



**MINUTES OF THE PUBLIC HEARING OF  
MONDAY, MARCH 16, 2020  
AT 200 HIGHLANDS BOULEVARD DRIVE  
REGARDING A SPECIAL USE PERMIT TO ALLOW A REST AURANT SERVING  
ALCOHOL IN A GROCERY STORE TO BE LOCATED AT 25 STONEGATE CENTER  
IN THE "C-2" COMMERCIAL ZONING DISTRICT**

Mayor Mike Clement called the Public Hearing of the Board of Aldermen to order at 7:00 p.m.

Roll call showed those present were Alderman Huether, Alderman Nolte, Alderman Ottenad, Alderman Baumann, Alderman Toben, and Mayor Clement. A quorum was present. Alderman Hamill was absent.

The following notice of the public hearing was then read:

"The City of Manchester Board of Aldermen shall hold a public hearing on Monday, March 16, 2020 at 7:00 p.m. at the Manchester Justice Center, 200 Highlands Boulevard Drive, to consider the following:

CASE #20-SUP-002 - Janet Escamilla, applicant, on behalf of Stonegate Center Partnership, owner, has applied for approval of a Special Use Permit to allow a restaurant serving alcohol in a grocery store to be located at 25 Stonegate Center, in the "C-2" Commercial Zoning District. "

Mayor Clement advised that first the proponents would speak, then the opponents, and comments from the public, followed by questions from the members of the Board of Aldermen or the City Staff.

Ms. Janet Escamilla, 807 Big Bends Wood Drive, stated she is opening a Mexican grocery store that will have a tacodeia in the back that will serve straight tacos and tortas. She would like to be able to serve beer to go and serve beer when they are there eating their tacos. She owns the business there in Stonegate Center currently, El Nopal. She has been doing and owning Mexican restaurants for a while now.

Ms. Escamilla stated that she understands that she is opening this at a difficult time, but she cannot back out now. The space will only have 6 tables in there. She said it will be more of a store than a restaurant.

Alderman Huether asked if residents can purchase alcohol when they order their tacos to go. MS. Escamilla explained they can, but the customer cannot open the beverage on site.

There were no opponents, no comments from the public, and no more questions from the Board of Aldermen.

Mayor Clement stated the Planning and Zoning Commission gave a favorable recommendation to the Board of Aldermen.

Mayor Clement closed the public hearing at 7:05 p.m.

Respectfully submitted,

Michelle Melugin  
Deputy City Clerk

**Note:** This is a journal of the Public Hearing from March 16, 2020, (summary); not a verbatim transcript regarding a proposed SUP to allow a restaurant serving alcohol and a grocery store to be located at 25 Stonegate Plaza in the “C-2” Commercial Zoning District. If a recording of the public hearing is desired, please contact City Hall.

DRAFT



**MINUTES OF THE REGULAR BOARD OF ALDERMEN MEETING  
OF MONDAY, MARCH 16, 2020  
AT 200 HIGHLANDS BOULEVARD DRIVE**

1. CALL TO ORDER

Mayor Mike Clement called the Regular Board of Aldermen meeting to order at 7:06 p.m.

2. ROLL CALL AND STATEMENT OF QUORUM

Roll call showed those present were Alderman Huether, Alderman Nolte, Alderman Ottenad, Alderman Baumann, Alderman Toben, and Mayor Clement. A quorum was present. Alderman Hamill was absent.

3. APPROVAL OF THE MINUTES

a. Minutes of the Monday, March 2, 2020 Public Hearing

Alderman Ottenad made the motion to approve the Minutes of the Monday, March 2, 2020 Public Hearing. The motion was seconded by Alderman Toben and carried unanimously, with no objections from any members of the Board of Aldermen.

B. Minutes of the Monday, March 2, 2020 Regular Board of Aldermen Meeting

Alderman Baumann made the motion to approve the Minutes of the Monday, March 2, 2020 Regular Board of Aldermen Meeting. The motion was seconded by Alderman Toben and carried unanimously, with no objections from any members of the Board of Aldermen.

