

# CITY OF FLORISSANT



## COUNCIL MINUTES

Monday, January 8, 2024

The Florissant City Council met in regular session at Florissant City Hall, 955 Rue St. Francois on Monday, January 8, 2024 at 7:00 PM with Council President Eagan presiding.

### **I. PLEDGE OF ALLEGIANCE**

The Chair asked everyone in attendance to stand and join in reciting the Pledge of Allegiance.

### **II. ROLL CALL OF MEMBERS**

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

### **III. APPROVAL OF MINUTES**

#### **12-11-2023. City Council Minutes 12-11-2023**

Councilman Harris made a motion to approve the City Council Minutes of December 11, 2023, seconded by Siam. Motion carried.

### **IV. HEARING FROM CITIZENS**

Ashley Bernaugh, 523 Chapel Cross Dr, requested the council support with the issues at Cold Water Creek. She noted her fear that the Army Corps of Engineers has no intention to properly remediate the community and may not be properly disclosing information the community needs. Ms. Bernaugh asked the Council to support the community to gain accurate and clear information regarding the contamination of Cold Water Creek. She noted the new maps were received by the PTA at Jana Elementary and available for the council to review. Ms. Bernaugh offered to connect the council and community of Florissant with resources in the area.

Rebecca Hutchison, 230 St. Dianna, stated she loves Florissant and has lived in the city for more than 50 years. She noted she has had many illnesses over the years. She noted her second home in Florissant was in a large radioactive area of the maps provided. Ms. Hutchison stated clean up needs to be done for the safety of all.

### **V. COMMUNICATIONS**

There were none.

### **VI. PUBLIC HEARINGS**

**24-01-001.** Request to approve a final site development plan in 'B-3' Extensive Business District for a new dental office located at 2855 N. Highway 67.

The City Clerk reported that Public Hearing 24-01-001 for the Request to approve a final site development plan in a 'B-3' Extensive Business District for a new dental office located at 2855 N. Highway 67. The Chair declared the Public Hearing to be open.

Councilman Eagan noted the public hearing for the site development plan was not necessary. He stated the public hearing would be closed after the public were given an opportunity to speak.

Being no further comments, Councilman Eagan made a motion to close the public hearing, seconded by Caputa. Motion carried.

Councilman Eagan made a motion to remove Bill No. 9942 from the agenda, seconded by Caputa. Motion carried.

- 24-01-002.** Request to amend Ordinance No 8888 for Travers Automotive Group to allow for a sign over 40 sq. ft. in a 'B-5' Planned Commercial District located at 660 Charbonier Rd.

The City Clerk reported that Public Hearing 24-01-002 for the Request to amend Ordinance No. 8888 for Travers Automotive Group to allow for a sign over 40 sq. ft. in a 'B-5' Planned Commercial District located at 660 Charbonier. The Chair declared the Public Hearing to be open.

Adrian Allen, Landmark Sign Company, stated the business would like a larger sign measuring 97.4 sq. ft. for visibility from the road. Mr. Allen noted the sign will not be a flashing sign but will be illuminated in a yellow color. The sign would be mounted to blend in with the building. Mr. Allen stated the monument sign would remain on the property which faces Charbonier.

Being no further comments, Councilman Manganelli made a motion to close the public hearing, seconded by Schildroth. Motion carried.

- 24-01-003.** Request to amend Ordinance No. 7965 for Walmart to allow for painting of the exterior and new trespa film in a 'B-5' Planned Commercial District located at 3390 N Highway 67.

The City Clerk reported that Public Hearing 24-01-003 for the Request to amend Ordinance No. 7965 for Walmart to allow for painting of the exterior and new trespa film in a 'B-5' Planned Commercial District located at 3390 N. Highway 67. The Chair declared the Public Hearing to be open.

Councilman Eagan made a motion to postpone the public hearing to the City Council Meeting on January 22, 2024 due to the petitioner's absence, seconded by Caputa. Motion carried.

