

# CITY OF FLORISSANT



## COUNCIL MINUTES

February 22, 2021

Due to the Coronavirus (COVID-19) Pandemic, the Florissant City Council met in a virtual meeting through a Zoom platform on Monday, February 22, 2021 at 7:30 p.m. with Council President Schildroth presiding. The Chair asked everyone in attendance to stand and join in reciting the Pledge of Allegiance.

On Roll Call the following Councilmembers were present: Eagan, Caputa, Schildroth, Mulcahy, Pagano, Parson, Siam, Harris, and Manganelli. Also present was Mayor Timothy Lowery, City Clerk Karen Goodwin, and City Attorney John Hessel. A quorum being present the Chair stated that the Council Meeting was in session for the transaction of business.

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 existed, the members of the City Council who are not physically present in the Council Chambers, can participate and vote remotely on all matters.

Councilman Siam moved to approve the City Council Minutes of February 8, 2021, seconded by Parson. Motion carried.

The next item on the Agenda was *Certificate of Appreciation*.

A Certificate of Appreciation was presented to Linda Rose, President of the Parks and Recreation Commission, to thank her for all the hard work she has done for the City of Florissant and the Parks and Recreation Commission and as the president of the commission. City Clerk read a letter from Mrs. Rose to the Council and Mayor.

The next item on the Agenda was *Proclamations*.

February 22<sup>nd</sup>, 2021 was proclaimed as Supermarket Employee Day to honor and thank Supermarket Employees for their hard work during the Covid-19 pandemic.

Ray Donohue, Florissant Schnucks, thanked Mayor Lowery and the City Council for the Proclamation. Kerry Shadley, Shackleford Schnucks, thanked everyone for inviting him and the honor of the proclamation.

32 Councilman Schildroth thanked the supermarket workers who live in the City of Florissant.

33 Councilman Caputa thanked the workers for their work during the pandemic and encouraged  
34 residents to thank the employees.

35 Councilman Harris echoed his appreciation for the employees of supermarkets.

36 The next item on the Agenda was *Hearing from Citizens*

37 Marvin Tobias, 1826 Woodridge Ln, asked the Council to post a link to the City Budget in full  
38 for government transparency to show why certain budget line items were increased.

39 Robert Smith, 2823 Chapel View, echoed Mr. Tobias' request for reports as well stating the last  
40 monthly report was posted for October 2020.

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

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

43 The City Clerk reported that Public Hearing 21-02-004 for the request to approve a Special Use  
44 Permit to allow for a Carry-Out Restaurant located at 2170 N. Waterford. The Chair declared the Public  
45 Hearing to be open.

46 Kayla Bailey, owner, wants to bring franchise the Nephew's restaurant in the area as it is a well-  
47 known franchise for the area. She stated the hours are 10 am to 9 pm, with a minimum number of  
48 employees since there will be no indoor seating and no alcohol will be served on the premise. Ms. Bailey  
49 stated this is her first time working in a franchise however, her family has owned their own small  
50 restaurants.

51 Being no further comments, Councilman Siam moved to close the Public Hearing, seconded by  
52 Caputa. Motion carried.

53 The City Clerk reported that Public Hearing 21-02-005 for the request to amend Special Use  
54 Ordinance no. 8376 to allow for adding a nightclub use with live performances and a cover charge located  
55 at 1752-1756 N. New Florissant. The Chair declared the Public Hearing to be open.

56 Maurice Rankin, wanted to amend the special use permit to allow for a cover charge during the  
57 band and comedy show nights. Mr. Rankin stated they are currently paying out of pocket for the  
58 entertainment. He informed the City Council the cover charge would be \$5; the band comes once a week  
59 on Wednesday nights and comedy shows take place once every month or every other month. Mr. Rankin  
60 stated the business currently follows the St. Louis County Department of Health guidelines for masks,  
61 capacity, and sanitizing. Shade Restaurant are currently working from 12pm to 11pm, but will want his  
62 hours during the weekend to change depending on the pandemic. Mr. Ranking states two-man security,

63 who are licensed, bonded and unarmed, is on the premises each night at this time and the number of  
64 officers will increase when the capacity restrictions end.

65 Councilman Harris stated he believes have an entertainment aspect to a restaurant/bar is a great  
66 addition to the area especially with a comedy show.

67 Councilman Eagan stated his concern with a nightclub use explaining that crime on Main Street  
68 in the City of St. Charles has increased around the nightclubs and asked Chief Fagan to give his opinion  
69 on the nightclub use. Eagan wished Mr. Rankin success as a restaurant but repeated his concern with the  
70 nightclub use.

71 Chief Fagan stated the Police Department's concern with the nightclub use based on negative  
72 experience with these uses. He informed everyone the City of St. Charles is now having difficulty trying  
73 to help fix the situation on Main Street. The Chief informed the City Council that in the 11 months that  
74 Club Envy was previously open, the Police Department saw 7 counts of assault two of which being  
75 Assault 1 and two calls involving unlawful use of a weapon concerns. Chief Fagan made note the concern  
76 has nothing to do with Mr. Rankin and his business however, the nightclub use is a concern rather than a  
77 comedy club use.