4. ESTABLISHMENT OF ORDER OF ITEMS ON THE AGENDA

Alderman Ottenad made the motion to approve the Order of Items on the Agenda as submitted. The motion was seconded by Alderman Toben and carried unanimously, with no objections from any members of the Board of Aldermen.

5. CONSIDERATION OF PETITIONS AND COMMENTS FROM THE PUBLIC

a. Republic Trash Services

Director of Public Works Bob Ruck reported that Republic Services requested that they suspend their yard waste services until next week so that they can concentrate their

efforts on household waste. They will then reevaluate if they can begin yard waste again next week.

Director Ruck stated the City will do further email blasts and Republic should have contacted the residents in the City to let them know. He recommended that we put the info on the sign outside of the Justice Center

b. Comments from the Public

Randy Green, 10285 Bock Blvd, stated he is working with Director Melanie Rippetoe. He provided an update for the Suntrup development. The City gave a final response to this final submittal with civil plans/drawings. They gave some final comments on Thursday and should be getting the return comments back to the City for final approval sometime early next week.

Mr. Green stated there wasn't much but there was a guard rail added in the back and there was a little bit of grading that they wanted to change on the back side of the property where it comes in off of Anderson Road. He currently upgraded the cost breakdown because Director Rippetoe had issues with it. Part of the issue that was going on here is the construction company is himself and he is also the owner of business with the Suntrups and he owns the plumbing company. They are all separate entities. He looked at it like it what his cost would be for himself, Director Rippetoe came back and said what if you don't finish it, the City wants to know there is enough money there to finish the improvements. He has adjusted this now. He brought it up to \$208,270 for site improvement escrow. As soon as he can get approval from the Board, they can get the bank to issue a letter of credit to the City for the \$208,270.

Mr. Green stated they also have gotten the maintenance agreement approved, and they have paid the letter of credit. The City has \$10,000 letter of credit now. Director Rippetoe contacted him and she has approved the landscape bond. He is prepared to issue a bond of \$13,444.45 landscape bond. It will be a letter of credit.

Mr. Green stated that once they get the letter of credits to the City, the MSD permit is ready. They will not issue it until Municipal Zoning approval. He said that St. Louis County has already approved our plans expect for two items, which are being addressed currently.

Mayor Clement asked if there are any further questions. City Administrator Perney said there are no additional requirements that we are looking for.

Alderman Ottenad stated that she thought all of this was supposed to be done by March 31<sup>st</sup>. City Administrator Perney said they are ahead of schedule.

6. REPORTS FROM THE MAYOR

a. Nomination of Dr. Savita Bagga

Mayor Clement explained her credentials and why he is nominating her for this position to the St. Louis County Council for the University of Missouri Extension.

Alderman Ottenad made the motion to approve the nomination of Dr. Savita Bagga

to the St. Louis County Council for the University of Missouri Extension. The motion was seconded by Alderman Huether and carried unanimously, with no objections from any members of the Board of Aldermen.

b. Planned Business District Redevelopment

Mayor Clement explained that the events over the last week have delayed the City's plan to move forward with the redevelopment due to fears that the economy is not moving in the right direction for the City to go forward with this. The Mayor speculated that it may be up to a year before the City can move forward with the redevelopment.

a. MAYORAL REPORT

Mayor Clement reported that Employee Appreciation Week and the appreciation luncheon is postponed due to the corona virus until the conditions change that will allow more people to attend a meeting.

7. REPORTS FROM THE CITY ADMINISTRATOR

a. Coronavirus Update

City Administrator Larry Perney stated he passed out the pandemic preparedness plan that has been developed by other cities and Manchester. The plan will establish departmental continuity and address ways to mitigate the spread of the pandemic among the employees and residents, assist employees and their families in managing personal and family illness during the pandemic outbreak.

City Administrator Perney reported that the Pandemic Sick Leave policy is before the Board for approval. The policy would permit 10 additional days pandemic sick leave after the fulltime employee uses up their initial leave.

