 **II. EXISTING SITE CONDITIONS:**

35 The existing property at **3180 N. Highway 67** is a lot of 15 acres, including wetlands and
36 has been vacant since the closing of the Lowe's.
37

The proposed amendment proposes to add those uses that are Permitted Uses without a special use permit. The application is accompanied by Site maps and Preliminary Plan EX1 dated 10/10/19 by Uhlig Architecture.

III. SURROUNDING PROPERTIES:

The adjacent property to the North is 3200 N. Highway 67 in a B-3 District. Properties to the West are 14070 New Halls Ferry in a B-3 District and 3160 N. Highway 67 in a B-5 District. The adjacent property to the East is 3184 N highway 67 Lowe's Retention areas in a B-5 District. The properties to the South include 3175 Cross Keys in a B-3 District , 3205 and 3202 Cross Keys Dr. for Cross Keys Apartments in an R-6 Zoning District.

IV. STAFF ANALYSIS:

The Petitioner has responded to staff instructions for a 'B-5' amendment. Staff comments are:

1. Site Comments:

- a. **Current Parking for the Ordinance 6266:** plans indicate 722 parking are required for Lowe's and Ord. 6266 for Lowes, 709 were approved in an amendment commensurate with the outlot for Dollar Tree.
- b. Parking ratios have changed. Service Centers over 100,000 s.f. are now required to have 2.85/1000 s.f. therefore, the Lowe's is now required to have 386 parking spaces.
- c. Landscape calculations: The amendment does not seek to address landscape changes; 2 trees, shumard oaks along the west boundary line were affected by an amendment commensurate with the outlot for Dollar Tree.
- d. No Sign or Building changes are proposed.
- e. Traffic Pattern: Site circulation will remain the same.

VI. STAFF RECOMMENDATIONS:

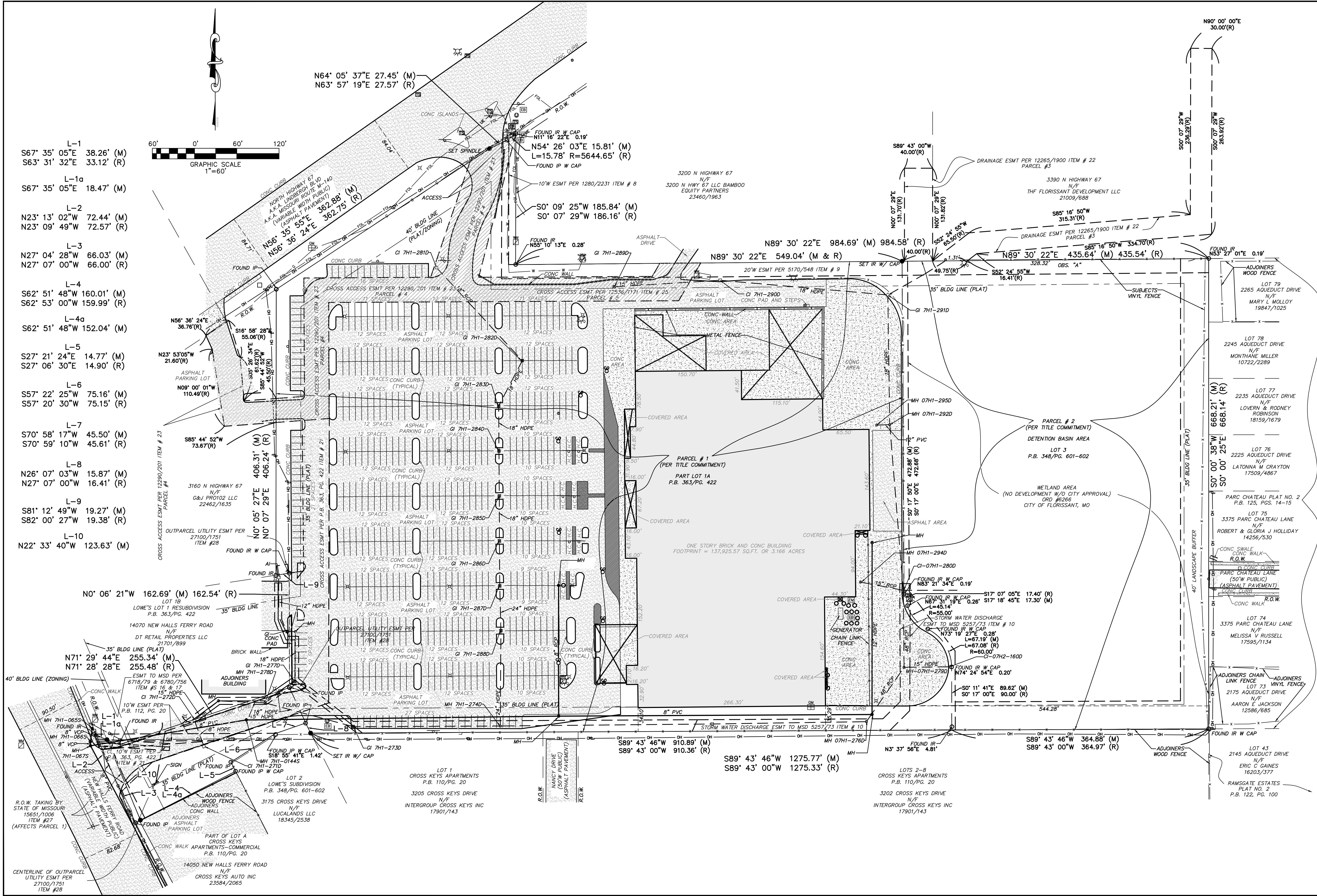
Suggested Motion for 3180 N. Highway 67:

"I move to recommend the approval to amend a 'B-5' Ordinance No. 6266 (as amended by Ordinances Nos. 6380, 8064 and 8224), at **3180 N. Highway 67** to allow for additional uses in an existing 'B-5' District as requested, subject to the regulations of the 'B-5' Planned Commercial District, with permitted uses allowed being those within the 'B-3' Extensive Business District without a Special Permit.

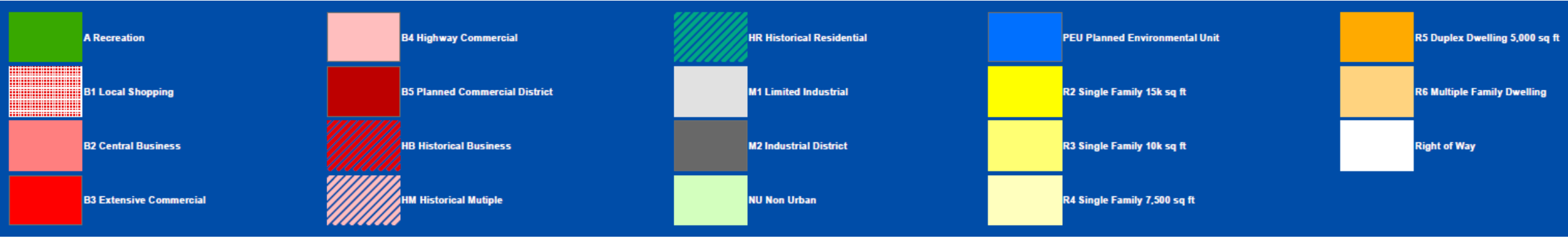
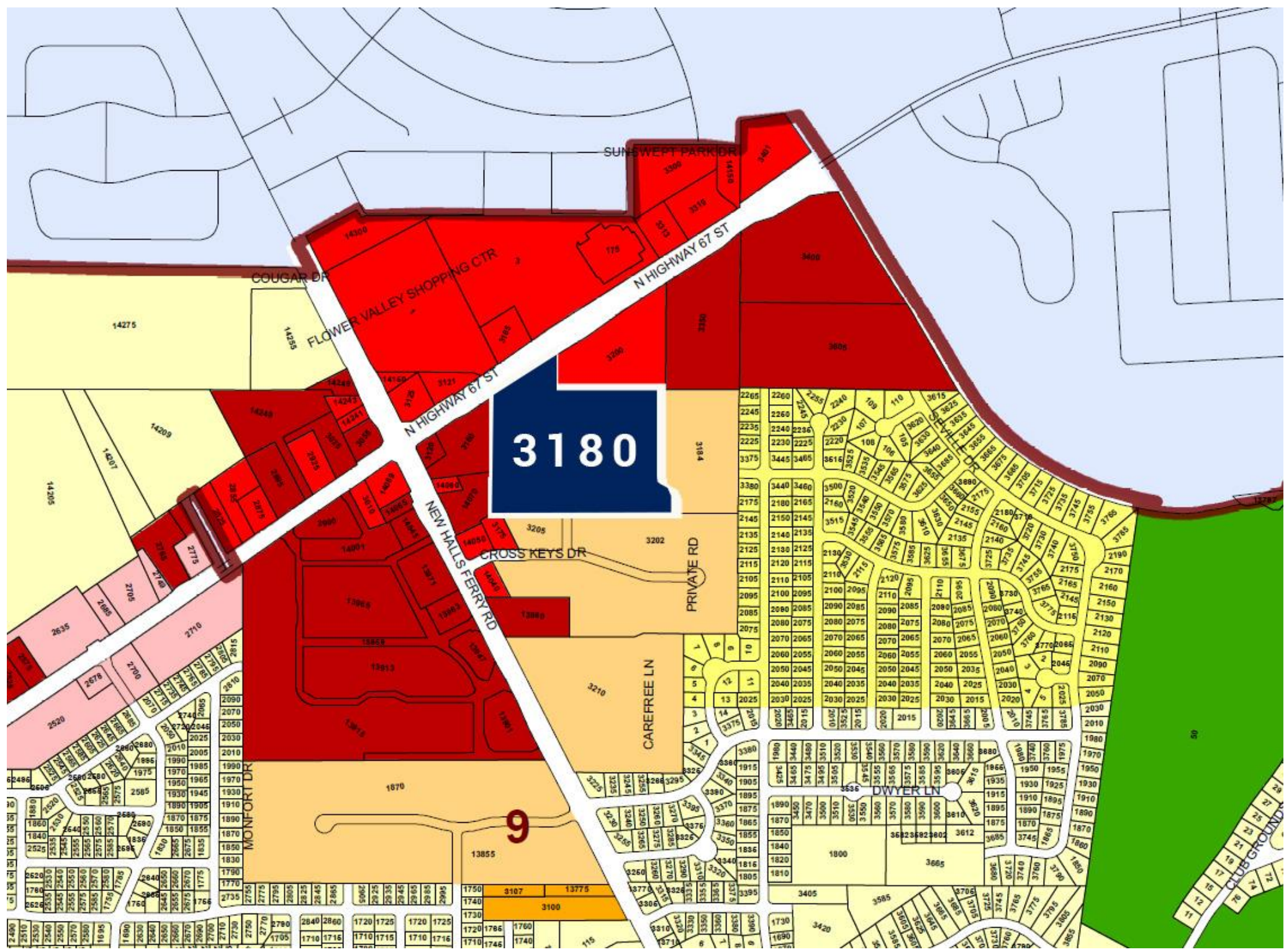
Ordinance No. 6266, Section 2, Paragraph 1, shall be changed to read as follows:

"The uses permitted in the 'B-5' Planned Commercial District shall be for a retail home improvement center, hardware store-type, **and any other Uses listed as permitted in the 'B-3' Extensive Business District**, with a structural height not to exceed 45 feet, 0 inches, as depicted on Exhibit "A" provided, however that the **portion of the property described as a "wetland"** shall be used and maintained exclusively as wetland with no development of any kind without approval of the city council."

(End of report and suggested motion)



THD DESIGN GROUP, INC. "your solution for engineering and surveying" 146 CHESTERFIELD INDUSTRIAL BLVD. STE. G, CHESTERFIELD, MO 63005 TEL: 636.204.3027 FAX: 636.204.3027 WWW.THDDSGROUP.COM Professional Land Surveyor License No. MO-LS-002584 Corporate Certificate of Authority #021104415	
AN ALTA/NSPS LAND TITLE SURVEY FOR 3180 AND 3184 NORTH HIGHWAY 67 AND 14060 NEW HALLS FERRY ROAD PART OF LOT 1A OF "RESUBDIVISION OF LOT 1 OF LOWE'S SUBDIVISION", (P.B. 348, PG. 363, PG. 422) AND LOT 3 OF "LOWE'S SUBDIVISION", (P.B. 348, PG. 601-602), TOWNSHIP 47 NORTH, RANGE 6 EAST, ST. LOUIS COUNTY, MISSOURI	
draft-client review	
Date: Mar. 10, 2020 BRIAN J FISCHER License No. MO-LS-002584 PROFESSIONAL LAND SURVEYOR	
PROJECT NUMBER: 20-0004	
DATE: 1/14/2020	
DRAWN BY: BWS	
2 OF 2	



1 INTRODUCED BY COUNCILMAN HENKE
2 APRIL 27, 2020

3
4 BILL NO. 9602

ORDINANCE NO.

5
6 **ORDINANCE TO AUTHORIZE A SPECIAL USE PERMIT TO**
7 **PREMIER AUTO SERVICE, INC. D/B/A PREMIER AUTO SERVICE**
8 **TO ALLOW FOR AN AUTO SERVICE AND REPAIR FACILITY**
9 **LOCATED AT 1890 & 1990 N. HIGHWAY 67.**

10
11 WHEREAS, the Florissant Zoning Ordinance authorizes the City Council of the City of
12 Florissant, by Special Permit, after public hearing thereon, to permit the location and operation
13 of an auto service and repair business in the City of Florissant; and

14 WHEREAS, an application has been filed Premier Auto Service, Inc. for the operation of
15 an auto service and repair facility located at 1890 & 1990 N. Hwy 67; and

16 WHEREAS, the Planning and Zoning Commission at their meeting on April 6, 2020,
17 recommended that a Special Permit be granted; and

18 WHEREAS, due notice of public hearing no. 20-04-016 on said application to be held on
19 the 27th of April, 2020 at 7:30 P.M. by the Council of the City of Florissant was duly published,
20 held and concluded; and

21 WHEREAS, the Council, following said public hearing, and after due and careful
22 consideration, has concluded that the issuance of a Special Permit for an auto service and repair
23 business would be in the best interest of the City of Florissant.

24
25 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
26 FLORISSANT, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

27
28 Section 1: Special Use Permit to allow for an auto repair shop, as shown on plans A-1
29 and A-2 dated 3/12/20 by Joe A Dale, NCARB Architect, subject to the conditions set forth
30 below with these conditions being part of the record:

- 31
32 1. Building already has an oil/debris interceptor inside facility.
33 2. Proposed exterior walls are brick in front and 14'-4" brick returns on side walls. The
34 balance of the proposed structure is split-faced concrete block (CMU). Per the masonry
35 ordinance, exterior walls that are non-masonry may be proposed under a petition for a
36 Special Use Permit.
37 3. Metal doors and wood structure with shingle roofing is proposed.

38
39
40 Section 2: This ordinance shall become in force and effect immediately upon its passage
41 and approval.

42 Adopted this _____ day of _____, 2020.

43
44
45 _____
46 Jeff Caputa
President of the Council

47
48
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51
52
53
54
55
56

Karen Goodwin, MPPA/MMC/MRCC
City Clerk

CITY OF FLORISSANT

Public Hearing



A Public Hearing will be held by the Florissant City Council on Monday, April 27th, 2020 at 7:30 p.m.

Due to COVID-19 pandemic and by Order of the Governor of the State of the Missouri, the Council meeting will conducted remotely with the Council, Mayor, staff and residents being allowed to attend through a Zoom platform.

To authorize a Special Use Permit to Premier Auto Service, Inc. d/b/a Premier Auto Service to allow for an auto service and repair facility located at 1890 & 1990 N. Highway 67 (legal description to govern). Citizens will have an opportunity to be heard. Anyone with special needs should contact the City Clerk at least 5 days before said public hearing by calling 839-7630 or TDD 839-5142.

CITY OF FLORISSANT, Karen Goodwin, MMC City Clerk

"Preserve and improve the health, safety, and welfare of our residents, businesses and the general public in the City of Florissant; while at the same time maintaining property values and improving the quality of life in the City of Florissant."

Council Ward 6 Zoning B-3

SPECIAL PERMIT FOR OPERATION OF AN AUTO SERVICE & REPAIR FACILITY

AMEND SPECIAL PERMIT # 2/A TO ALLOW FOR 2/A
 ordinance # Statement of what the amendment is for.

3) The petitioner(s) further states (s) that they (he) (she) are submitting a detailed site plan of the proposed or existing development showing location and use of all structures, off-street parking, and all other information required by the Zoning Ordinance or determined necessary by the Building Commissioner.

