

CITY OF FLORISSANT



COUNCIL MINUTES

January 26, 2015

The Florissant City Council met in regular session at Florissant City Hall at 955 rue St. Francois on Monday, January 26, 2015 at 7:30 p.m. with Council President Joseph Eagan presiding. The Chair asked everyone in attendance to stand and join in the Pledge of Allegiance.

On Roll Call the following were present: Henke, Pagano, Schmidt, Hernandez, Lee, Jones, Eagan, Caputa and Schildroth. Also present was Mayor Thomas P. Schneider, City Attorney John Hessel and City Clerk Karen Goodwin. A quorum being present the Chair stated that the Council meeting was in session for the transaction of business.

Councilman Schildroth moved to approve the Meeting Minutes of 1/12/2015, seconded by Lee. Motion carried.

The next item on the Agenda was *Hearing from Citizen*.

Kevin O'Donnell, 512 Rancho Lane, questioned the security of the City's website and the privacy of residents' email addresses after he received unsolicited email from the City. He questioned why this information had been made available to outside, third party sources. He requested a response from city staff within 72 hours.

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

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

The City Clerk reported that Public Hearing #15-01-001 to be held this night on a request to issue an amendment to B-5 Ordinance No. 7738 to allow for the addition of a BBQ cooking area for a sit-down, carry-out restaurant for the property located at 8471 N. Lindbergh 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.

32 Mr. Varum Madaksira, petitioner, submitted minor revised plans to the Council.
33 These revisions included labeling the “drive-thru” window as a “pick-up” window,
34 seating was changed from 23 to 27, and bollards were added as well. Another revision
35 included changing four smokers to five. The petitioner explained that there will be two
36 large electric commercial exhaust fans on the hoods which will take the smoke up and
37 out. Mr. Madaksira stated that the only time you might see a small amount of smoke
38 would be at 5:00 a.m. when they started up the pits. The pits are self- contained 5,000
39 gallon drums. All the charcoal and grease are contained in the drum and cleaned out
40 daily. No alcohol will be served. The menu board will be removed and there will be no
41 speakers. There will be plenty of room for customers to drive through the pick-up
42 window. He has not decided upon signage but he will comply with the City’s sign
43 code.

44 Red the BBQ Man had been located in the City of Ferguson, but is now hoping
45 to locate a restaurant in Florissant. They will be open four days a week, Thursday
46 through Sunday from 10:30 a.m.to 10:30 p.m. He hopes to open sometime in April.

47 The Chair asked if there were any other citizens who would like to speak on said
48 public hearing. Being no persons who wished to speak, Councilman Hernandez moved
49 to close P.H. #15-01-001, seconded by Jones. Motion carried.

50 The City Clerk reported that Public Hearing #15-01-002 to be held this night on
51 a request to authorize a Special Use Permit to AJB’s Barbeque, LLC d/b/a AJB’s BBQ
52 to allow for the operation of a carry-out, delivery restaurant for the property located at
53 18 Patterson Plaza Shopping Center had been advertised in substantially the same form
54 as appears in the foregoing publication and by posting the property. The Chair declared
55 the Public Hearing to be open and invited those who wished to be heard to come
56 forward.

57 Mr. Anthony Barber, petitioner, stated his barbeque restaurant would serve grass
58 fed beef, all natural pork and use all natural and locally grown ingredients. He had a
59 restaurant in Chicago for 12 years. His barbeque is cooked in an indoor smoking pit
60 similar to the self-contained unit that Dierbergs uses. There will be no residual smoke.
61 He will be using Missouri Oak wood. No alcohol will be served. His hours of operation
62 will be 10 to 11:30, 7 days a week.

63 The Chair asked if there were any other citizens who would like to speak on said
64 public hearing. Kevin O'Donnell, 512 Rancho Lane, asked the petitioner questions
65 regarding pricing. Being no other persons who wished to speak, Councilman Schildroth
66 moved to close P.H. #15-01-002, seconded by Henke. Motion carried.