City Administrator Perney has been working with Dave Fox to get remote access for all department heads if necessary. He explained that there is a cleaning plan. The City will continue to monitor the pandemic and be ready for minute-to-minute changes and monitor CDC and County Health Department advisements. The Court will be postponed until April 3<sup>rd</sup>.

City Administrator Perney stated City offices will remain with the same operational hours. He said the special events through Parks and Rec have been cancelled. Classes, events, rentals cancelled. The police department has come up with their own pandemic response.

Alderman Huether asked about the return to work after illness requirement to get permission from a doctor and if it is just the employee is out on pandemic sick leave or any leave. City Administrator Perney answered it would be for flu-like symptoms and the virus. He also responded that if an employee is out three days, the employee must get permission. Chief Will expressed concerns about clogging up doctor's offices for these kinds of requests. City Administrator Perney said that if you are positive for corona, the employee will be required to get a doctor's note to return to work.

Director of Parks, Recreation, and Arts Kat Schien explained that her staff spent most of the day calling residents to discuss the parks online plan to post activities online. Residents had very favorable comments for the actions taken by the Parks Department.

Mayor Clement explained that these actions were difficult but in the best interest of many senior residents in the City.

Alderman Ottenad asked how these cancellations would affect homecoming. Director Schien responded as of now, Homecoming and Homecoming meetings should continue, but this may change.

Alderman Huether expressed gratitude for the Parks work on transferring the programs over to online options.

Chief Scott Will explained that he has been in contact with area police chiefs and explained that State Emergency Management Agencies. Procedures have changed temporarily. He said they still respond to all sick cases but the department will stage outside. If it is a life-threatening call, they will go inside.

Chief Scott Will explained the ways that prisoners have changed. They are changing the way they do a lot of the things that they do while still being able to provide citizens with the protection that they need. There is a list of things that have been cancelled along with Court and the Citizen Police Academy. The Police Chiefs Association has cancelled the Annual Prayer Breakfast.

City Administrator Perney said that additional programs may be cut to remain within the budget if tax revenue is reduced.

b. Budget Software Report

City Administrator Perney talked about the current budget process. He explained that four companies have given demos about their software.

City Administrator Perney stated that Cleargov was the lowest and best bid, explained some of the benefits of the program, that it is cloud based, everything is online, and everyone can see what everything is doing. That will streamline the process.

Alderman Baumann asked if the Board went into Chromebooks one day, could the Board see and utilize the budget program from an app on the Chromebook?

City Administrator Perney answered yes because the software is cloud-based.

The consensus of the Board was for Larry to move forward with the purchase.

c. Missouri City Clerk and Finance Officer Association Spring Institute Report - City Clerk Justin Klocke

City Clerk Justin Klocke stated he, along with Deputy Clerk Michelle Melugin, attended the Spring Institute in Columbia, Missouri. There was a lot of information that both of them soaked up and they are looking forward to applying to the City. There were quite a few topics that were discussed at the conference; sunshine law, elections, rules and procedures of the Board, government waste, government fraud and how to spot fraud, Missouri Legislative updates, and ethics in government.

d. List of Paid Bills (Warrant dates of February 5, 2020 to February 15, 2020)

There were none.

8. REPORTS FROM COMMITTEES

a. Planning and Zoning Commission

Mayor Clement stated there were three cases heard by the commission. He said there were two site plans for new homes. Also, there was a Special Use Permit for an athletic field behind Tuckers. The SUP will be brought in front of the Board soon.

b. Veterans Commission

Alderman Huether stated the Commission has not met since the last meeting. They will be evaluating if they will proceed next week. They will be discussing and evaluate the Veterans Resource Event when they meet. They also will be discussing plans for the Memorial Day event.

c. Homecoming Committee

Alderman Ottenad reported the Homecoming did not meet but the next meeting is scheduled for April 1, 2020. If the meeting is held it will be held at the Parks building at 6:30. The theme for this year's Homecoming Festival will be "Under the Sea".

9. ACTION ON OLD BILLS

There were none.

