

CITY OF FLORISSANT



COUNCIL MINUTES

September 14, 2020

Due to the Coronavirus (COVID-19) Pandemic, the Florissant City Council met in a virtual meeting through a Zoom platform on Monday, September 14, 2020 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: Pagano, Parson, Siam, Harris, Manganelli, Caputa, Schildroth and Mulcahy. Councilman Eagan was excused. 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 August 24, 2020, seconded by Manganelli. Motion carried.

The next item on the Agenda was *A Special Presentation* from St. Louis Audubon's "Bring Conservation Home" Program. The use and incorporation of, and benefits to, implementing *Native Plant Landscaping* in yards and communities were presented. The Audubon Society will aid interested landowners or entities to integrate and apply best practices to the native plants implementation into their property.

The next item on the Agenda was *Proclamations*.

- Lt. Jeff Peters Retirement
- AAUW – American Association of University Woman

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

The City Clerk read a letter from Martha Hessler, longtime resident, who advocates and supports the Audubon Society's *Native Plant Landscaping*. The program also provides a habitat for birds, butterflies, and bees.

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

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

37 The City Clerk reported that Public Hearing #20-09-024 to issue an amendment to B-5 Ord. No. 6266, as
38 amended, to allow for a new Tunnel Car Wash for the property located at 3180 N Highway 67 had been
39 advertised in substantially the same form as appears in the foregoing publication and by posting the property.
40 The Chair declared the Public Hearing to be open and invited those who wished to be heard to come forward.

41 Eric Kirchner, petitioner, stated that he hopes to build a fully automated car wash with 18 vacuum
42 spaces. The vacuums will be located on the Lindbergh side of the building. The proposed site is located on a
43 section of Lowe's property. There will be 4 parking spaces, 3 for employees and 1 will be ADA accessible.
44 There will be 25 stacking spaces available. The large trash enclosure will match the building and there will be
45 smaller receptacles at each bay. There will be no pole or pylon sign. The hours of operation are from 7-8
46 Monday thru Saturday and 8-8 on Sunday. They will be submitting a landscaping plan that will meet the city's
47 code. There will be no access to the carwash directly from Lindbergh. The only access will be through interior
48 lanes on the site.

49 In response to Councilman Siam's question, the petitioner replied that the car wash will be 60-70 feet off
50 of Lindbergh. The carwash is a tunnel car wash with no individual bays. The masonry requirements were
51 approved by the Planning & Zoning Commission and according to the requirements of the B-5 ordinance.

52 .Some grading will occur and a retaining wall with fencing will be installed. This will require
53 Metropolitan Sewer District (MSD) approval and permitting due to storm water run-off.

54 Being no citizens who wished to speak, Councilman Siam moved to close P.H. #20-09-024, seconded by
55 Pagano. Motion carried.

56 The City Clerk reported that Public Hearing #20-09-025 on a request to authorize a Special Use
57 Permit for the expansion of a convenience store with liquor for the property located at 1763-1765 N.
58 New Florissant Road had been advertised in substantially the same form as appears in the foregoing
59 publication and by posting the property. The Chair declared the Public Hearing to be open and invited
60 those who wished to be heard to come forward.

61 Mr. Patel, petitioner, stated that his current store was very narrow and small and needed room
62 to expand. The Council asked him to please keep the trash in the parking lot and the bushes picked up.

63 Being no citizens who wished to speak, Councilman Mulcahy moved to close P.H. #20-09-025,
64 seconded by Harris. Motion carried.

65 The City Clerk reported that Public Hearing #20-09-026 on a request to amend the Zoning Code
66 to allow state licensed Barber and Cosmetology Schools as "Permitted Uses" in B Zoning Districts had
67 been advertised in substantially the same form as appears in the foregoing publication and by posting

68 the same. The Chair declared the Public Hearing to be open and invited those who wished to be heard
69 to come forward.

70 Mr. Phil Lum, Building Commissioner, stated that staff recommended this zoning change
71 because historically, schools were not allowed in shopping centers. When the Council passed an
72 ordinance that prevented day cares and schools from opening in shopping centers, cosmetology and
73 barber schools also were absorbed into that ordinance as well. Cosmetology and barber schools are
74 attended by adults, not children, and are obviously different than day care centers. State licenses are
75 required. There is currently interest in this type of business by a potential applicant.

76 Being no citizens who wished to speak, Councilman Parson moved to close P.H. #20-09-026,
77 seconded by Schildroth. Motion carried.

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

79 Councilman Schildroth moved that Bill No. 9614 an Ordinance authorizing supplemental re-
80 appropriations of Fiscal Year 2019 outstanding purchase orders in various funds be read for a second
81 time, seconded by Caputa. Motion carried and Bill No. 9614 was read for a second time. Councilman
82 Schildroth moved that Bill No. 9614 be read for a third time, seconded by Pagano. Motion carried and
83 Bill No. 9614 was read for a third and final time and placed upon its passage.