67 The City Clerk reported that Public Hearing #15-01-003 to be held this night on
68 a request to authorize a Special Use Permit to Enterprise Leasing Company of St. Louis,
69 LLC, d/b/a Enterprise Rent-A-Car to allow for the operation of a vehicle rental facility
70 for the property located at 1101 N. Hwy. 67. The Chair declared the Public Hearing to
71 be open and invited those who wished to be heard to come forward.

72 Mr. Tim Hoff, petitioner, informed the Council that Enterprise Leasing currently
73 operated a car leasing business directly across the street from the requested location.
74 The new location is 3,000 square feet which would accommodate an office, lobby area,
75 and one inside car wash bay. The hours of operation will be Monday through Friday
76 7:30 until 6:00 and on Saturdays and Sundays 9-3.

77 The Chair asked if there were any other citizens who would like to speak on said
78 public hearing. Being no persons who wished to speak, Councilman Lee moved to
79 close P.H. #15-01-003, seconded by Schmidt. Motion carried.

80 Councilman Schmidt moved to postpone Bill No. 9056 An Ordinance to rezone
81 for Missouri CVS Pharmacy LLC the property located at 696 & 698 N. Hwy. 67 from
82 B-3 Extensive Commercial District to a B-5 Planned Commercial District to allow for
83 the location and operation of a 24 hour drive-through pharmacy, retail sales, medical
84 clinic and liquor sales to 2/9/2015, seconded by Eagan. Motion carried.

85 Councilman Henke moved that Bill No. 9063 An Ordinance amending Title III,
86 Table XVIII A of the Florissant City Code by adding eastbound St. Denis at Jefferson
87 and on Jefferson in front of Sacred Heart Church on Saturday from 4:00 p.m. to 6:00
88 p.m. and on Sunday from 6:00 a.m. to 1:00 p.m. be read for a second time, seconded by
89 Schildroth. Motion carried and Bill No. 9063 was read for a second time. Councilman
90 Henke moved that Bill No. 9063 be read for a third time, seconded by Jones. Motion
91 carried and Bill No. 9063 was read for a third and final time and placed upon its passage.
92 Before the final vote all interested persons were given an opportunity to be heard.

93 Kevin O'Donnell, 512 Rancho, requested clarification on the location of the
94 parking. On roll call the Council voted: Henke yes, Pagano yes, Schmidt yes,
95 Hernandez yes, Lee yes, Jones yes, Eagan yes, Caputa yes and Schildroth yes.
96 Whereupon the Chair declared Bill No. 9063 to have passed and said Bill became
97 Ordinance No. 8109.

98 Councilman Jones moved that Bill No. 9064 An Ordinance amending the
99 General Fund Budget to reflect \$37,000 from Asset Forfeiture Funds in escrow to
100 Forfeiture Revenue Acct. No. 01-4-34511 and to the Forfeiture Expenditure Acct. No.
101 01-5-49-61000 for police training and for the purchase of various equipment for the
102 Police Department be read for a second time, seconded by Hernandez. Motion carried
103 and Bill No. 9064 was read for a second time. Councilman Schmidt moved that Bill
104 No. 9064 be read for a third time, seconded by Schildroth. Motion carried and Bill No.
105 9064 was read for a third and final time and placed upon its passage.

106 Before the final vote all interested persons were given an opportunity to be
107 heard. On roll call the Council voted: Henke yes, Pagano yes, Schmidt yes, Hernandez
108 yes, Lee yes, Jones yes, Eagan yes, Caputa yes and Schildroth yes. Whereupon the
109 Chair declared Bill No. 9064 to have passed and said Bill became Ordinance No. 8110.

110 The next item on the agenda was *Board Appointments*.

111 Councilman Henke moved to reappointment Ben Eye, 985 Washington, to the
112 Parks and Recreation Advisory Board as a member from Ward 6 for a term expiring on
113 1/13/2018, seconded by Schildroth. Motion carried.

114 Councilman Henke moved to reappointment Gretchen Crank, 111 rue St.
115 Catherine, to the Landmark Historic District Commission as a member from Ward 6 for
116 a term expiring on 11/8/2018, seconded by Schmidt. Motion carried.

