



**MINUTES OF THE CONTINUED PUBLIC HEARING OF
MONDAY, FEBRUARY 4, 2013
HELD ON MONDAY, MARCH 4, 2013
AT 200 HIGHLANDS BOULEVARD DRIVE
REGARDING A REQUEST FOR OUTDOOR STORAGE OF GOODS
AND MERCHANDISE AT 14444 MANCHESTER ROAD**

Mayor David L. Willson called the Public Hearing of the Board of Aldermen to order at 7:00 p.m.

Roll call showed those present were Alderman Clement, Alderman Stevens, Alderman Hamill, Alderman Ottenad, Alderman Schrader, Alderman Diehl, Mayor Willson and Attorney Gunn. A quorum was present.

The following notice of the public hearing, as originally scheduled for February 4, 2013 and continued to the March 4, 2013 meeting, was then read:

“The City of Manchester Board of Aldermen shall hold a public hearing on Monday February 4, 2013 at 7:00 p.m. at the Manchester Police Facility, 200 Highlands Boulevard Drive to consider the following:

A Special Use Permit is being requested by Mark Sgroi, owner of Scotty’s Fresh Produce Market, to operate outdoor storage of goods and merchandise in connection with a fresh produce market store at 14444 Manchester Road. The property is zoned C-1 Commercial with a Historic Overlay.”

Mayor Willson stated that first we would hear from the proponents, then the opponents, questions and comments from the public, then from the Board of Aldermen and then get a recommendation from Planning and Zoning.

Mr. Mark Sgroi, 14444 Manchester Road, owner of Scotty’s Fresh Produce Market said they are requesting a Special Use Permit to sell to the public spring flowers, bedding plants, hanging plants, tropical plants, some firewood, and a small line of straw. He said their plans are to display it very nice and proper. The plants are what kicks off their season, the produce season started on March 1.

There were no opponents and no comments from the public.

Alderman Hamill asked if this store will be fairly similar to the store Mr. Sgroi has in Overland.

Mr. Sgroi said it will be similar to the store in Overland, but there is more room at the Overland store, so they will store more merchandise there and resupply the Manchester store as needed.

Alderman Hamill said that at the Overland store, there is a large pile of wood with a tarp on it.

Mr. Sgroi said that delivery of wood was made the day before the snow, and with all the snow that came in, they were unable to stack it. Normally it would be stacked up on the side and not on the parking lot.

Alderman Hamill stated Mr. Sgroi had said they would have things outside all year around.

Mr. Sgroi responded by saying they would like to stock merchandise all year around because they do not know when the need would be. He said they would like to stock a proper amount to always keep it available for their customers.

Alderman Hamill asked where they are planning on storing all the items.

Mr. Sgroi answered that the merchandise would be stored under the overhang where the bank tellers were in the back of the store. They have asked for permission to have hanging baskets in front. All materials they will be selling will be in the back.

Alderman Diehl stated he is anxious to have Scotty's Produce come into the City and believes it will be a nice addition to the City.

Alderman Schrader stated at the last meeting Mr. Sgroi spoke about seasonal things like pumpkins and Christmas trees and he wondered how far in advance they bring that merchandise to the store.

Mr. Sgroi answered they wait until the weekend after Thanksgiving for their Christmas trees. They typically have Christmas trees for two and half weeks.

Alderman Ottenad said she is looking forward to this business coming into the City. She said that in the Planning and Zoning minutes, there was reference to adding a deli. She asked when this would be. She asked if Mr. Sgroi envisions people eating in the deli or taking it out.

Mr. Sgroi explained that when they got into the building and saw how it was constructed, they realized that they have to shore up one side. They expect to have it up and running by the end of April. He said that the deli will be a made-to-order take-and-go or

delivery. He added that his sister would be managing this store, and currently there are three employees.

Alderman Ottenad asked if there would be a cash register outside.