84 Before the final vote all interested persons were given an opportunity to be heard. Being no
85 citizens who wished to speak, on roll call the Council voted: Pagano yes, Parson yes, Siam yes, Harris
86 yes, Manganelli yes, Eagan absent, Caputa yes, Schildroth yes and Mulcahy yes. Whereupon the Chair
87 declared Bill No. 9614 to have passed and became Ordinance No. 8629.

88 Councilman Siam moved that Bill No. 9615 Ordinance authorizing a Special Use Permit to A &
89 C Happy Hour, LLC to allow for a Wine and Spirits establishment for the property located at 3425 N
90 Highway 67 be read for a second time, seconded by Parson. Motion carried and Bill No. 9615 was read
91 for a second time. Councilman Siam moved that Bill No. 9615 be read for a third time, seconded by
92 Schildroth. Motion carried and Bill No. 9615 was read for a third and final time and placed upon its
93 passage.

94 Before the final vote all interested persons were given an opportunity to be heard. Being no
95 citizens who wished to speak, on roll call the Council voted: Pagano yes, Parson yes, Siam yes, Harris
96 yes, Manganelli yes, Eagan absent, Caputa yes, Schildroth yes and Mulcahy yes. Whereupon the Chair
97 declared Bill No. 9615 to have passed and became Ordinance No. 8630.

98 The next item on the Agenda was Board Appointments.

99 Councilwoman Pagano moved to approve the Mayor's re-appointment of Fred Schaljo to the
100 Youth Advisory Commission as an adult member with an expiration date of 1/22/2023, seconded by
101 Caputa. Motion carried.

102 Councilman Siam moved to approve request for a Full Package Liquor License for A & C
103 Happy Hour, LLC, for the property located at located at 3425 N Highway 67, seconded by Schildroth.
104 On roll call the Council voted: Pagano yes, Parson yes, Siam yes, Harris yes, Manganelli yes, Eagan
105 absent, Caputa yes, Schildroth yes and Mulcahy yes. The liquor license was approved.

106 Councilman Mulcahy moved to accept the application for a transfer of Special Use Permit No.
107 8607 from Hertz Corporation to Travers Auto Plaza for the property located at 1285 N. Highway 67.
108 Councilman Mulcahy moved to hear from the petitioner, seconded by Caputa, motion carried.

109 Mr. Glen Travers appeared before the Council and enumerated all improvements that he has
110 made to the property including repaving the asphalt. Councilman Mulcahy noted that a substitute bill
111 would need to be introduced at the next meeting to include the sale of automobiles on the site.

112 On the motion to accept the application for the transfer, the motion was seconded by
113 Schildroth. Motion carried. The transfer was accepted.

114 Councilman Siam moved to accept the application for a transfer of Special Use Permit No. 6231
115 from Maureen Selzer to Rodrick Wanjala for Firehouse Subs Restaurant for the property located at
116 2312 N. Highway 67, seconded by Caputa, motion carried. The transfer was accepted.

117 The next item on the agenda was First Readings.

118 Councilman Schildroth introduced Bill No. 9616 an Ordinance authorizing an amendment to B-
119 5 Ord. No. 6266, as amended, to allow for a new Tunnel Car Wash for the property locat ed at 3180 N
120 Hwy. 67 and said Bill was read for the first time by title only.

121 Councilman Siam introduced Bill No. 9617 an Ordinance authorizing a Special Use Permit for
122 the expansion of a convenience store with liquor for the property located at 1763-1765 N New
123 Florissant Road and said Bill was read for the first time by title only.

124 Councilman Schildroth introduced Bill No. 9618 an Ordinance authorizing an amendment to
125 Title IV, "Land Use", Article IV, "District Regulations" Section's 405.035, 405.120 Subsection B,
126 405.115, Subsection B and 405.125, Subsection B, to allow state licensed Barber and Cosmetology
127 Schools as a "Permitted Use" in B Zoning Districts and said Bill was read for the first time by title only.

128 Councilman Siam introduced Bill No. 9619 an Ordinance authorizing a transfer of Special Use
129 Permit No. 8607 from Hertz Corporation to Travers Auto Plaza for the property located at 1285 N Hwy
130 67 and said Bill was read for the first time by title only.

131 Councilman Mulcahy introduced Bill No. 9620 an Ordinance authorizing a transfer of Special
132 Use Permit no. 8050 from CNMS, LLC d/b/a Firehouse Subs Restaurant to Wanjjala Capital II, LLC
133 for the property located at 2312 N. Highway 67 said Bill was read for the first time. Councilman
134 Schildroth moved that Bill No. 9620 be read for a second time, seconded by Pagano. Motion carried
135 and Bill No. 9620 was read for a second time. Councilman Schildroth moved that Bill No. 9620 be
136 read for a third time, seconded by Siam. On roll call the Council voted: Pagano yes, Parson yes, Siam
137 yes, Harris yes, Manganelli yes, Eagan absent, Caputa yes, Schildroth yes and Mulcahy yes. Having
138 received the unanimous vote of all members present Bill No. 9620 was read for a third and final time
139 and placed upon its passage. Before the final vote all interested persons were given an opportunity to be
140 heard.