- 4) The petitioner(s) further state(s) that (he) (she) (they) shall comply with all of the requirements of the City of Florissant, including setback lines and off- street parking.
- 5) The petitioner (s) further (represent (s) and warrants (s) that they (he) (she) has (have) not made any arrangement to pay any commission gratuity or consideration, directly or indirectly to any official, employee or appointee of the City of Florissant, with respect to this application.
- 6) The petitioner(s) further state (s) that the Special Use Permit is sought for the following purposes, and no other, as listed in detail, all activities sought to be covered by the permit (i.e.; operation of a business, approval of building and/or site plans (preliminary and / or final), plan approval for signage, etc.):

7) The petitioner (s) state (s) the following factors and reason to justify the permit:

(If more space is needed, separate sheets maybe attached) *NEED ADDITION BAYS FOR EXISTING OPERATION.*

Glen Travers *Mu Tram* *1GMTAuto@yahoo.com* *3149604175*
 PRINT NAME SIGNATURE email and phone

FOR *PREMIER AUTO SERVICE, INC.*

(company, corporation, partnership)

Print and sign application. If applicant is a corporation or partnership signature must be a CORPORATE OFFICER or a PARTNER. NOTE: Corporate officer is an individual named in corporate papers.

8) I (we) hereby certify that, as applicant (circle one of the following):

1. I (we) have a legal interest in the herein above described property.
2. I am (we are) the duly appointed agent(s) of the petitioner (s), and that all information given here is true and a statement of fact.

Permission granted by the Petitioner assigning an agent (i.e. Architect) to present this petition in their behalf, to the Commission and/or Council. The petitioner must sign below, and provide contact information:

PRESENTOR SIGNATURE *JOE A. Dale*

ADDRESS *743 ST. MARY'S ROAD* *VILLA RIDGE* *MO* *63089*
 STREET CITY STATE ZIP CODE

TELEPHONE / EMAIL *314-517-5101* *joe.dale@sbcglobal.net*
 BUSINESS

I (we) the petitioner (s) do hereby appoint *JOE DALE* as
 Print name of agent.

my (our) duly authorized agent to represent me (us) in regard to this petition.

Mu Tram
 Signature of Petitioner authorizing an agent

NOTE: When the petitioner and/or his duly authorized agent appears before the Planning and Zoning Commission and to make a presentation, the same individuals must also appear before the City Council at the Public Hearing to make the presentation and no one else will be permitted to make the presentation to the City Council without authorized approval.

IF DESCRIPTIONS, PLATS OR SURVEYS ARE INACCURATE, OR IF THE PETITION APPLICATION IS NOT CORRECT OR COMPLETE, IT WILL BE RETURNED FOR ADDITIONS OR CORRECTIONS.

REQUIRED INFORMATION

Please mark an "X" in the appropriate type of operation, then fill in applicable section (a), (b) or (c).
Corporations are to submit copy of Missouri corporate papers with registration papers.

1) Type of Operation:

Individual _____ Partnership _____ Corporation _____

(a) If an individual:

(1) Name and Address _____

(2) Telephone Number _____

(3) Business Address _____

(4) Date started in business _____

(5) Name in which business is operated if different from (1) _____

(6) If operating under a fictitious name, provide the name and date registered with the State of Missouri, and a copy of the registration.

(b) If a partnership:

(1) Names & addresses of all partners _____

(2) Telephone numbers _____

(3) Business address _____

(4) Name under which business is operated _____

(5) If operating under fictitious name, provide date the name was registered with the State of Missouri, and a copy of the registration.

(c) If a corporation:

(1) Names & addresses of all partners Glean Travers 1785 St. Paul Rd Wildwood MO 63021

(2) Telephone numbers 314 960 4175

(3) Business address 11680 N. New Florissant Rd Florissant MO

(4) State of Incorporation & a photocopy of incorporation papers MO

(5) Date of Incorporation May 14, 2003

(6) Missouri Corporate Number 00522038

(7) If operating under fictitious name, provide the name and date registered with the State of Missouri, and a copy of registration. NTA

(8) Name in which business is operated Premiere Auto Service INC

(9) Copy of latest Missouri Anti-Trust. (annual registration of corporate officers) If the property location is in a strip center, give dimensions of your space under square footage and do not give landscaping Information.

Please fill in applicable information requested. If the property is located in a shopping center, provide the dimensions of the tenant space under square footage and landscaping information may not be required.

ADDRESS
Name 1090 NORTH HIGHWAY 67
NAME
Address EXISTING BUILDING
Property Owner GLENN TRAVERS
Location of property NEAR INTERSECTION OF HIGHWAY 67 & FLORISSANT ROAD
Dimensions of property IRREGULAR - SEE ATTACHED SURVEY
Property is presently zoned B-3 Requests Rezoning To B-3
Proposed Use of Property AUTO SERVICE AND REPAIR
Type of Sign BUILDING WALL SIGN Height 14'0" ABOVE GRADE
Type of Construction MASONRY / FRAME / VENEER Number Of Stories 1
Square Footage of Building 3,300 Number of Curb Cuts N/A
Number of Parking Spaces N/A Sidewalk Length N/A
Landscaping: No. of Trees N/A Diameter N/A
No. of Shrubs N/A Size N/A
Fence: Type NONE PROPOSED Length _____ Height _____

PLEASE SUBMIT THE FOLLOWING INFORMATION ON PLANS OR DRAWINGS:

1. Zoning of adjoining properties.
2. Show location of property in relation to major streets and all adjoining properties.
3. Show measurement of tract and overall area of tract.
4. Proposed parking layout and count, parking lighting.
5. Landscaping and trash screening.
5. Location, sizes and elevations of signage.

PROVIDE LEGAL DESCRIPTION OF PROPERTY PERTAINING TO THIS PETITION

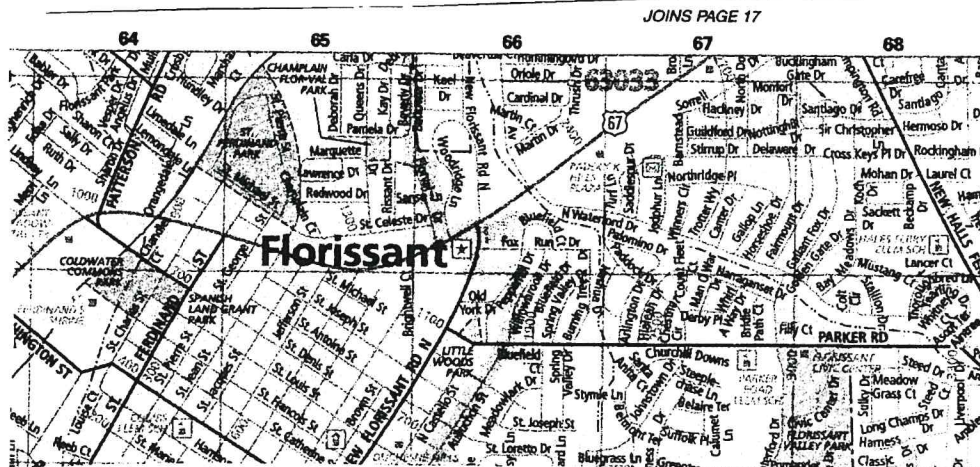
(Close legal description with acreage to the nearest tenth of an acre).

Provide a legal description of the property. If part of a shopping center, list address and show part of what shopping center (i.e.: 351 N. Highway 67 part of Florissant Meadows Shopping Center). If property is a single lot, list full written legal description with metes and bounds bearings and dimensions.

SEE ATTACHED SURVEY

PROVIDE LOCATION MAP SHOWING AREA INVOLVING THIS PETITION

Provide a drawing of a location map showing the nearest major intersection.



OFFICE USE ONLY

Date Application reviewed _____

STAFF REMARKS: _____

Building Commissioner or Staff Signature

A graphic scale bar is shown, labeled "GRAPHIC SCALE" and "(1" = 100')". Below the scale bar, it states "1 inch = 50 ft.". To the right of the scale bar is a north arrow pointing towards the top of the page, with the letter "N" at its tip.

NOTE: NO CROSS-AGENCY AGREEMENT DOCUMENTATION WAS PROVIDED FOR PERSUASIVE AGENCIES ON SUBJECT PROPERTY.

NOTE: THIS PLAT WAS PREPARED FROM INFORMATION FURNISHED TO THE SURVEYOR BY THE CLIENT. FOR ADDITIONAL DATA PERTAINING TO THIS SITE OBTAINED FROM THE 31. LAND COUNTY RECORDS OFFICE, PLEASE CONTACT THE COUNTY ENGINEER FOR TITLE INSURANCE DATED 01 OCTOBER 2008 BY INTERESTARY LAND TITLE COMPANY, INC. (LC049991740).
IT-25666-08-001, AND FROM INFORMATION COLLECTED FROM THE FIELD.