Mr. Sgroi answered that the customer would have to go inside to pay for their plants, etc. The customer would be given a ticket with what they are purchasing so they would not need to carry the merchandise around or take the merchandise into the store to pay for it.

Alderman Clement said he visited the store over the weekend, and it looks very nice inside and outside. He said the City officials are sensitive to the appearance; that is important.

Alderman Hamill said he is in favor of the use and believes it is a good fit, but he then commented about setting a precedent, and asked Director of Planning, Zoning, and Economic Development Franz Kraintz about the current Ordinance where he can approve outdoor storage for one week up to two times a year. He said this Permit would give permission for storage all year. He said he wants to make sure about differentiating with Mr. Sgroi and not doing something similar with every other applicant.

Director Kraintz said that the Ordinance does not say what an expansive basis means. He said in the Special Use Permit category, temporary roadside stands are included, and with Uncle Sam's, there is a Special Use Permit granting the outside storage in a finite area stating where they can exhibit their merchandise.

There was discussion about the outside storage allowed to Uncle Sam's Outfitters, and that the members of the Board of Aldermen have the discretion in this matter. There was further discussion about having a Special Use Permit approved for outside storage and not being able to determine the types of products or merchandise that can be stored there. There was also discussion about Walmart and Costco having outside storage, but they are in a different district under different rules.

Alderman Clement asked about Dierberg's and Chalily that have seasonal displays.

There was further discussion about outside storage and display and having discretion. The comment was made that Chalily has everything they sell in the back, and the Dierberg's Special Use Permit was discussed. Outside storage at Phillips 66 was also discussed.

Attorney Gunn stated there may be enforcement issues.

Discussion ensued in regard to permitted uses and special uses.

Attorney Gunn commented that this discussion is about a small-scale grocery store which is a permitted use.

Director Krintz stated that Mr. Sgroi's merchandise would mostly be seasonal, except for the firewood which could be used for camping in the summer, as well as being normally used when the weather is colder.

Mr. Sgroi stated that the outside storage is vital. If the City wants him to survive in this community, it will be important that there be approval to have the flowers outside; most produce stores have outside storage.

Attorney Gunn asked Mr. Sgroi if there is a contingency in the lease obtaining approval of the outside storage.

Mr. Sgroi answered the lease has nothing to do with outside storage.

Alderman Clement advised that the Planning and Zoning Commission approved it unanimously.

Mayor Willson closed the public hearing at 7: 35 p.m.

Respectfully submitted,

Ruth E. Baker, CMC/MRCC
City Clerk

Note: This is a journal of the Public Hearing held March 4, 2013 regarding a request for outdoor storage of goods and merchandise at 14444 Manchester Road. If a recording of the public hearing is desired, please contact City Hall.



**MINUTES OF THE REGULAR BOARD OF ALDERMEN MEETING
OF MONDAY, MARCH 4, 2013
AT 200 HIGHLANDS BOULEVARD DRIVE**

1. CALL TO ORDER

Mayor David L. Willson called the Regular Board of Aldermen meeting to order at 7:35 p.m.

2. ROLL CALL AND STATEMENT OF QUORUM

Roll call showed those present were Alderman Clement, Alderman Stevens, Alderman Hamill, Alderman Ottenad, Alderman Schrader, Alderman Diehl, Mayor Willson and Attorney Gunn. A quorum was present.

3. APPROVAL OF THE MINUTES

- a. Minutes of the February 19, 2013 Continued Public Hearing of February 4, 2013 regarding a request for outdoor storage of goods and merchandise at 14444 Manchester Road

Alderman Clement made the motion to approve the Minutes of the February 19, 2013 Continued Public Hearing of February 4, 2013 regarding a request for outdoor storage of goods and merchandise at 14444 Manchester Road. The motion was seconded by Alderman Ottenad and carried unanimously, without objection.