141 Being no persons who wished to speak, on roll call the Council voted: Pagano yes, Parson yes,
142 Siam yes, Harris yes, Manganelli yes, Eagan absent, Caputa yes, Schildroth yes and Mulcahy yes.
143 Whereupon the Chair declared Bill No. 9620 to have passed and said Bill became Ordinance No. 8632.

144 Councilman Schildroth introduced Bill No. 9621 an Ordinance amending Title II of the
145 Florissant City Code, Section 210.720 relating to obstructing public places said Bill was read for the
146 first time. Councilman Caputa moved that Bill No. 9621 be read for a second time, seconded by
147 Pagano. Motion carried and Bill No. 9621 was read for a second time. Councilman Caputa moved that
148 Bill No. 9621 be read for a third time, seconded by Mulcahy. On roll call the Council voted: Pagano
149 yes, Parson yes, Siam yes, Harris yes, Manganelli yes, Eagan absent, Caputa yes, Schildroth yes and
150 Mulcahy yes. Having received the unanimous vote of all members present Bill No. 9621 was read for a
151 third and final time and placed upon its passage. Before the final vote all interested persons were given
152 an opportunity to be heard.

153 Mr. Baird stated he strongly supported this bill.

154 Ben Hammond asked for clarification and specifics of the ordinance and why it was being read
155 three times this evening. Mr. Hessel explained that there already existed an obstruction ordinance but
156 the current language was vague. This bill made the language more clear.

157 Being no other persons who wished to speak, on roll call the Council voted: Pagano yes, Parson
158 yes, Siam yes, Harris yes, Manganelli yes, Eagan absent, Caputa yes, Schildroth yes and Mulcahy yes.
159 Whereupon the Chair declared Bill No. 9621 to have passed and said Bill became Ordinance No. 8631.

160 Councilman Mulcahy introduced Bill No. 9622 an Ordinance amending Title III of the
161 Florissant City Code, Schedule XIII "Parking Prohibited at All Times on Certain Streets" by adding
162 thereto portions of Jefferson and St. Antoine said Bill was read for the first time. Councilman
163 Mulcahy moved that Bill No. 9622 be read for a second time for the purpose of discussion. He
164 informed the Council that after evaluating the decision of the Traffic Commission and the opinion of
165 nearby residents, he asked that the bill be voted down. On the motion for a second reading, the motion
166 failed.

167 The next item on the Agenda was Council Announcements.

168 Councilman Siam reminded everyone to continue to wear masks and socially distance even
169 though it is difficult for everyone. Unfortunately, COVID continues to spread. He informed everyone
170 that he has received many responses to his recent Ward 9 survey and he is now going through them all.

171 Councilman Caputa reminded everyone to secure their firearms and not leave guns in their
172 vehicles. He also stressed to residents to leave their porch lights on as a deterrent to crime. He stated
173 that water main work is also being done on Mullanphy and progress is being made. Please be patient.
174 He encouraged everyone to join the Neighborhood Watch.

175 Councilman Manganelli encouraged everyone to get to know their neighbors. It helps reduce
176 crime. October 13th is Taco Tuesday in Ward 2.

177 Councilwoman Pagano stated that now was a good time to become active in the local
178 Neighborhood Watch Program. Also, please contact her if interested in serving on one of the city's
179 Board or Commissions.

180 Councilman Parson announced that on September 19, Ward 8 will be hosting a Neighborhood
181 Watch Meeting at Dunegant Park from 10-2. St. Louis County COVID guidelines will be followed and
182 voter registration will be available.

183 Councilman Harris encouraged citizens to slow down when driving. There are many children
184 out in the neighborhoods and it is too dangerous. Be courteous.

185 Councilman Mulcahy stated that in regards to the Lafayette Street Project, it should be
186 completed approximately by the end of October. He thanked residents for their patience and added it
187 will be a big improvement to the area. He thanked all those involved with the city that procured the

188 grant for this project happen. He thanked all city employees for their hard word during this stressful
189 COVID time. He thanked the Mayor and Media Department for the 9-11 video that was recently aired.

190 Councilman Schildroth stated that the resurfacing project on Graham Road was progressing and
191 he asked residents to continue to be patient.

192 The next item was Mayor Announcements.

193 The Mayor announced the re-opening of City Hall, abiding by all St. Louis County pandemic
194 guidelines.

195 The Veterans Day Parade unfortunately has been cancelled this year due to COVID 19. The
196 police are seeing more cars left running, and, as a result are being stolen. This is unusual in the summer
197 months. Please remove your cars keys and lock your vehicles. He announced that City Clerk Karen
198 Goodwin will be receiving a public service award from NCI.

199 The Council President stated that the next regular City Council Meeting will be Monday,
200 September 28, 2020 at 7:30 pm.

201 Councilman Caputa moved to adjourn the meeting, seconded by Pagano. Motion carried. The
202 meeting was adjourned at 9:12 p.m.

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Karen Goodwin, MPPA/MMC/MRCC
City Clerk

The following Bills were signed by the Mayor:

209	Bill No. 9614	Ord. 8629
210	Bill No. 9615	Ord. 8630
211	Bill No. 9621	Ord. 8631
212	Bill No. 9620	Ord. 8632