117 Council as a Whole introduced Resolution No. 976 A Resolution supporting the
118 City of Florissant application to the East-West Gateway Council of Government
119 Transportation Improvement Program FY16-19 for the North Lafayette Street
120 Reconstruction Phase II and said Resolution was read for the first time. Councilman
121 Henke moved that Resolution No. 976 be read for a second time, seconded by Pagano.
122 Motion carried and Resolution No. 976 was read for a second time. Councilman
123 Caputa moved that Resolution No. 976 be read for a third time, seconded by Jones.

124 On roll call the Council voted: Henke yes, Pagano yes, Schmidt yes, Hernandez yes,
125 Lee yes, Jones yes, Eagan yes, Caputa yes and Schildroth yes. Having received the
126 unanimous vote of all members present Resolution No. 976 was read for the third and
127 final time and placed upon its passage.

128 Before the final vote all other interested persons were given an opportunity to be
129 heard. Being no persons who wished to be heard, on roll call the Council voted: Henke
130 yes, Pagano yes, Schmidt yes, Hernandez yes, Lee yes, Jones yes, Eagan yes, Caputa yes
131 and Schildroth yes. Whereupon the Chair declared Resolution No. 976 to have been
132 adopted.

133 Councilman Eagan introduced Bill No. 9066 An Ordinance authorizing an
134 amendment to B-5 Ordinance No. 7738 to allow for the addition of a BBQ cooking area
135 for a sit-down, carry-out restaurant for the property located at 8471 N. Lindbergh and
136 said Bill was read for the first time by title only.

137 Councilman Caputa introduced Bill No. 9067 An Ordinance to authorize a
138 Special Use Permit to AJB's Barbecue, LLC d/b/a AJB's BBQ to allow for the
139 operation of a carry-out, delivery restaurant for the property located at 18 Patterson
140 Plaza Shopping Center and said Bill was read for the first time by title only.

141 Councilman Henke introduced Bill No. 9068 An Ordinance to authorize a
142 Special Use Permit to Enterprise Leasing Company of St. Louis, LLC, d/b/a Enterprise
143 Rent-A-Car to allow for the operation of a vehicle rental facility for the property located
144 at 1101 N. Hwy. 67 and said Bill was read for the first time by title only.

145 Councilman Jones introduced Bill No. 9069 An Ordinance amending Title III of
146 the Florissant City Code, Schedule III, Table III-B "Two Way Stops" by adding
147 "Cortez at Ensenada, northbound and southbound," and said Bill was read for the first
148 time. Councilman Jones moved that Bill No. 9069 be read for a second time, seconded
149 by Henke. Motion carried and Bill No. 9069 was read for a second time. Councilman
150 Jones moved that Bill No. 9069 be read for a third time, seconded by Pagano. On roll
151 call the Council voted: Henke yes, Pagano yes, Schmidt yes, Hernandez yes, Lee yes,
152 Jones yes, Eagan yes, Caputa yes and Schildroth yes. Having received the unanimous
153 vote of all members present Bill No. 9069 was read for the third and final time and
154 placed upon its passage.

155 Before the final vote all other interested persons were given an opportunity to be
156 heard. Being no persons who wished to be heard, on roll call the Council voted: Henke
157 yes, Pagano yes, Schmidt yes, Hernandez yes, Lee yes, Jones yes, Eagan yes, Caputa yes
158 and Schildroth yes. Whereupon the Chair declared Bill No. 9069 to have passed and said
159 Bill became Ordinance No. 8111.

160 Councilman Eagan introduced Bill No. 9070 An Ordinance amending Revenue
161 Account No. 03-4-03300 “Miscellaneous Revenue” in the amount of \$8,200 and
162 appropriating the sum of \$8,200 from the Capital Improvement Fund to Budget
163 Account No. 036149 “Capital Additions – Police” for a grant received from the State of
164 Missouri Department of Public Safety to purchase ballistic shields and said Bill was
165 read for the first time. Councilman Lee moved that Bill No. 9070 be read for a second
166 time, seconded by Henke. Motion carried and Bill No. 9070 was read for a second
167 time. Councilman Eagan moved that Bill No. 9070 be read for a third time, seconded
168 by Schmidt. On roll call the Council voted: Henke yes, Pagano yes, Schmidt yes,
169 Hernandez yes, Lee yes, Jones yes, Eagan yes, Caputa yes and Schildroth yes. Having
170 received the unanimous vote of all members present Bill No. 9070 was read for the
171 third and final time and placed upon its passage.