- b. Minutes of the February 19, 2013 Regular Board of Aldermen meeting

Alderman Hamill made the motion to approve the Minutes of the February 19, 2013 Regular Board of Aldermen meeting. The motion was seconded by Alderman Clement and carried unanimously, without objection.

4. ESTABLISHMENT OF ORDER OF ITEMS ON THE AGENDA

Alderman Clement made the motion to approve the Order of Items on the Agenda, as presented. The motion as seconded by Alderman Schrader and carried unanimously, without objection.

5. CONSIDERATION OF PETITIONS AND COMMENTS FROM THE PUBLIC

a. Introduction of Police Officer Hancock

Chief of Police Timothy Walsh introduced Police Officer Timothy Hancock and stated that he grew up in Florissant and worked for the Florissant Parks Department as a lifeguard for numerous years. He received his police officer training through the Eastern Missouri Academy in St. Charles.

b. Comments from the Public

Ms. Pauline Bair, 305 Morewood Drive, asked if there is an Ordinance in effect that vehicles can be ticketed if they are parked along the street on a snow route.

Chief of Police Timothy Walsh answered affirmatively, but advised that in this last snow, the Police Department had to shut down 141 for a period of time, and then later had a chance to patrol the snow routes.

Ms. Bair commented that there were cars parked by her house, but no tickets were issued.

Ms. Bair asked how many police officers were hired in the last year and how many police officers work for the City.

Chief Walsh answered there were four new hires within the past year. There are a total of 38 officers.

Ms. Bair asked about the name change of the Manchester newsletter.

City Administrator Andy Hixson answered that it was time to update it. It was discussed at a Board meeting recently.

Ms. Bair asked what lawsuits the City currently is dealing with.

City Attorney Patrick Gunn answered everything is currently the same as previously discussed.

Ms. Laura Burge, 763 LaFeil Drive discussed a proposed project that will impact her property. She discussed the depreciation of property values and ecosystem that is going to be destroyed. She said there will be millions of dollars spent on a project that nobody wants. She said the area residents love the healthy ecosystem.

Ms. Burge said she has been an environmentalist since 1970. She asked to have this project stopped and abandoned. She considers this project demolition and annihilation of a beautiful ecosystem.

6. REPORTS FROM THE MAYOR

a. Reappointment of Tom Brown as a member of the Planning and Zoning Commission

Mayor Willson nominated Mr. Tom Brown for another four years on the Planning and Zoning Commission. The motion to reappoint Mr. Brown was made by Alderman Clement, seconded by Alderman Ottenad, and carried unanimously.

b. Mayoral Report

Mayor Willson reported on February 27, he, along with Director Franz Krintz and Alderman Diehl, hosted an appreciation dinner for the Historic Review Commission.

On February 28, Mayor Willson reported he attended the Senior Staff meeting. Later that evening he was on a panel at St. Louis Community College in Wildwood, in conjunction with the University of Missouri – St. Louis.

Mayor Willson reported on March 2, the new Arbors at Hanna Subdivision had five lots sold and three more sales are pending.

Mayor Willson stated that at the Historic Review Commission Dinner everyone liked the name of “Manchester Message” for the City’s newsletter.

7. REPORTS FROM THE CITY ADMINISTRATOR

City Administrator Andy Hixson complimented the Public Works Department on the snow removal and also complimented the Police Department for their help in closing down Highway 141 where the backup occurred. He said that by the time Manchester cleared off 141, the Missouri Department of Transportation showed up.

a. List of Paid Bills (Warrant dates of February 15 – March 1, 2013)

There were no questions.

8. REPORTS FROM COMMITTEES

a. Planning and Zoning Commission

Alderman Clement stated the Planning and Zoning Commission did not meet.

b. Historic Review Commission

Alderman Diehl stated they did have a special meeting tonight and have another meeting scheduled for March 18 at 5:30 p.m.

