



MINUTES OF THE REGULAR BOARD OF ALDERMEN MEETING
OF MONDAY, DECEMBER 16, 2013
AT 200 HIGHLANDS BOULEVARD DRIVE

1. CALL TO ORDER

Mayor David L. Willson called the Regular Board of Aldermen meeting to order at 7:00 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 Public Hearing of Monday, December 2, 2013 regarding a Special Use Permit Request to operate a massage therapy business

Alderman Clement made the motion to approve the Minutes of the Public Hearing of Monday, December 2, 2013 regarding a Special Use Permit Request to operate a massage therapy business. The motion was seconded by Alderman Hamill and carried unanimously, without objection.

- b. Minutes of the Public Hearing of Monday, December 2, 2013 regarding a Special Use Permit Request to operate a wine store

Alderman Hamill made the motion to approve the Minutes of the Public Hearing of Monday, December 2, 2013 regarding a Special Use Permit Request to operate a wine store. The motion was seconded by Alderman Clement and carried unanimously, without objection.

- c. Minutes of the Regular Board of Aldermen meeting of Monday, December 2, 2013

Alderman Hamill made the motion to approve the Minutes of the Regular Board of Aldermen meeting of Monday, December 2, 2013. The motion was seconded by Alderman Clement and carried unanimously, without objection.

4. ESTABLISHMENT OF ORDER OF ITEMS ON THE AGENDA

Alderman Ottenad stated that she would like to postpone the introduction of the Bill under 10 (c).

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

5. CONSIDERATION OF PETITIONS AND COMMENTS FROM THE PUBLIC

a. Presentation to Eagle Scout Cunningham

Mayor Willson presented a Proclamation to Eagle Scout Ian Patrick Cunningham of Boy Scouts of American Troop 787.

b. Motion to approve extension of snow removal services agreement – Highlands Boulevard Drive

City Attorney Patrick Gunn stated that the City's property at Highlands Boulevard is within a subdivision that consists of all of the Manchester Highlands Development, and, as a result, the City is obligated under the declaration to pay certain assessments to the owner for the City's share of the maintenance of certain improvements. He stated in January 2009, the City and Pace entered into an agreement whereby the City agreed to plow Manchester Highlands Boulevard in exchange for forgiveness of some portion of the assessments.

City Attorney Gunn stated that for several years this agreement has worked well. He said the current agreement is set to expire on December 31, 2013, and the City has been asked by the current owners of the property to enter into in an agreement where the City would be extending this agreement until December 31, 2014. If the assessments are less than the cost the City occurs, they pay the difference, and if the assessments are more, the City doesn't spend money out of pocket. He added that the first amendment to that agreement was with Cole for 2012, then there was an extension with TKG for 2013, the current owner, and this is the third amendment which will expire on December 31, 2014.

Alderman Clement asked if the City plows only Highlands Boulevard Drive, and Director of Public Works Bob Ruck responded that the City only plows Highlands, nothing else.

Alderman Clement made the motion to approve the extension of the snow plow services agreement for one year. The motion was seconded by Alderman Hamill and carried unanimously, without objection.

c. Comments from the Public

Mr. James Bottorff, 580 Larksmore Court, discussed the texting while driving Ordinance. He spoke in favor of all ages not being allowed to text while driving.

6. REPORTS FROM THE MAYOR

a. Announcement of City Employee being appointed as a Board Member of the Missouri Municipal League

Mayor Willson stated that City Clerk Ruth Baker has been appointed to serve on the board of the Missouri Municipal League, serving until 2015. He advised that the Missouri Municipal League serves more than 675 municipalities with training, resources, and legislative advocacy for local government.

b. Mayoral Report

Mayor Willson reported that on December 3, Chief Walsh and he gave a tour for a group of third graders. During the tour, he showed the class the City's Ordinance Book, which has more than 900 pages in it, and he expressed amusement that on the way out, one of the students asked if he could take it home over the weekend, read it and memorize it by Monday.