10. INTRODUCTION OF NEW BILLS

a. AMENDMENTS TO CHAPTER 215 - NUISANCES

Alderman Ottenad introduced Bill #20-2406, entitled: "AN ORDINANCE AMENDING ARTICLE I, II, AND III OF CHAPTER 215 OF THE CODE OF ORDINANCES RELATING TO NUISANCES AS IT PERTAINS TO NUISANCES AFFECTING HEALTH, ABANDONED PROPERTY, AND WEEDS, HIGH GRASS OR OTHER VEGETATION IN THE CITY OF MANCHESTER, MISSOURI," by title only.

Mayor Clement stated that Director of Planning and Zoning Rippetoe and attorney have spent a lot of time working on the legislation. It has been in the works for a couple months.

Alderman Ottenad stated her only question is about the trash cans, do you have to have a trash can with a lid that fits tight in order to comply.

Mayor Clement stated that he doesn't have an answer but if we need to amend it, we will.

Alderman Huether asked about item number 6, about garbage cans and for asked for clarification.

Alderman Ottenad asked if the legislation changes the requirements for bags to be on curbside. Director Ruck stated Manchester does allow trash bags to be put out at the curb. There are people that put their bags in carts or containers.

Alderman Ottenad stated that emergency legislation had been requested, so she made the motion for approval of emergency legislation. The motion was seconded by Alderman Baumann and carried unanimously, without objection.

Alderman Ottenad read for the second time Bill #20-2406, entitled: "AN ORDINANCE AMENDING ARTICLE I, II, AND III OF CHAPTER 215 OF THE CODE OF ORDINANCES RELATING TO NUISANCES AS IT PERTAINS TO NUISANCES AFFECTING HEALTH, ABANDONED PROPERTY, AND WEEDS, HIGH GRASS OR OTHER VEGETATION IN THE CITY OF MANCHESTER, MISSOURI," by title only.

Alderman Ottenad made the motion that Bill #20-2406 become Ordinance #20-2291. The motion was seconded by Alderman Toben.

A poll of the Board showed:

Alderman Nolte - aye  
Alderman Hamill - absent  
Alderman Toben - aye  
Alderman Baumann - aye  
Alderman Ottenad - aye  
Alderman Huether - aye

Mayor Clement announced that the motion passed 5 - 0, with one absent and no objections from any members of the Board of Aldermen.

b. SPECIAL USE PERMIT - RESTAURANT AT 25 STONEGATE CENTER

Alderman Huether introduced Bill #20-2407, entitled: "AN ORDINANCE CREATING A SPECIAL USE PERMIT AND GRANTING THE SAME TO STONEGATE CENTER PARTNERSHIP TO OPERATE A RESTAURANT SERVING ALCOHOL IN A GROCERY STORE AT 25 STONEGATE CENTER, AS PROVIDED FOR IN SECTION 405.25(C)(4)(F) OF THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER," by title only.

Alderman Huether stated that emergency legislation had been requested, so she made the motion for approval of emergency legislation. The motion was seconded by Alderman Toben and carried unanimously, without objection.

Alderman Huether read for the second time Bill #20-2407, entitled: AN ORDINANCE CREATING A SPECIAL USE PERMIT AND GRANTING THE SAME TO STONEGATE CENTER PARTNERSHIP TO OPERATE A RESTAURANT SERVING ALCOHOL IN A GROCERY STORE AT 25 STONEGATE CENTER, AS PROVIDED FOR IN SECTION 405.25(C)(4)(F) OF THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER," by title only.

Alderman Ottenad made the motion that Bill #20-2407 become Ordinance #20-2292. The motion was seconded by Alderman Toben.

A poll of the Board showed:

Alderman Nolte - aye  
Alderman Hamill - absent  
Alderman Toben - aye  
Alderman Baumann - aye  
Alderman Ottenad - aye  
Alderman Huether - aye

Mayor Clement announced that the motion passed 5 - 0, with one absent and no objections from any members of the Board of Aldermen.

c. PANDEMIC SICK LEAVE AUTHORIZATION

Alderman Baumann read Proposed Resolution #20-0733, entitled: "AS AMENDED AUTHORIZING PANDEMIC SICK LEAVE FOR PANDEMIC FLU RELATED ABSENCES," by title only.