NOTE: 1P = SON PAGE 1R = SON ROD 7P = PLAT 7N = SURVEY

This is to be used by the WISCONSIN DEVELOPMENT COMPANY, INC. and MINNEAPOLIS LAND TITLE COMPANY, INC. in the request, with C. Dwyer and Associates Inc., during the month of November, 1982, for the purpose of conducting a survey of part of PARCELS A of SLEIGHBORN (or PART OF BLOCK 43) OF THE 1ST WISCONSIN LAND SURVEY, TOWNSHIP 36 NORTH, RANGE 10 WEST, 3RD MERIDIAN, ROCK COUNTY, WISCONSIN, and the portion of PARCELS A of SLEIGHBORN (or PART OF BLOCK 43) OF THE 54 LAND CARRY SURVEYS, together with the location of the reported easement, and that the results of said survey are normally shown on the above plat. This survey was conducted in accordance with the current mining standards for property boundary surveys as established by the Wisconsin Board of Architects, Professional Engineers and Land Surveyors and is conducted by the Wisconsin Board of Land Surveyors for an "Ordinary Land Survey."

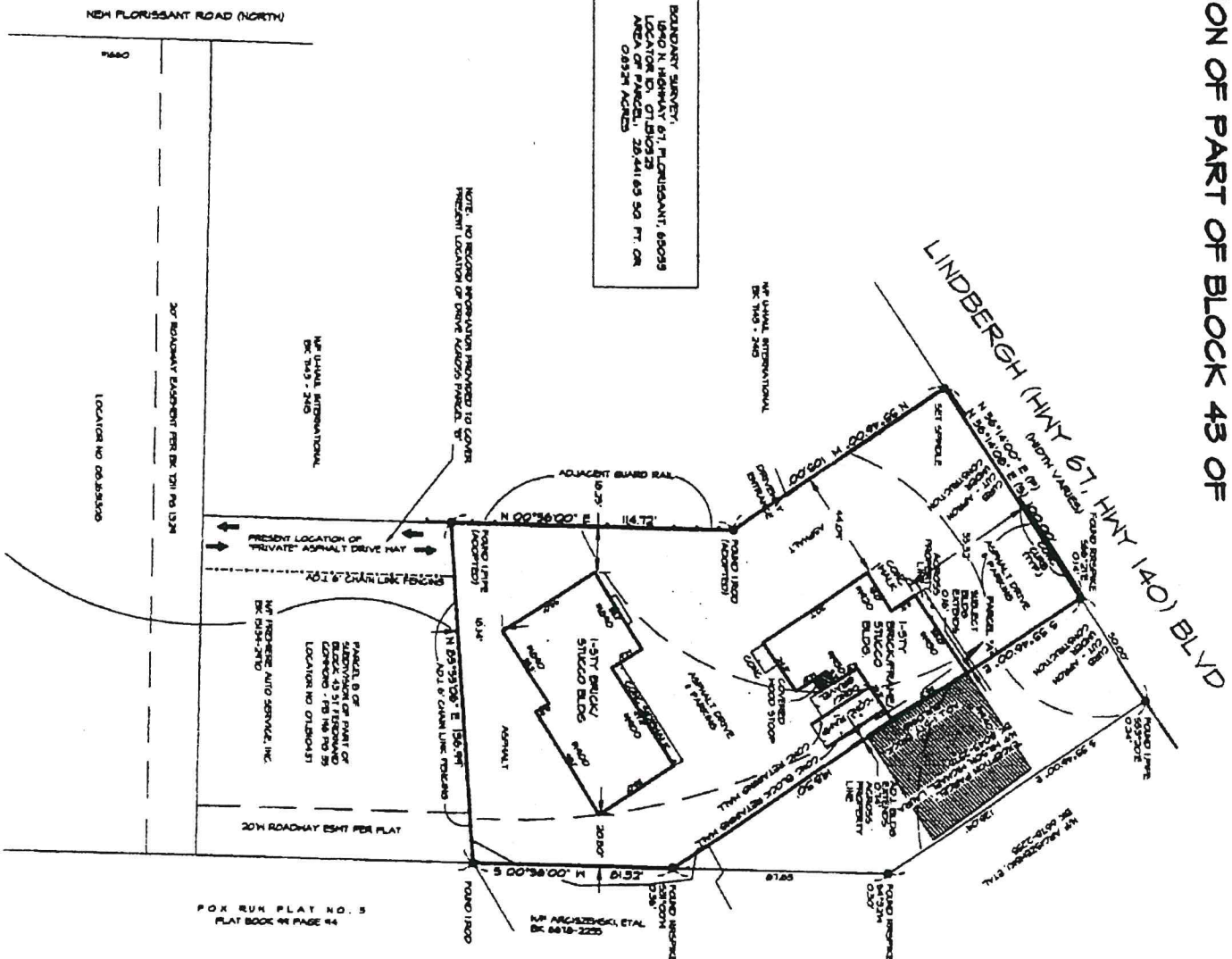
JOHN C. BERGH AND ASSOCIATES
PO BOX 70000

P.O. Box 220495
KIRKWOOD, MO 63122

Over 600 (75%)

John C. Bueghy, LA 1007
SEAL ORIGINAL FOR
SEAL NO SIGNATURE

NAME	15	NO. 17 NOV 1966
AGE	27	
HT-15		
WT		



1

MEMORANDUM



2

3

CITY OF FLORISSANT- Building Division

4 *"Preserve and improve the health, safety, and welfare of our residents, businesses and the general public in the City of Florissant;*
5 *while at the same time maintaining property values and improving the quality of life in the City of Florissant."*

6

7 To: Planning and Zoning Commissioners Date: March 30, 2020

8

9 From: Philip E. Lum, AIA-Building Commissioner c: Todd Hughes, P.E.,
10 Director Public Works
11 Deputy City Clerk
12 Applicant
13 File
14

15

16

17 Subject: Request recommended approval of a special use permit to allow for the
18 operation of an Auto Repair Shop at **1890 N Highway 67**, in a 'B-3'
19 Extensive Business District.
20

21

STAFF REPORT

CASE NUMBER PZ-040620-2

22

23

I. PROJECT DESCRIPTION:

24 This is a request for recommended approval of a special use permit to allow for the
25 operation of a Auto Repair Shop at 1890 N Highway 67.
26

27

II. EXISTING SITE CONDITIONS:

28 The existing property at 1890 N Hwy 67 has been vacant for several years. The proposal
29 is for GMT, an existing business within the city of Florissant that proposes to locate some
30 auto repair to this new location from 225 N Hwy 67. The site has multiple structures.
31 1900 formerly occupied by a food store, 1920 and 1930. The site is 100% paved.
32

33 The building which fronts on N Highway 67 has about 3312 s.f. at 1890 N Hwy 67 and
34 has a separation wall between it including 1900 N Highway 67. The front facing (North)
35 wall of the building is brick veneer. The West and South Facing walls are stucco plaster
36 over masonry, painted. There is an overhead door facing west. An existing roof-
37 mounted sign exists that is within the sign area limits, but is partially wood constructed,
38 which is not permitted.
39
40

There are 2 parking spaces in front of this tenant space. On the site there are 5 parking in front of 1900 N Highway 67, 6 spaces along the west adjacent to N Highway 67 and 6 spaces in front of the building fronting N Highway 67. There are approximately 23 total parking provided.

IV. STAFF ANALYSIS:

The petitioner proposes razing the building to the foundation and rebuilding taller walls to allow for 10 foot overhead doors and new roof construction. The application does not state how many cars will be on-site or parked at any one time, therefore, parking regulations may apply for public use, or as requested and approved for private use.

A survey which shows existing structures and property lines was presented with the auto detailing business. Plans received are A-1 and A-2 dated 3/12/20 by Joe A Dale, NCARB Architect.

Other recommendations by staff regarding the proposed structure:

1. Building already has an oil/debris interceptor inside facility.
2. Proposed exterior walls are brick in front and 14'-4" brick returns on side walls. The balance of the proposed structure is split-faced concrete block (CMU). Per the masonry ordinance, exterior walls that are non-masonry may be proposed under a petition for a Special Use Permit.
3. Metal doors and wood structure with shingle roofing is proposed.