9. ACTION ON OLD BILLS

- a. BILL # 13-2163 – AN ORDINANCE REPEALING ORDINANCE # 12-2045 AND AUTHORIZING APPLICATION FOR TIP/STP GRANT

Alderman Diehl read for the second time Bill # 13-2163, entitled: “AN ORDINANCE REPEALING ORDINANCE NO. 12-2045 AND AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF MANCHESTER TO DO ALL THINGS NECESSARY TO APPLY FOR A 2013 EAST-WEST GATEWAY TIP/STP GRANT FOR THE OVERLAY, STORMWATER CONTROL AND ADA COMPLIANCE OF HENRY AVENUE”, by title only.

Alderman Diehl made the motion that Bill #13-2163 become Ordinance #13-2046. The motion was seconded by Alderman Clement.

A poll of the Board showed:

Alderman Diehl – aye
Alderman Schrader – aye
Alderman Ottenad – aye
Alderman Clement – aye
Alderman Stevens – aye
Alderman Hamill – aye

Mayor Willson announced the Bill passed with a vote of 6 to 0.

10. INTRODUCTION OF NEW BILLS

- a. BILL APPROVING SPECIAL USE PERMIT FOR SCOTTY’S PRODUCE MARKET

Alderman Stevens introduced Bill # 13-2164, entitled: “AN ORDINANCE CREATING A SPECIAL USE PERMIT AND GRANTING THE SAME TO MARK SGROI, DOING BUSINESS AS SCOTTY’S FRESH PRODUCE MARKET, TO HAVE OUTDOOR STORAGE OF GOODS AND MERCHANDISE AT 14444 MANCHESTER ROAD, AS PROVIDED FOR IN SECTION 405.240 (D) (1) OF THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER”, by title only.

There being no questions, Alderman Stevens made a motion for approval of emergency legislation. The motion was seconded by Alderman Clement and carried unanimously, without objection.

Alderman Stevens read for the second time Bill # 13-2164, entitled: “AN ORDINANCE CREATING A SPECIAL USE PERMIT AND GRANTING THE SAME TO MARK SGROI, DOING BUSINESS AS SCOTTY’S FRESH PRODUCE MARKET, TO HAVE OUTDOOR STORAGE OF GOODS AND MERCHANDISE AT 14444

MANCHESTER ROAD, AS PROVIDED FOR IN SECTION 405.240 (D) (1) OF THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER”, by title only.

Alderman Stevens made the motion that Bill #13-2164 become Ordinance #13-2047. The motion was seconded by Alderman Clement.

A poll of the Board showed:

Alderman Schrader - aye
Alderman Ottenad - aye
Alderman Clement - aye
Alderman Stevens - aye
Alderman Hamill - nay
Alderman Diehl – aye

Mayor Willson announced the Bill passed with a vote of 5 to 1.

b. RESOLUTION ACCEPTING BID FOR RECONSTRUCTION OF PORTIONS OF GLAN TAI AND BIG BEND WOODS DRIVES

Alderman Schrader read Proposed Resolution # 13-0431, entitled: “A RESOLUTION ACCEPTING THE BID OF J. M. MARSCHUETZ CONSTRUCTION COMPANY IN AN AMOUNT NOT TO EXCEED ONE HUNDRED EIGHTEEN THOUSAND SIX HUNDRED NINETY-FOUR DOLLARS AND TEN CENTS (\$118,694.10) INCLUDING A FIVE PERCENT (5%) CHANGE ORDER IN THE AMOUNT OF FIVE THOUSAND SIX HUNDRED FIFTY-TWO DOLLARS AND TEN CENTS (\$5,652.10) FOR UNFORESEEN WORK CONDITIONS RELATED TO THE REPLACEMENT OF CERTAIN STREET SECTIONS ON GLAN TAI AND BIG BEND WOODS DRIVES IN THE CITY OF MANCHESTER AND AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF MANCHESTER TO ENTER INTO A CONTRACT THEREFOR”, by title only.