Alderman Baumann made the motion for approval of Resolution #20-0733. The motion was seconded by Alderman Nolte and carried unanimously, without any objections from any members of the Board of Aldermen.

d. PURCHASE AUTHORIZATION - 2020 CHEVROLET MALIBU PASSENGER VEHICLES

Alderman Nolte read Proposed Resolution #20-0734, entitled: "A RESOLUTION ACCEPTING THE BID OF DON BROWN CHEVROLET, INC. IN THE AMOUNT OF THIRTY-FIVE THOUSAND ONE HUNDRED FORTY-EIGHT DOLLARS (\$35,148.00) FOR THE PURCHASE OF TWO (2) 2020 CHEVROLET MALIBU PASSENGER VEHICLES AND AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF MANCHESTER TO ISSUE A PURCHASE ORDER THEREFORE", by title only.

City Administrator Perney stated these vehicles are for the detectives. Answering Alderman Baumann, he said they are replacement vehicles for the ones that need to be retired.

Alderman Nolte made the motion for approval of Resolution #20-0734. The motion was seconded by Alderman Huether and carried unanimously, without any objections from any members of the Board of Aldermen.

PROPOSITION S CONCRETE STREET IMPROVEMENTS PROJECT  
AGREEMENT AUTHORIZATION

Alderman Baumann read Proposed Resolution #20-0735, entitled: "A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF MANCHESTER TO ENTER INTO A CONTRACT WITH J.M. MARSCHUETZ CONSTRUCTION COMPANY IN AN AMOUNT NOT TO EXCEED THREE MILLION ONE HUNDRED FORTY THOUSAND NINE HUNDRED TWENTY DOLLARS AND TWENTY-SEVEN CENTS (\$3,140,920.27) INCLUDING A THREE PERCENT (3%) CHANGE ORDER IN THE AMOUNT OF NINETY-ONE THOUSAND FOUR HUNDRED EIGHTY-THREE DOLLARS AND SEVENTEEN CENTS (\$91,483.17) FOR UNFORESEEN WORK CONDITIONS FOR THE 2020 "PROPOSITION S" CONCRETE STREET IMPROVEMENTS PROJECT TO BE UNDERTAKEN IN VARIOUS LOCATIONS THROUGHOUT THE CITY OF MANCHESTER," by title only.

Alderman Huether inquired if Manchester has worked with this company before?

Everyone on the Board answered yes and they are fantastic to work with.

Alderman Baumann made the motion for the approval of Resolution #20-0735. The motion was seconded by Alderman Toben and carried unanimously, without any objections from any members of the Board of Aldermen.

f. STORM WATER STUDIES AGREEMENT AUTHORIZATION

Alderman Toben read Proposed Resolution #20-0736, entitled: "A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF MANCHESTER TO ENTER INTO A CONTRACT WITH HORNER & SHIFRIN, INC. IN AN AMOUNT NOT TO EXCEED FIFTY-THREE THOUSAND NINE HUNDRED DOLLARS (\$53,900) TO PROVIDE THE CITY WITH SURVEYING AND ENGINEERING DESIGN SERVICES FOR STORMWATER IMPROVEMENTS IN THE CITY OF MANCHESTER" by title only.

Alderman Toben made the motion for the approval of Resolution #20-0736. The motion was seconded by Alderman Ottenad and carried unanimously, without any objections from any members of the Board of Aldermen.

g. AMENDING RESOLUTION NO. # 19-0705 CONSTRUCTION INSPECTION SERVICES FOR BROOKVALE TERRACE RELIEF TRUNK SEWER PROJECT

Alderman Nolte read Proposed Resolution # 20-0737, entitled: "A RESOLUTION AMENDING RESOLUTION NO. # 19-0705 AND THE CONTRACT APPROVED THEREBY BY INCREASING THE CONTRACT NOT TO EXCEED AMOUNT BY SIX THOUSAND AND FOUR HUNDRED DOLLARS (\$6,400.00) AND AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF MANCHESTER TO EXPEND AN AMOUNT NOT TO EXCEED TWENTY-THREE THOUSAND NINE HUNDRED DOLLARS (\$23,900.00)," by title only.