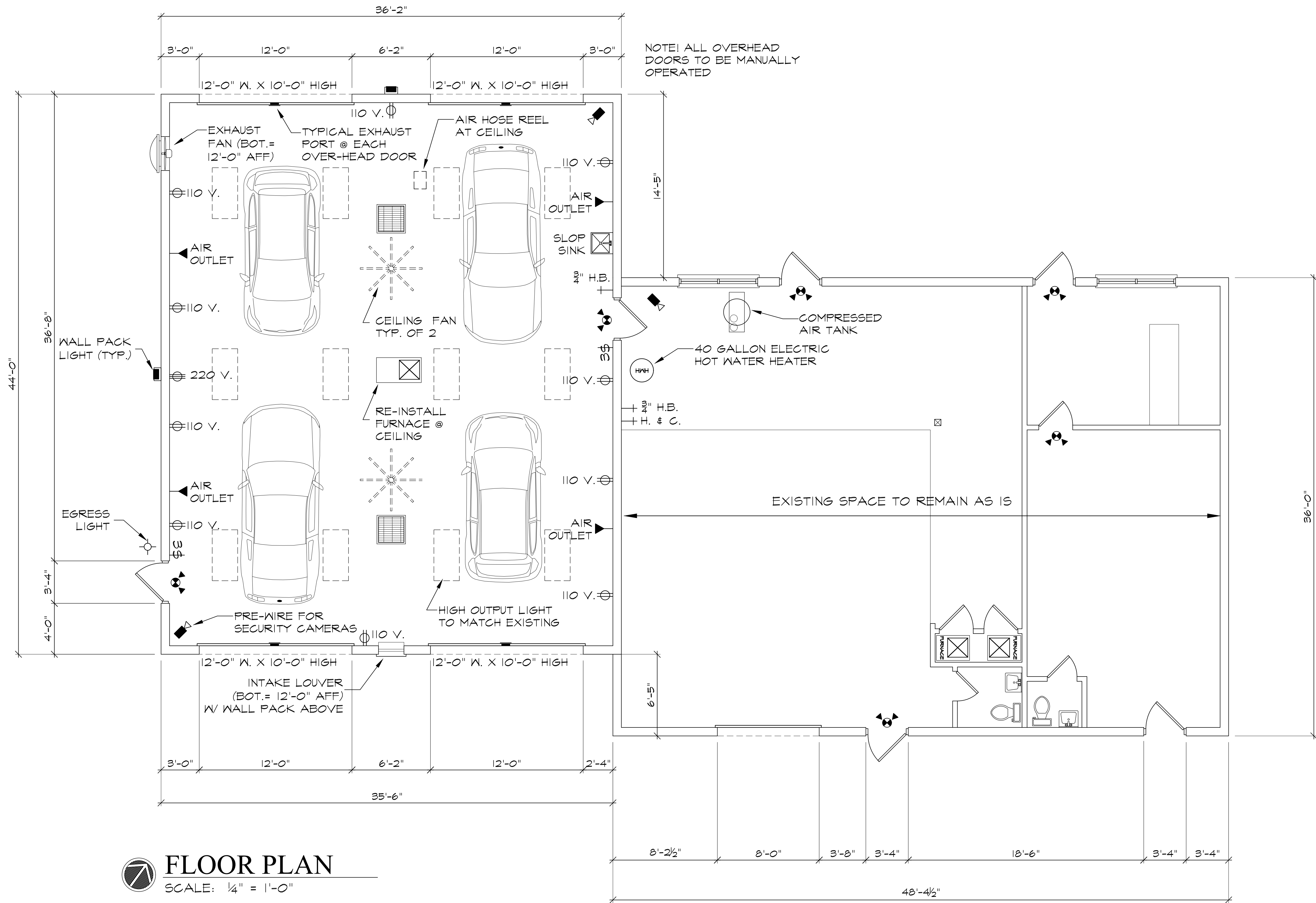
VI. STAFF RECOMENDATIONS:

If the Special Use Permit is approved for public use, staff recommends that the total number of cars on the site be limited to 4 inside and 6 outside the building plus one space for every employee on the maximum shift.

Suggested Motion 1890 N Highway 67- Auto Repair:

I move to recommend approval for a Special Use Permit to allow for an auto repair shop, as shown on plans A-1 and A-2 dated 3/12/20 by Joe A Dale, NCARB Architect, subject to the conditions set forth below with these conditions being part of the record.

(end report)



FLOOR PLAN
SCALE: 1/4" = 1'-0"

no.	date	description

revisions

ARCHITECT
JOE A. DALE, NCARB
314-517-5101
743 Saint Mary's Road
Villa Ridge, Mo. 63089
joe@joeale.com
joeale@sbcglobal.net

a proposed service bay reconstruction for:
PREMIER AUTO SERVICE
1890 NORTH HIGHWAY 67
FLORISSANT, MISSOURI 63033