- 24-01-004.** Request to amend the Zoning Code to add "Tobacco Store" as a Special Use to Sections 405.115, 405.120, 405.125, 405.130, and 405.460.

The City Clerk reported that Public Hearing 24-01-004 for the Request to amend the Zoning Code to add "Tobacco Store" as a Special Use to Sections 405.115, 405.120, 405.125, 405.130, and 405.460. The Chair declared the Public Hearing to be open.

Councilman Eagan made a motion to postpone the public hearing to the City Council Meeting on January 22, 2024 due to the petitioner's absence, seconded by Caputa. Motion carried.

Councilman Eagan made a motion that Bill No. 9945 be removed from the agenda, seconded by Siam. Motion carried.

**VII. OLD BUSINESS**

**BILLS FOR SECOND READING**

**9937.** Ordinance to authorize an amendment to 'B-5' ordinance no. 8362 for Brew Crew, LLC d/b/a 7 Brew to allow for a drive thru only coffee shop located at 8180 N Lindbergh.

Councilman Eagan moved that Bill No. 9937 be read for a second time, seconded by O'Donnell. Motion carried and Bill No. 9937 was read for a second time.

Councilman Eagan made a motion to amend Section 4 of Bill No. 9937 to add a new section "k." to read "Building and Walls of out lot 3 (B) (8180 N Lindbergh) shall be of unpainted standard brick, unpainted standard brick veneer, natural stone, EIFS, or Nichiha panels, which shall be installed in accordance with the manufacturer's instructions and maintained through the life of the building.", seconded by Manganelli.

Jackie Graves, City Attorney, clarified that the building owner would be responsible for the maintenance of the building mentioned in the amended section and it is specific to the building proposed.

Being no further comments, motion carried.

Councilman Eagan moved that Bill No. 9937 be read for a third time, seconded by Siam. Motion carried and Bill No. 9937 was read for a third time. Motion carried and Bill No. 9937 was read for a third time and placed upon its passage.

Before the final vote was taken, all interested persons were given the opportunity to be heard. Being no further comments, on roll call, the Council voted as follows:

**VOTING**

Motion by: Councilman Eagan, Joseph

Second by: Councilman Siam, Tommy

| COUNCIL MEMBERS               | YES | NO | ABSTAIN | RECUSE |
|-------------------------------|-----|----|---------|--------|
| Councilman Eagan, Joseph      | X   |    |         |        |
| Councilman Harris, Andrew     | X   |    |         |        |
| Councilman Manganelli, Paul   | X   |    |         |        |
| Councilman Caputa, Jeff       | X   |    |         |        |
| Councilman Schildroth, Keith  | X   |    |         |        |
| Councilman O'Donnell, Thomas  | X   |    |         |        |
| Councilwoman Pagano, Jackie   | X   |    |         |        |
| Councilman Parson Jr., Robert |     |    |         |        |
| Councilman Siam, Tommy        | X   |    |         |        |

Whereupon the Chair declared Bill No. 9937 to have passed and become Ordinance No. 8944.

**9940.** Ordinance to transfer an existing Special Use and Special Use No. 4993 for a pole sign from Small Business Acquisitions, LLC d/b/a Meineke Discount Mufflers and Brakes to Stillman Brothers Automotive d/b/a Meineke Car Care located at 545 N. Highway 67 for the operation of an automotive repair shop.

Councilman Caputa moved that Bill No. 9940 be read for a second time, seconded by Schildroth. Motion carried and Bill No. 9940 was read for a second time.

Councilman Caputa moved that Bill No. 9940 be read for a third time, seconded by Pagano. Motion carried and Bill No. 9940 was read for a third time. Motion carried and Bill No. 9940 was read for a third time and placed upon its passage.