Alderman Nolte made the motion for the approval of Resolution #20-0737. The motion was seconded by Alderman Ottenad and carried unanimously, without any objections from any members of the Board of Aldermen.

h. PURCHASE REQUEST - AQUATIC CENTER CLIMBING WALL

Alderman Huether read Proposed Resolution #20-0738, entitled: "A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF MANCHESTER TO EXPEND THE SUM OF TWENTY-THREE THOUSAND SEVENTY-FIVE DOLLARS AND NO CENTS (\$23,075.00) TO AQUACLIMB FOR A CLIMBING WALL AT THE AQUATICS CENTER", by title only.

Mayor Clement asked where the wall would go.

Director of Parks, Recreation and Arts Kat Schien answered it will go by the competition pool. She said the wall will block a small section of the bleachers.

Alderman Huether said they are excited to see this as they have used them before at a neighboring pool.

Alderman Baumann requested that Director Schien look for grants on these kinds of things moving forward.

Alderman Huether made the motion for the approval of Resolution #20-0738. The motion was seconded by Alderman Nolte and carried unanimously, without any objections from any members of the Board of Aldermen.

i. SPECIAL USE PERMIT EXTENSION - 14401 MANCHESTER ROAD

Alderman Ottenad read Proposed Resolution #20-0739, entitled: "A RESOLUTION AUTHORIZING A THIRD EXTENSION OF TIME FOR THE EXPIRATION OF A SPECIAL USE PERMIT FOR 14401 MANCHESTER ROAD", by title only.

Alderman Ottenad made the motion for the approval of Resolution #20-0737. The motion was seconded by Alderman Toben and carried unanimously, without any objections from any members of the Board of Aldermen.

11. MISCELLANEOUS

a. Comments from the Public

Mr. Chris Winters - Director of Manchester Athletic Association, 510 Cardinal Lane, wants to know how much the City paid for the removal of Dr. Johns. He would like it to include all lawyers' fees, fines, court cost, Manchester Administrative time and cost for employees to be trained to answer questions appropriately in court and any other expenses related to the cost of Dr. John's removal.

Mr. Winters also requested to know how many other pending lawsuits there are involving the City of Manchester at this time.

Mr. Winters stated when it comes to the Business District and the City has delayed this a year, this gives the Board a year to think of a couple things. Several years ago, former Alderman Stevens stated that Manchester Athletic Association would go out of

business; therefore, they lost many of their kids in the program. Every year since they are losing members because Ballwin and Chesterfield are backed by their municipalities.

Mr. Winters stated with the decline in MAA teams comes less funding to keep the place up. With no backing from the City or anyone else it is very difficult to maintain with just volunteers that have been volunteering for too long. He is urging the Mayor and the Board members to discuss the proposed development in the Business District if the City moves forward with the redevelopment. The Manchester Athletic Association wants a response as to if the Board as spoken with their constituents as to what they want to do. As a citizen he has never been asked his feelings.

Mayor Clement said the plan was to launch dialogue with the business owners of the district.

## 12. ADJOURNMENT

At 8:10 p.m. there being no further business, Alderman Nolte made the motion to adjourn. The motion was seconded by Alderman Baumann and carried unanimously. Mayor Clement announced the motion carried unanimously, with no objections from the members of the Board of Aldermen. The meeting adjourned at 8:10 p.m.

Respectfully submitted,

Michelle Melugin  
Deputy City Clerk

**Note:** This is a journal of the Board of Aldermen meeting held Monday, March 16, 2020, (summary); not a verbatim transcript. If a recording of the meeting is desired, please contact City Hall.