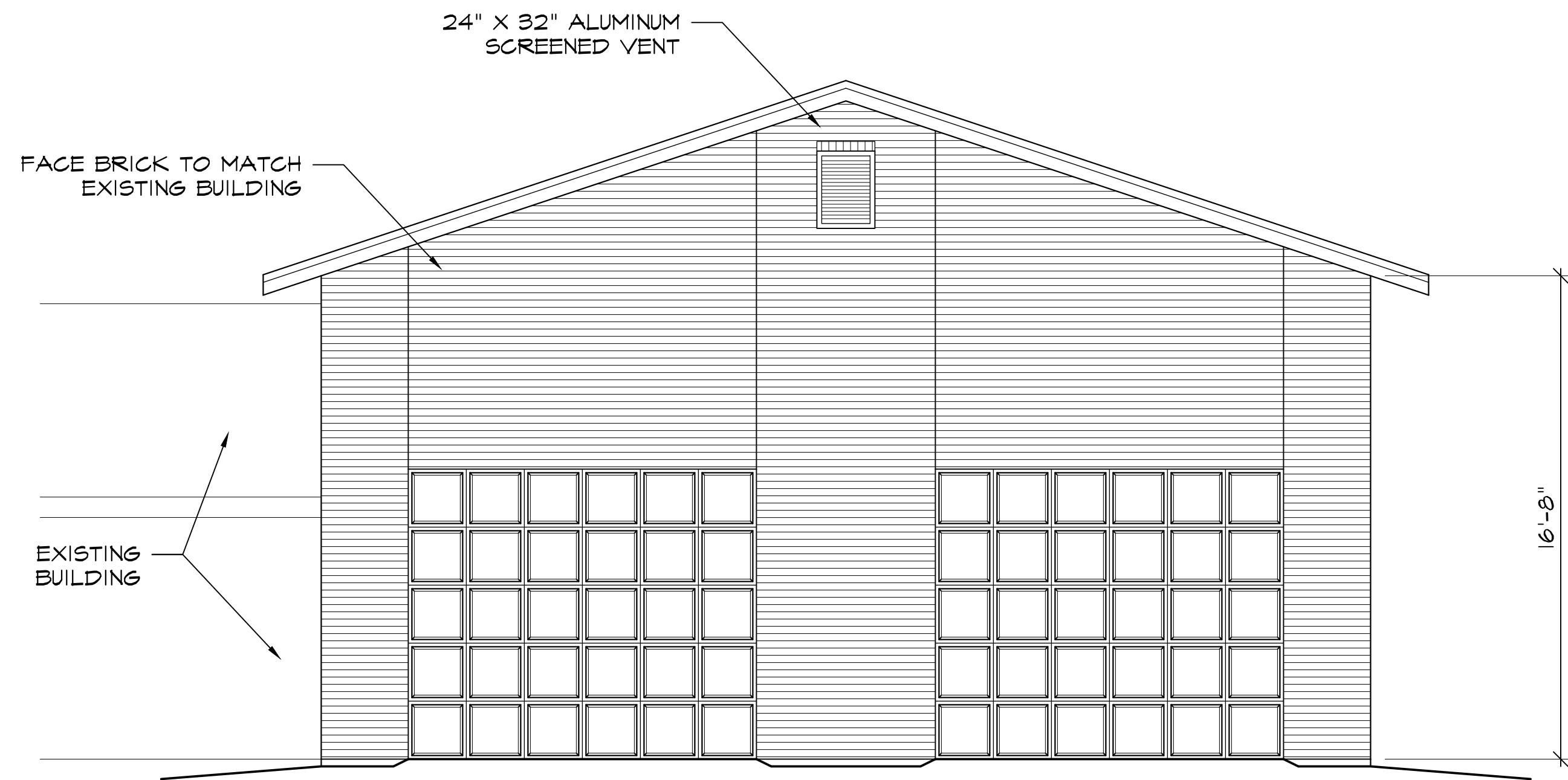
project
number

file
name

date

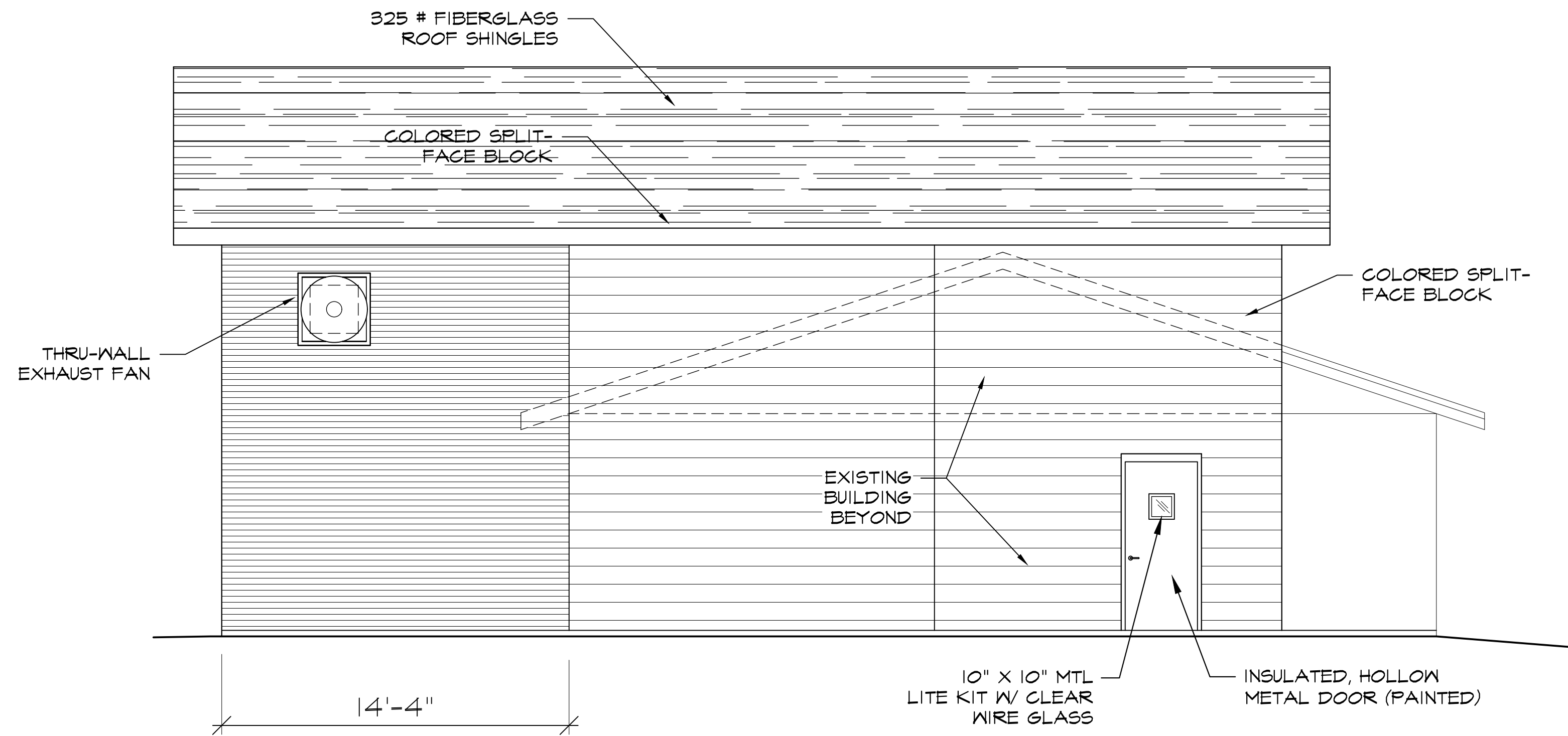
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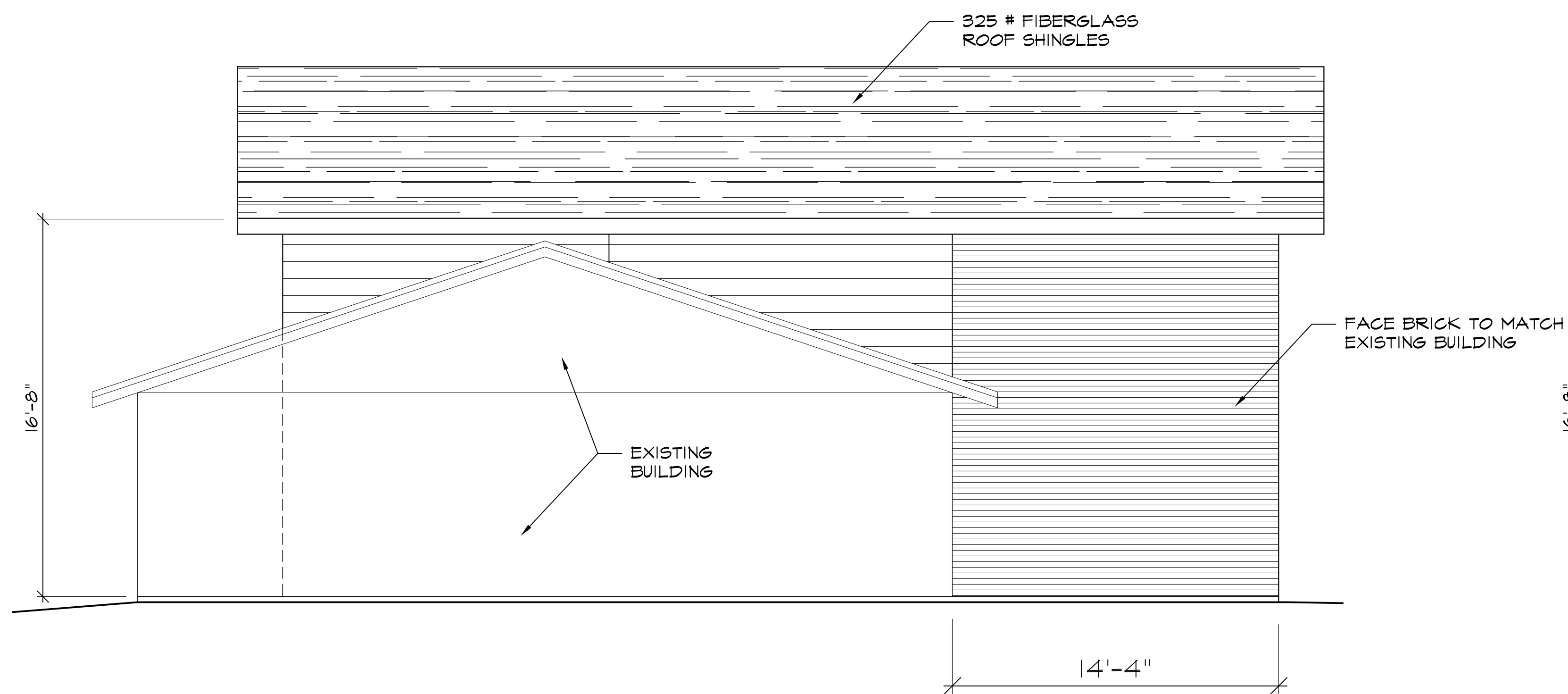
NORTHWEST ELEVATION

SCALE: 1/4" = 1'-0"