Before the final vote was taken, all interested persons were given the opportunity to be heard. Being no further comments, on roll call, the Council voted as follows:

**VOTING**

Motion by: Councilman Caputa, Jeff

Second by: Councilwoman Pagano, Jackie

| COUNCIL MEMBERS               | YES | NO | ABSTAIN | RECUSE |
|-------------------------------|-----|----|---------|--------|
| Councilman Eagan, Joseph      | X   |    |         |        |
| Councilman Harris, Andrew     | X   |    |         |        |
| Councilman Manganelli, Paul   | X   |    |         |        |
| Councilman Caputa, Jeff       | X   |    |         |        |
| Councilman Schildroth, Keith  | X   |    |         |        |
| Councilman O'Donnell, Thomas  | X   |    |         |        |
| Councilwoman Pagano, Jackie   | X   |    |         |        |
| Councilman Parson Jr., Robert |     |    |         |        |
| Councilman Siam, Tommy        | X   |    |         |        |

Whereupon the Chair declared Bill No. 9940 to have passed and become Ordinance No. 8945.

**VIII. NEW BUSINESS**

**BOARD APPOINTMENTS**

There were none.

**BILLS FOR FIRST READING**

**9923.** Ordinance to amend Special Use No. 8376 issued to Shade Restaurant & Bar LLC d/b/a Twelve 19 Restaurant and Lounge located at 1752-1759 N. New Florissant Road to allow for a change in hours of operation, in a 'B-3' Extensive Business District.

Bill No. 9923 was read for the first time.

Councilman Caputa moved that Bill No. 9923 be read for a second time, seconded by Siam.

Mayor Lowery noted approximately two months prior the business was given administrative approval of a trial run to stay open until midnight with no incidents and complete compliance with city ordinances.

Councilman Eagan noted the amendment allows for the hours of operation to extend to midnight, but does not allow for nightclub operations or activities, including selling parking spaces, charging for reservations, and cover charges.

Motion carried and Bill No. 9923 was read for a second time.

Councilman Siam moved that Bill No. 9923 be read for a third time, seconded by Caputa.

On roll call, the Council voted: Siam yes, Harris yes, Manganelli abstain, Eagan yes, Caputa yes, Schildroth yes, O'Donnell yes, and Pagano yes.

Having received a unanimous vote of all members present Bill No. 9923 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. Seeing none, on roll call the Council voted as follows:

**VOTING**

Motion by: Councilman Siam, Tommy

Second by: Councilman Caputa, Jeff

| COUNCIL MEMBERS               | YES | NO | ABSTAIN | RECUSE |
|-------------------------------|-----|----|---------|--------|
| Councilman Eagan, Joseph      | X   |    |         |        |
| Councilman Harris, Andrew     | X   |    |         |        |
| Councilman Manganelli, Paul   | X   |    |         |        |
| Councilman Caputa, Jeff       | X   |    |         |        |
| Councilman Schildroth, Keith  | X   |    |         |        |
| Councilman O'Donnell, Thomas  | X   |    |         |        |
| Councilwoman Pagano, Jackie   | X   |    |         |        |
| Councilman Parson Jr., Robert |     |    |         |        |
| Councilman Siam, Tommy        | X   |    |         |        |

Whereupon the Chair declared Bill No. 9923 to have passed and become Ordinance No. 8946.

- 9942.** Ordinance authorizing the approval of a final site development plan in ‘B-3’ Extensive Business District for a new dental office located at 2855 N. Highway 67.  
Bill No. 9942 was removed from the agenda.
  
- 9943.** Ordinance to authorize an amendment to B-5 ordinance No 8888 for Travers Automotive Group to allow for a sign over 40 sq. ft. in a ‘B-5’ Planned Commercial District located at 660 Charbonier Rd.  
Bill No. 9943 was read for the first time.
  
- 9944.** Ordinance authorizing an amendment Ordinance No. 7965 for Walmart to allow for painting of the exterior and new trespa film in a ‘B-5’ Planned Commercial District located at 3390 N Highway 67.  
Councilman Eagan made a motion to remove Bill No. 9944 from the agenda, seconded by Pagano. Motion carried.
  
- 9945.** Ordinance authorizing an amendment to the Zoning Code to add “Tobacco Store” as a Special Use to Sections 405.115, 405.120, 405.125, 405.130, and 405.460.  
Bill No. 9945 was removed from the agenda.
  