172 Before the final vote all other interested persons were given an opportunity to be
173 heard. Being no persons who wished to be heard, on roll call the Council voted: Henke
174 yes, Pagano yes, Schmidt yes, Hernandez yes, Lee yes, Jones yes, Eagan yes, Caputa yes
175 and Schildroth yes. Whereupon the Chair declared Bill No. 9070 to have passed and said
176 Bill became Ordinance No. 8112.

177 Councilman Eagan introduced Bill No. 9071 An Ordinance authorizing an
178 appropriation of \$60,000 from the Park Improvement Fund to Budget Acct. No. 096147
179 “Capital Additions” for the Nature Lodge erosion repair and said Bill was read for the
180 first time. Councilman Schildroth moved that Bill No. 9071 be read for a second time,
181 seconded by Hernandez. Motion carried and Bill No. 9071 was read for a second time.
182 Councilman Lee moved that Bill No. 9071 be read for a third time, seconded by Jones.
183 On roll call the Council voted: Henke yes, Pagano yes, Schmidt yes, Hernandez yes,
184 Lee yes, Jones yes, Eagan yes, Caputa yes and Schildroth yes. Having received the

185 unanimous vote of all members present Bill No. 9071 was read for the third and final
186 time and placed upon its passage.

187 Before the final vote all other interested persons were given an opportunity to be
188 heard. Being no persons who wished to be heard, on roll call the Council voted: Henke
189 yes, Pagano yes, Schmidt yes, Hernandez yes, Lee yes, Jones yes, Eagan yes, Caputa yes
190 and Schildroth yes. Whereupon the Chair declared Bill No. 9071 to have passed and said
191 Bill became Ordinance No. 8113.

192 The next item on the Agenda was Council Announcements.

193 Councilman Jones informed the residents of several websites concerning the
194 Bridgeton Landfill and the West Lake Landfill. "Fuzzwrap" is an organization that will
195 be having a meeting on 1/29 at 7 p.m. regarding several site clean-ups.

196 Councilman Caputa announced that there was concern surrounding "Mean Green
197 Cleaning Supplies" because of a recent recall.

198 Councilman Eagan announced that the "Guns and Hoses" Event which benefits
199 Backstoppers was scheduled for the upcoming weekend.

200 The next item on the Agenda was Mayor Announcements.

201 Mayor Schneider stated that the City had received a grant to re-surface the tennis
202 courts at Tower Court. He encouraged residents to use the disc golf course at Dunegent
203 Park, the archery range at Sunset Park, and the horse shoe pits at Bangert Park.

204 Recently, ribbon cutting ceremonies were held for both Sweetie Pies Restaurant
205 and Curves. The Florissant License Office will remain open until a decision has been
206 made on the appeal. The Mayor and several civic leaders discussed with area high
207 schools students the civil rights movement and equal opportunity for all. The JJE Civic
208 Center will be hosting a poetry competition on Monday, Feb 2nd at 4 pm at the theatre.

209 Mayor Schneider informed Kevin O'Donnell that he had invited him to his
210 upcoming event because Mr. O'Donnell appeared to be very interested in Florissant
211 politics. Mr. O'Donnell's email is relatively well known to himself and the Council, but
212 he will remove him from the list.

213 The next City Council Meeting is scheduled for February 9, 2015 at 7:30 pm.

214 Councilwoman Pagano moved to adjourn the meeting, seconded by Caputa.
215 Motion carried. The meeting was adjourned at 8:22 p.m.

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The following Bills were signed by the Mayor:

Bill No. 9063	Ord. No. 8109
Bill No. 9064	Ord. No. 8110
Bill No. 9069	Ord. No. 8111
Bill No. 9070	Ord. No. 8112
Bill No. 9071	Ord. No. 8113

Karen Goodwin, City Clerk