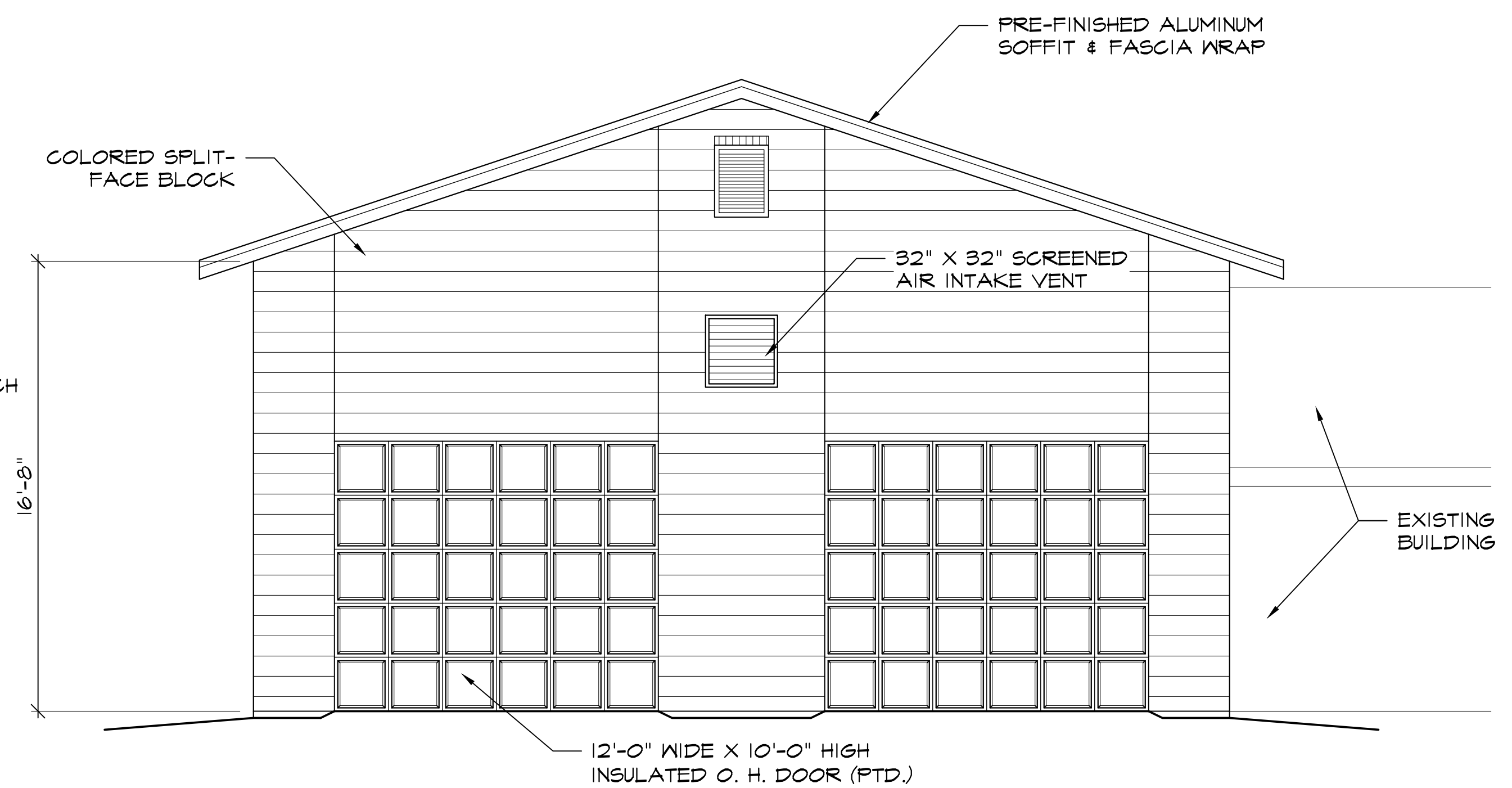
SOUTHWEST ELEVATION

SCALE: 1/4" = 1'-0"



NORTHEAST ELEVATION

SCALE: 1/4" = 1'-0"



SOUTHEAST ELEVATION

SCALE: 1/4" = 1'-0"

no. date description

revisions

ARCHITECT
JOE A. DALE, NCARB
314-517-5101
743 Saint Mary's Road
Villa Ridge, Mo. 63089
jocdale@sbcglobal.net

a proposed service bay reconstruction for:

PREMIER AUTO SERVICE

1890 NORTH HIGHWAY 67
FLORISSANT, MISSOURI 63033

project
number

file
name

date

sheet no.

A-2

of

PLAT BOOK 196 PAGE 35

CITY OF FLORISSANT



(IN FEET)
1 inch = 30 ft.

CO N. HIGHWAY 67, FLORISSANT, 63033
 PARCEL ID: 07J310525
 AREA OF PARCEL: 20,441.63 SQ. FT. OR
 0.6529 ACRES

NOTE: NO CARS5-ACCESS AGREEMENT DOCUMENTATION WAS PROVIDED FOR PARKING/DRIVE AREAS ON SUBJECT PROPERTY.

NOTE: THIS PLANS PREPARED FROM INFORMATION FURNISHED TO THE SURVEYOR BY THE CLIENT. FROM ADDITIONAL DATA PERTAINING TO THIS SITE OBTAINED FROM THE ST. LOUIS COUNTY ASSESSORS OFFICE, FROM A COMMITMENT FOR TITLE INSURANCE DATED 13 OCTOBER 2008 BY INTEGRITY LAND TITLE COMPANY, INC. (COMMITMENT NO. 33666-08-DR), AND FROM INFORMATION COLLECTED FROM THE FIELD.

NOTE. I.P. = IRON PIPE I.R. = IRON ROD (P) = PLAT (S) = SURVEY

[illegible]

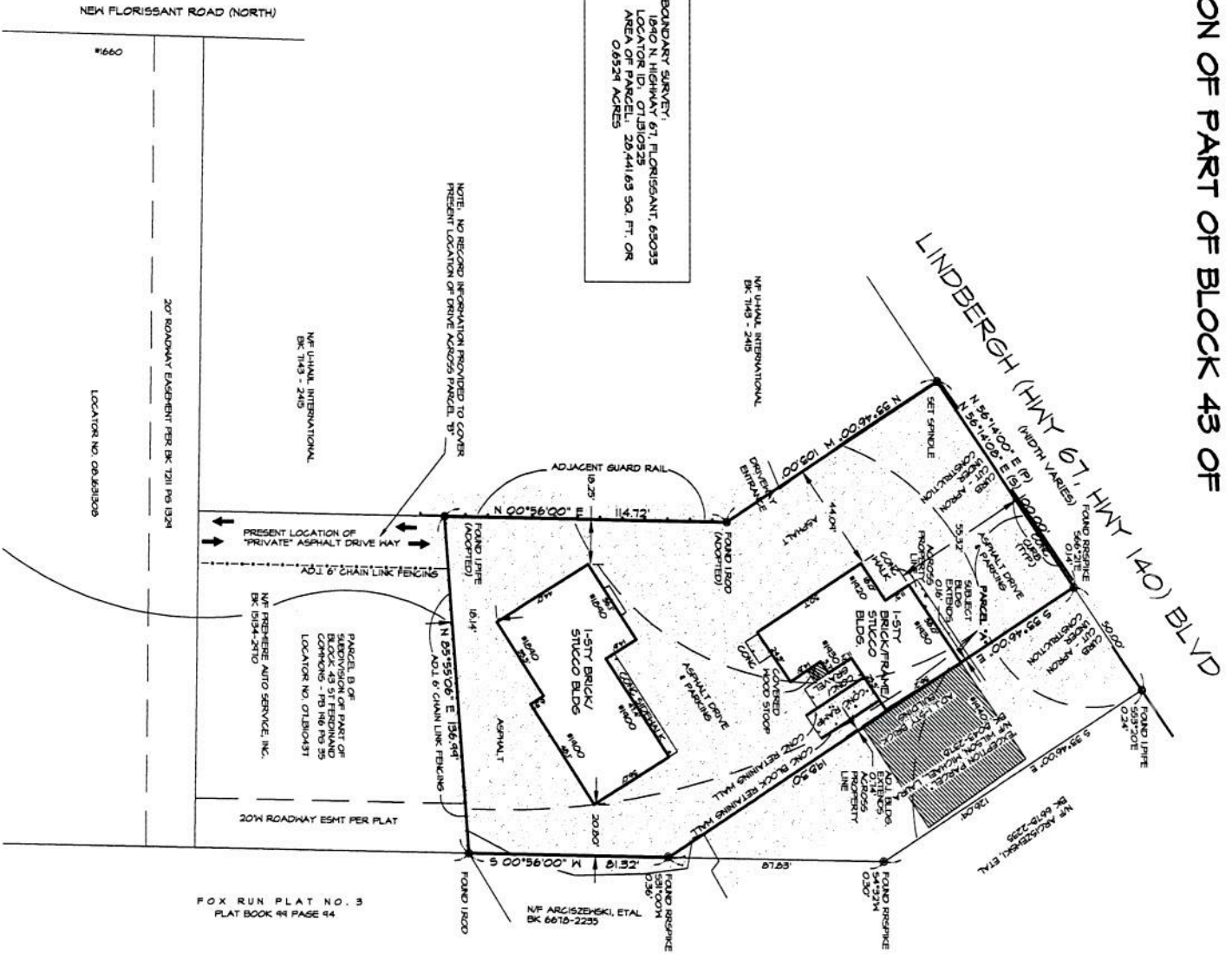
JOHN C. BERGH AND ASSOCIATES

P.O. BOX 220155
KIRKWOOD, MO 63122

(314) 466-9990

John C. Bergh
L.S. 1007
SEE ORIGINAL FOR
SEAL AND SIGNATURE

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FEET	1
HANDS	1
TOES	1
CLAWS	1
TAIL	1
WINGS	1
CLAWS	1
TEETH	1
NOSE	1
EARS	1
FEET	1
HANDS	1
TOES	1



1 INTRODUCED BY COUNCIL AS A WHOLE

3 BILL NO. 9603

ORDINANCE NO.