Mayor Willson reported that on December 5, he attended, along with Alderman Clement, Alderman Ottenad, Director of Public Works Bob Ruck and Chief Tim Walsh, the Country Lane Woods II Subdivision Trustee meeting. He said they discussed deer, snow removal, vacation watches, and the budget. Mayor Willson stated that they are very appreciative of the aldermen and Director Ruck for Channel B and how nice it looks.

Mayor Willson reported that on December 7, he attended the Breakfast with Santa at the Legion Hall. There was a breakfast for the children and the parents, and it was hosted by Director of Parks and Recreation Eileen Collins and the Parks Department. He said that about 250 people attended the two separately-scheduled events.

Mayor Willson reported on the December 7 "Shop with a Cop" event which is run by Detective Sergeant Dan Rehm and Sergeant Sheree Waterhouse. He stated that underprivileged children are given money and taken to Walmart to shop, and then they go back to the Legion Hall for pizza and hamburgers and to wrap presents.

Mayor Willson reported that the dinner for Homecoming volunteers was held at Tucker's Place on December 8. He said there was a great turnout and everyone had a good time.

Mayor Willson reported on the Employee Awards Luncheon which was held on December 13. He said there were 65 people in attendance, the largest turnout there has been for quite some time. Employees were recognized for significant anniversaries, and some Police Department staff received shooting awards.

Mayor Willson discussed the Lafayette Area Mayor's Organization holiday get-together and the Eagle Scout Presentation over the weekend.

7. REPORTS FROM THE CITY ADMINISTRATOR

a. List of Paid Bills (Warrant dates of December 1 - December 13, 2013)

There were no questions.

b. Candidate filing for elective office

City Administrator Andy Hixson stated that candidate filing would begin the next morning from 8:00 – 9:00 a.m. at the Public Works Facility, and thereafter it would be held at City Hall until the closing date for filing.

c. Deer Report

City Administrator Hixson stated that he met with Gary Hoelzer, the City Administrator of the City of Town and Country, and they discussed the deer population. He said that White Buffalo will be in Town and Country in February, and he received a quote of about \$3,300 to do some spotting. He stated he would bring this topic back to the Board if they would like to see what the City's deer saturation point is.

Alderman Clement stated that the City of Town and Country is supposed to be working with the City of Sunset Hills, and City Administrator Hixson responded that Town and Country passed an Ordinance about a week ago, so White Buffalo will be in the area in February.

Alderman Clement asked for details of what White Buffalo would do.

City Administrator Hixson advised that White Buffalo trained spotters would come into the City on two consecutive nights, find concentrated areas and take a tally. They would provide a rough estimate of the number of deer, the gender, and other details. He advised that White Buffalo does their homework before going on sites.

Alderman Clement commented that \$3,300 is a steep price for two nights, but maybe actually a good value. He asked if Town and Country feels that knowing the density is helpful.

City Administrator Hixson stated that Gary Hoelzer is very satisfied with the work done by White Buffalo.

Mayor Willson said he is aware that the City of Town and Country has reduced their herd by about 50%, but there are still the same number of accidents with cars.

Alderman Ottenad commented that it has taken more than four years for that reduction. She questioned about the amount of money Town and Country has spent.

City Administrator Hixson stated it is in the six-figure range, but he is not sure exactly how much has been spent.

8. REPORTS FROM COMMITTEES

a. Planning and Zoning Commission

Alderman Clement advised that they have not had a meeting, and no meetings are scheduled at this time.

b. Historic Review Commission

Alderman Diehl stated that there have been no meetings since the last Board of Aldermen meeting. The next meeting will be on Monday, January 20.

c. Manchester Arts Council

Alderman Stevens advised that the Manchester Arts Council continues to meet. They are currently planning the photography show, and invitations should be out shortly. She stated that they are considering a “hanging system” to bring public art into the meeting room. At this time, they are closing out the year and planning the future. She then deferred the rest of the report to Alderman Clement who has some exciting information.