78 Councilwoman Pagano confirmed with Attorney Hessel that the Special Use Permit with the  
79 nightclub use would transfer if a new business were to take over the current location for Shade Restaurant.

80 Phil Lum, Building Commissioner, stated the Council could specify the nightclub use to specific  
81 nights and make the use secondary to the restaurant/bar use.

82 Being no further comments, Councilman Siam moved to close the Public Hearing, seconded by  
83 Harris. Motion carried.

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

85 Councilwoman Pagano moved that Bill No. 9656 an Ordinance of the City of Florissant, Missouri,  
86 amending Title II "Public Health, Safety and Welfare", Chapter 210 "Offenses", Chapter 213  
87 "Nuisances", Article II "Weeds", by adding a new Section 213-075 "Invasive Non-Native, Exotic Plant  
88 Species Declared a Public Nuisance" be read for a second time, seconded by Caputa. Motion carried and  
89 Bill No. 9656 was read for a second time. Councilwoman Pagano moved that Bill No. 9656 be read for  
90 a third time, seconded by Mulcahy. Motion carried and Bill No. 9656 was read for a third and final time  
91 and placed upon its passage. Robert Smith, 2823 Chapel View, questioned who would be responsible for  
92 informing and fining residents with the listed plant species. Phil Lum, Building Commissioner, stated the  
93 Health Department would be in charge of identifying and notifying residents.

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

96 Whereupon the Chair declared Bill No. 9656 to have passed and said Bill became Ordinance No.  
97 8672.

98 Councilman Schildroth moved to accept the Substitute Bill No. 9658, seconded by Eagan.  
99 Councilman Schildroth moved that Substitute Bill No. 9658 an Ordinance authorizing an appropriation  
100 of \$4,950 from the Park Improvement Fund to budget account no. 09-5-09-61470 “Capital Additions –  
101 Park Improvement” and transfer \$3,550.87 from Escrow account no. 11-20260 “Contributions – Dog  
102 Park” to account no. 09-4-09300 “Park Improvements – Misc. Revenue” for the purpose of repairing the  
103 gates at the dog park be read for a second time, seconded by Eagan. Motion carried and Substitute Bill  
104 No. 9658 was read for a second time. Councilman Schildroth moved that Substitute Bill No. 9658 be  
105 read for a third time, seconded by Pagano. Motion carried and Substitute Bill No. 9658 was read for a  
106 third and final time and placed upon its passage. Marvin Tobias, 1826 Woodridge Ln, questioned how  
107 long the gates would last once replaced. Cheryl Thompson, Parks Director, stated the original gates were  
108 of lesser quality of the replacements and the new gates will be corrected to a better quality.

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

111 Whereupon the Chair declared Substitute Bill No. 9658 to have passed and said Bill became  
112 Ordinance No. 8673.

113 The Chair stated that the next item on the agenda was *Board Appointments* of which there were  
114 none.

115 The Chair stated that the next item on the agenda was *Requests* of which there were none.

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

117 Councilman Siam introduced Bill No. 9661 an Ordinance to amend Special Use Ordinance no.  
118 8376 to allow for adding a nightclub use with live performances and a cover charge located at 1752-1756  
119 N. New Florissant and said Bill was read for the first time by title only.

120 Councilman Siam introduced Bill No. 9662 an Ordinance to approve a Special Use Permit to  
121 allow for a Carry-Out Restaurant located at 2170 N. Waterford and said Bill was read for the first time  
122 by title only.

123 Councilman Schildroth moved that Bill No. 9663 an Ordinance to approve a transfer of \$498 from  
124 budget account no. 5-09-33442 “Materials and Supplies” to account no. 5-09-61440 “Capital Additions”

125 for the purchase of a pool vacuum at JJE and said Bill was read for the first time by title only. Councilman  
126 Schildroth moved that Bill No. 9663 be read for a second time, seconded by Caputa. Motion carried and  
127 Bill No. 9663 was read for a second time. Councilman Schildroth moved that Bill No. 9663 be read for  
128 a third time, seconded by Eagan. On roll call the Council voted: Eagan yes, Caputa yes, Schildroth yes,  
129 Mulcahy yes, Pagano yes, Parson yes, Siam yes, Harris yes, and Manganelli yes. Having received the  
130 unanimous vote of all members present Bill No. 9663 was read for a third and final time and placed upon  
131 its passage. Before the final vote all interested persons were given an opportunity to be heard.