5 AN ORDINANCE OF THE CITY OF FLORISSANT, MISSOURI,
6 AUTHORIZING AND DIRECTING THE SUBMISSION OF A BALLOT
7 PROPOSITION TO THE QUALIFIED VOTERS OF THE CITY OF
8 FLORISSANT, MISSOURI, TO CONSIDER IMPOSING A LOCAL USE TAX
9 AT THE SAME RATE AS THE LOCAL SALES TAX OF THE CITY OF
10 FLORISSANT, MISSOURI, FOR PURCHASES FROM OUT-OF-STATE
11 VENDORS THAT EXCEED TWO THOUSAND DOLLARS

14 WHEREAS, the City of Florissant, Missouri, believes a local use tax will help level the economic
15 playing field between local retail merchants and out-of-state vendors, and that the revenue from such a
16 tax will support the provision of critical municipal services and, therefore seeks to have the ballot
17 proposition hereinafter referenced presented to qualified voters of the City at an election to be held on
18 August 4, 2020.

20 NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
21 FLORISSANT, MISSOURI AS FOLLOWS:

23 **Section 1.**

25 Pursuant to the requirements of Article X, Section 22 of the Missouri Constitution and in
26 accordance with Section 144.757, RSMo., the following proposition shall be submitted to the qualified
27 voters of the City of Florissant at the election to be held on August 4, 2020, to wit:

29 **PROPOSITION 1**

31 "Shall the City of FLORISSANT be authorized to impose a local use tax at the same rate as the
32 local sales tax by a vote of the governing body, provided that if any local sales tax is repealed,
33 reduced or raised by voter approval, the respective local use tax shall also be repealed, reduced
34 or raised by the same action? A use tax return shall not be required to be filed by persons whose
35 purchases from out-of-state vendors do not in total exceed two thousand dollars in any calendar
36 year".

38 Yes ☐

No ☐

40 **INSTRUCTIONS TO VOTERS:** If you are in favor of the Proposition, fill in the circle
41 opposite the word "Yes". If you are opposed to the Proposition, fill in the circle opposite the
42 word "No".

44 **Section 2.**

46 The City Clerk shall prepare and cause to be forwarded to the Board of Election
47 Commissioners of St. Louis County, Missouri, a Notice of Election in compliance with this ordinance
48 and take such other steps as may be required so that an election may be lawfully conducted.

49
50 **Section 3.**
51

52 The Board of Election Commissioners of St. Louis County shall conduct such election
53 according to the law and certify the results thereof. Said Board of Election Commissioners shall
54 designate such polling places as shall be required for said election and shall appoint such necessary
55 election officials as may be required for the conduct thereof. Said Board of Election Commissioners
56 shall also publish such notice of said election as shall be required by law and shall do and perform
57 such other necessary acts as may be required to conduct such election in accord with the statutes of the
58 State of Missouri and the ordinances of the City of Florissant, Missouri.
59

60
61 **Section 3:** This ordinance shall become in full force and effect immediately upon its passage
62 and approval.

63 Adopted this _____ day of _____, 2020.
64
65

66 _____
67 Jeff Caputa
68 President of the Council
69

70
71 Approved this _____ day of _____, 2020.
72
73

74 _____
75
76 Timothy J. Lowery
77 Mayor, City of Florissant
78

79 ATTEST:
80

81 _____
82 Karen Goodwin, MPPA/MMC/MRCC
83 City Clerk
84

From the MML website:

WHAT IS A USE TAX?

The local use tax is applied, in lieu of the local sales tax, on transactions that individuals and businesses conduct with out-of-state vendors, including catalog and direct market sales.

Sections 144.757.144.761 RSMo. authorizes any incorporation city, town or village to impose a local use tax.

WHAT IS THE RATE AT WHICH A USE TAX WOULD BE APPLIED?

The city may impose a use tax only at the same rate as its city sales tax rate. If the city's sales tax rate is repealed, reduced or increased, by voter approval, then the city's use tax rate is similarly repealed, reduced or increased.

HOW IS THE USE TAX COLLECTED?

If the out-of-state vendor has a facility in Missouri, the vendor will collect the local use tax, along with the state use tax, and remit both to the Missouri Department of Revenue (DOR). If the out-of-state vendor does not have a facility in Missouri, the purchaser must file a use tax return with DOR but only if the individual or business has more than \$2,000 in such purchases during the calendar year.

WHAT IS THE PROCESS FOR IMPOSING A LOCAL CIGARETTE TAX?

RSMo 149.192, passed in 1993, prohibits municipalities from enacting any new cigarette tax.

IS THERE A LOCAL OPTION GASOLINE TAX?

Yes. Article IV Section 30(a) #3 provides municipalities with the authority to impose a local option tax on gasoline. The tax requires a two-thirds majority voter approval. Mathews, Missouri is the only known municipality in the state to currently impose this tax.

IS A VOTE OF THE PEOPLE ALWAYS NEEDED TO INCREASE REVENUES?

It depends. In 1980, the voters of Missouri approved the Hancock Amendment to the Missouri Constitution. One of the key elements of this amendment is that any new license, tax or fee must be approved of by a majority of the local voters prior to imposition. Prior to the passage of Hancock city councils had been able to increase key funding sources such as property tax levies without seeking voter approval. In the wake of Hancock it looked like even minor revenue sources such as bus fares or concession pricing was going to require going through the election process. Luckily, the Missouri Supreme Court in its landmark case *Keller v. Marion County Ambulance District* developed a five point test to determine if a revenue source is really tax needing voter approval or a user fee that can be increased without voter approval. Determining if a particular revenue source is a user fee or a tax is something that requires consultation with the city attorney. Generally, user fees are thought to include items such as utility fees, swimming pool passes, building permits, or bus fares. Revenue sources that clearly require a vote of the people under the amendment includes property tax levies, and sales taxes.

1 INTRODUCED BY COUNCILMAN EAGAN
2 MAY 11, 2020
3

4 BILL NO. 9604

ORDINANCE NO.

5
6 **AN ORDINANCE AMENDING SECTION 340.105 “REGULATION OF**
7 **GOLF CARTS, LOW SPEED VEHICLES, AND MOTORIZED PLAY**
8 **VEHICLES” AND SECTION 355.170 “DRIVING OR PARKING IN**
9 **PARKS” TO ALLOW FOR THE USE OF LEGAL GOLF CARTS IN**
10 **CITY PARKS.**

11
12 WHEREAS, the City of Florissant regulates the use of legal golf carts in in city parks;
13 and

14 WHEREAS, the City Council believes it to be in the best interest of the City of
15 Florissant to allow use of legal golf carts in city parks. .
16

17 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
18 FLORISSANT, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:
19

20 Section 1: Chapter 340 “Miscellaneous Driving Rules” section340.105 “Regulation of
21 Golf Carts, Low Speed Vehicles, and Motorized Play Vehicles” is hereby amended by deleting
22 subsection 5 in its entirety and replacing it with the following:
23

24 5. No person shall ride on or operate a golf cart upon any sidewalk within the city, with
25 the exception of paved sidewalks accessing city parks, or within the boundaries of city
26 park except in designated parking areas.
27

28 Section 2: Chapter 355 “Stopping, Standing or Parking Prohibited in Specific Places”
29 Section 355.170 “Driving or Parking in Parks” is hereby deleted and replaced with the following:
30

31 No person shall operate or shall stop, stand or park a motor vehicle in the City
32 parks except on those drives, roadways and park areas which are so designated
33 by the Director of Parks and Recreation. Where it is determined by the Director
34 of Parks and Recreation on the basis of an investigation of park traffic and in the
35 interest of public safety that certain drives, roadways and other park areas are

not designed for both pedestrian and vehicular traffic and are not safe for the use of motor vehicles by the general public, the Director of Parks and Recreation shall cause signs to be erected prohibiting the operation and the stopping, standing or parking of motor vehicles. Parking and standing of motor vehicles is prohibited at all times on the Civic Center parking lot or driveways where the Mayor has directed no-parking signs to be installed and in particular in the turnaround area in front of the Civic Center. **LEGAL GOLF CARTS AS DESCRIBED IN SECTION 304.105 AND MOTORIZED HANDICAPPED WHEEL CHAIRS (RASCALS) SHALL BE EXEMPT AND ALLOWED TO TRAVEL IN A SAFE MANNER ALONG THESE PAVED SURFACES.** Any person violating such regulation by operating a motor vehicle or by stopping, standing or parking a motor vehicle without the consent of the Director of Parks and Recreation and contrary to such signs shall be deemed guilty of a misdemeanor and punished under the provisions of Section 100.080

Section 2: This ordinance shall become in full force and effect upon its passage and approval as provided by law.

Adopted this ____ day of _____, 2020.

Jeff Caputa
President of the Council
City of Florissant

Approved this ____ day of _____, 2020.

Timothy J. Lowery
Mayor, City of Florissant

ATTEST:

Karen Goodwin, MPPA/MMC/MRCC
City Clerk