- 9946.** Ordinance amending Chapter 250 "Indoor Clean Air Code" to provide clarification regarding hookah and electronic smoking devices.  
Bill No. 9946 was read for the first time.  
Councilman Schildroth moved that Bill No. 9946 be read for a second time, seconded by Manganelli. Motion carried and Bill No. 9946 was read for a second time.  
Councilman Schildroth moved that Bill No. 9946 be read for a third time, seconded by Pagano.  
On roll call, the Council voted: Siam yes, Harris yes, Manganelli abstain, Eagan yes, Caputa yes, Schildroth yes, O'Donnell yes, and Pagano yes.

Having received a unanimous vote of all members present Bill No. 9946 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. Seeing none, on roll call the Council voted as follows:

**VOTING**

Motion by: Councilman Schildroth, Keith

Second by: Councilwoman Pagano, Jackie

| COUNCIL MEMBERS               | YES | NO | ABSTAIN | RECUSE |
|-------------------------------|-----|----|---------|--------|
| Councilman Eagan, Joseph      | X   |    |         |        |
| Councilman Harris, Andrew     | X   |    |         |        |
| Councilman Manganelli, Paul   | X   |    |         |        |
| Councilman Caputa, Jeff       | X   |    |         |        |
| Councilman Schildroth, Keith  | X   |    |         |        |
| Councilman O'Donnell, Thomas  | X   |    |         |        |
| Councilwoman Pagano, Jackie   | X   |    |         |        |
| Councilman Parson Jr., Robert |     |    |         |        |
| Councilman Siam, Tommy        | X   |    |         |        |

Whereupon the Chair declared Bill No. 9946 to have passed and become Ordinance No. 8947.

**9947.** Ordinance amending Chapter 120 "Boards, Commissions and Committees" by deleting it in its entirety and replacing it with a new section.

Bill No. 9947 was read for the first time.

**9948.** Ordinance authorizing an amendment to Article II "Parks and Recreation Advisory Board" for the purpose of updating the duties.

Bill No. 9948 was read for the first time.

**9949.** Ordinance authorizing the Mayor to enter into a maintenance agreement with the Metropolitan Sewer District (MSD) for Bangert Park located at 275 S. New Florissant Road.

Bill No. 9949 was read for the first time.

**9950.** Ordinance authorizing a sanitary and storm water easement for the Metropolitan Sewer District (MSD) on Lot 1 of Bangert Park Library Subdivision.

Bill No. 9950 was read for the first time.

**IX. COUNCIL ANNOUNCEMENTS**

Councilman Eagan noted The St. Patrick's Day Committee will be holding Masquerade Ball at the JFK Center on January 27<sup>th</sup>, 2024. Tickets are available at [florissantstpatricksparade.com](http://florissantstpatricksparade.com). The EPA Committee will be meeting at the St. Louis Airport site and Cold Water Creek on Tuesday, January 16, 2024 at 2pm to 3:30pm and 7pm to 8:30pm at Hazelwood Civic Center East at 8969 Dunn Road.

**X. MESSAGE FROM THE MAYOR**

Mayor Lowery wished Councilwoman Jackie Pagano a Happy Birthday.

Mayor Lowery noted the Christmas Lights and Real Christmas Tree Disposal Program will be taking place until January 15<sup>th</sup> at the Health Department for lights and trees will be picked up by Gateway Disposal.


**XI. ADJOURNMENT**

The Council President stated the next regular City Council Meeting will be Monday, January 22, 2024, at 7:00 pm.

Councilman O'Donnell moved to adjourn the meeting, seconded by Caputa. Motion carried.

Adjourned at 7:35 PM

Respectfully submitted,

  
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Karen Goodwin, MPPA/MMC/MRCC  
City Clerk

|               |               |
|---------------|---------------|
| Bill No. 9937 | Ord. No. 8944 |
| Bill No. 9940 | Ord. No. 8945 |
| Bill No. 9923 | Ord. No. 8946 |
| Bill No. 9946 | Ord. No. 8947 |