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

134 Whereupon the Chair declared Bill No. 9663 to have passed and said Bill became Ordinance No.  
135 8674.

136 Councilman Schildroth introduced Bill No. 9664 an Ordinance to transfer \$30,000 from budget  
137 account no. 09-5-29030 “Building & Ground Maintenance-Trees” and \$29,000 from account no. 09-5-  
138 09-10030 “Part time salaries” to account no. 09-5-09-61470 “Capital Additions” for the Koch Park  
139 Splash Pad Enhancement Project and said Bill was read for the first time by title only. Councilman  
140 Schildroth moved that Bill No. 9664 be read for a second time, seconded by Pagano. Motion carried and  
141 Bill No. 9664 was read for a second time. Councilman Schildroth moved that Bill No. 9664 be read for  
142 a third time, seconded by Mulcahy. On roll call the Council voted: Eagan yes, Caputa yes, Schildroth  
143 yes, Mulcahy yes, Pagano yes, Parson yes, Siam yes, Harris yes, and Manganelli yes. Having received  
144 the unanimous vote of all members present Bill No. 9664 was read for a third and final time and placed  
145 upon its passage. Before the final vote all interested persons were given an opportunity to be heard.

146 Robert Smith, 2823 Chapel View, wanted verification of the total amount being \$89,000 for the  
147 Splash Pad. Cheryl Thompson, Parks Director, stated the project had three change orders during the  
148 project along with the playground equipment cost had increased. Marvin Tobias, 1826 Woodridge Ln,  
149 questioned how many part-time employees would be employed with the reduction in the budget. Cheryl  
150 Thompson stated the seasonal employee number dropped from ten to six seasonal employees on the  
151 updated budget.

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

154 Whereupon the Chair declared Bill No. 9664 to have passed and said Bill became Ordinance No.  
155 8675.

156 Councilman Schildroth introduced Bill No. 9665 an Ordinance authorizing an amendment to  
157 ordinance no. 8586, Establishing a compensation plan for Part-Time employees by adding the position  
158 of “Senior Citizen Specialist” and said Bill was read for the first time by title only.

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

160 Councilman Harris congratulated retiring officers Busby, Conan, and Lt. Peters and the police  
161 department has posted hiring opportunities. He stated Human Resources and the Parks Department are  
162 all posting hiring positions recently. Harris informed residents that the Florissant Spotlight has  
163 information about Nerf Wars at the JJE ice rink.

164 Council Eagan reminded everyone of the TEAM food pantry donations. He stated Ward 3  
165 resident, Ashley Pedibone, is a 15-year-old now holds the National Record for Bench-press at 127 lbs.

166 Councilman Caputa reminded residents to lock up firearms in a secure place and not in their  
167 vehicle and watch out for their neighbors through Neighborhood Watch Program.

168 Councilman Schildroth reminded resident of the work on Dunn Rd and the westbound 270 exit  
169 to New Florissant Rd which will close permanently starting March 1, 2021. He thanked the street  
170 department for their hard work during the weather

171 Councilwoman Pagano reminded residents of the major changes on the eastbound lanes of Dunn  
172 Rd due to construction through MoDOT and more information is available on MoDOT’s website.

173 Councilman Parson recognized Pauli Murray for Black History Month noting her trailblazing for  
174 during the Civil Rights Movement and was arrested for sitting in the “Whites Only” section of the bus  
175 15 years before Rosa Parks refused to give up her seat. Ms. Murray was a lawyer, women’s rights activist,  
176 episcopal priest, and an author.

177 Councilman Siam encouraged people to use masks in public, social distancing, hand sanitizer and  
178 regular handwashing. He reminded residents to pre-register for the vaccine online through St. Louis  
179 County and local hospitals.

180 The next item was *Mayor Announcements*.

181 Mayor Lowery announced the city’s website is updated and thanked Steve Weirsmueller and  
182 Chris Pease for their hard work on the city website. He stated the groundbreaking and check presentation  
183 for Angie’s Playground was cancelled due to the weather and has been rescheduled for Tuesday, March  
184 18 at 2pm.

185 The Council President stated that the next regular City Council Meeting will be Monday, March  
186 8, 2021 at 7:30 pm.

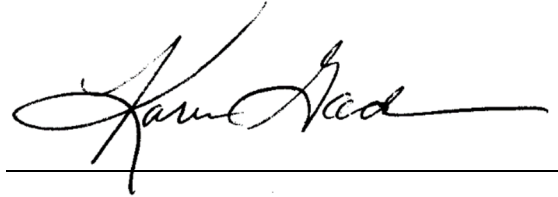
187 Councilwoman Pagano moved to adjourn the meeting, seconded by Manganelli. Motion carried.

188 The meeting was adjourned at 9:05 p.m.

189

190

191



---

Karen Goodwin, MPPA/MMC/MRCC  
City Clerk

192

193

194 The following Bills were signed by the Mayor:

195 Bill No. 9656 Ord. 8672

196 Bill No. 9658 Ord. 8673

197 Bill No. 9663 Ord. 8674

198 Bill No. 9664 Ord. 8675

199