Alderman Schrader made the motion for passage of proposed Resolution #13-431. The motion was seconded by Alderman Clement, and carried unanimously, without objection.

c. RESOLUTION ACCEPTING BID FOR CONCRETE SLAB REPLACEMENT PROJECT

Alderman Ottenad read Proposed Resolution # 13-0432, entitled: “A RESOLUTION ACCEPTING THE BID OF J. M. MARSCHUETZ CONSTRUCTION COMPANY IN AN AMOUNT NOT TO EXCEED THREE HUNDRED FORTY-EIGHT THOUSAND SEVEN HUNDRED NINETY-THREE DOLLARS AND TWENTY CENTS (\$348,793.20) INCLUDING A FIVE PERCENT (5%) CHANGE ORDER IN THE AMOUNT OF SIXTEEN THOUSAND SIX HUNDRED NINE DOLLARS AND TWENTY CENTS (\$16,609.20) FOR UNFORESEEN WORK CONDITIONS RELATED TO THE CONCRETE STREET SLAB

REPLACEMENT PROJECT IN VARIOUS LOCATIONS THROUGHOUT THE CITY OF MANCHESTER AND AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF MANCHESTER TO ENTER INTO A CONTRACT THEREFOR”, by title only.

Alderman Ottenad asked when this work is over if the members of the Board of Aldermen can see a list containing the street name, the problem and the amount, so they can see the amount that is going back to Capital Improvements after the project is over.

Director of Public Works Bob Ruck asked for clarification if this list is for the entire project or just for any unforeseen conditions, and Alderman Ottenad said what she is asking for is just for the unforeseen conditions.

Alderman Ottenad made the motion for passage of proposed Resolution #13-0432. The motion was seconded by Alderman Clement, and carried unanimously, without objection.

d. RESOLUTION AUTHORIZING BULK PURCHASE OF GASOLINE UNDER ST. LOUIS COUNTY CONTRACT

Alderman Clement read Proposed Resolution # 13-0433, entitled: “A RESOLUTION ACCEPTING THE BID OF FROESEL OIL COMPANY, INC. IN THE AMOUNT OF ONE HUNDRED EIGHT THOUSAND SIX HUNDRED DOLLARS (\$108,600.00) FOR THE BULK PURCHASE OF REGULAR UNLEADED GASOLINE AND AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF MANCHESTER TO ISSUE A PURCHASE ORDER THEREFOR”, by title only.

Alderman Clement said the City budget has appropriated \$110,600.00, and asked if the intent is to spend the entire budgeted amount for gasoline and diesel.

Director of Public Works Bob Ruck answered that amount is in the police budget which encompasses the gas tank and the diesel fuel for the generator for the Police Facility. Mr. Ruck said if at any time the gas pump is down, this would include purchases at the local stations. He was hopeful this is it for the year. He said that this is based on the cost of fuel at the time the budget was discussed. He added that if this is not enough money for the entire year, he will come back to the Board asking for additional funds, but he believes this will be sufficient for this year.

Alderman Clement made the motion for passage of proposed Resolution #13-0433. The motion was seconded by Alderman Ottenad, and carried unanimously, without objection.

11. MISCELLANEOUS

a. Comments from the Public

Ms. Pauline Bair, 305 Morewood Drive, said she had received telephone calls complimenting the street cleaning; the Public Works Department did a good job.

City Administrator Andy Hixson announced that today City Engineer Ed Blattner turned in his letter of resignation. He will be the new Public Works Director for the City of Arnold.

12. ADJOURNMENT

At 8:03 p.m., there being no further business, Alderman Schrader made the motion to adjourn. The motion was seconded by Alderman Clement and carried unanimously, without objection. The meeting adjourned at 8:03 p.m.

Respectfully submitted,

Ruth E. Baker, CMC/MRCC
City Clerk

***Note:** This is a journal of the Regular Meeting of the Board of Aldermen held March 4, 2013. If a recording of the meeting is desired, please contact City Hall.*