Alderman Clement stated that as part of St. Louis’s birthday, there will be a number of STL250 birthday cakes placed at strategic locations throughout the St. Louis area. He said there is a vote being taken for communities, landmark sites, heritage and cultural sites to be recipients of one of the four-foot tall STL250 birthday cakes. He stated that one of the cakes would look nice in front of the Lyceum Building which is City Hall. Alderman Clement stated that several months ago, the Lyceum was submitted as a landmark site, and as votes are being calculated, right now the City Hall is number one, ahead of the Gateway Arch and the Christ Church Cathedral. He encourages all to continue to vote; it has to be done electronically. He said that voting ends either the end of December or on January 3. He said he believes the cakes will be on display for about a year.

9. ACTION ON OLD BILLS

a. BILL # 13-2181- AN ORDINANCE PROHIBITING TEXTING WHILE DRIVING

Alderman Hamill read for the second time Bill # 13-2181, entitled: “AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER BY ADDING THERETO NEW SECTIONS 210.195 AND 210.545 PROHIBITING TEXTING AND ELECTRONIC MESSAGING WHILE OPERATING A MOTOR VEHICLE”, by title only.

Alderman Ottenad asked how the City will get this information out to the public and if there will be a warning period for the public. She also inquired if any other cities are doing something like this.

Chief Walsh said there is an interview on KMOX, and the City officers will try to be sensitive. The plan is for officers to investigate situations of distracted driving due to texting and to stop the practice. The goal, of course, is to stop the activity. Chief Walsh added that Florissant is the only city so far that has regulated texting while driving.

Alderman Hamill made the motion that Bill # 13-2181 become Ordinance # 13-2064. The motion was seconded by Alderman Clement.

A poll of the Board showed:

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

Mayor Willson announced the motion passed 6 – 0, with no objections.

- b. **BILL # 13-2182 – AN ORDINANCE APPROVING A SPECIAL USE PERMIT FOR A MASSAGE THERAPIST BUSINESS AT 14272 MANCHESTER ROAD**

Alderman Diehl read for the second time Bill # 13-2182, entitled: “AN ORDINANCE CREATING A SPECIAL USE PERMIT AND GRANTING THE SAME TO JUN MA TO OPERATE A MASSAGE THERAPIST BUSINESS AT 14272 MANCHESTER AS PROVIDED FOR IN TITLE IV, ARTICLE V OF THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER, COMMONLY KNOWN AS “THE ZONING ORDINANCE OF THE CITY OF MANCHESTER”, by title only.

Alderman Diehl made the motion that Bill # 13-2182 become Ordinance # 13-2065. The motion was seconded by Alderman Hamill.

A poll of the Board showed:

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

Mayor Willson announced the motion passed 6 – 0, with no objections.

- c. **BILL # 13-2183 – AN ORDINANCE APPROVING A SPECIAL USE PERMIT TO OPERATE A WINE STORE AT 14254 MANCHESTER ROAD**

Alderman Clement read for the second time Bill # 13-2183, entitled: “AN ORDINANCE CREATING A SPECIAL USE PERMIT AND GRANTING THE SAME TO B.A.A. INC., TO OPERATE A PACKAGE LIQUOR STORE TO SELL WINE, WINE ACCESSORIES, AND LIMITED AMOUNTS OF HIGH-END CRAFT BEER, SUBJECT TO CERTAIN CONDITIONS, AT 14254 MANCHESTER ROAD AS PROVIDED FOR IN SECTION 405.260 (C) (2) (d) (2) OF THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER”, by title only.

Alderman Clement made the motion that Bill # 13-2183 become Ordinance # 13-2066. The

motion was seconded by Alderman Ottenad.

A poll of the Board showed:

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

Mayor Willson announced that the motion passed 6 – 0, with no objections.

10. INTRODUCTION OF NEW BILLS

a. RESOLUTION APPROVING PURCHASE OF LED LIGHTING TO BE INSTALLED ALONG MANCHESTER ROAD

Alderman Diehl read proposed Resolution # 13-0468, entitled: “A RESOLUTION ACCEPTING THE BID OF CITY LIGHTING PRODUCTS COMPANY IN AN AMOUNT NOT TO EXCEED FOURTEEN THOUSAND FIFTY NINE DOLLARS AND FIFTY CENTS (\$14,059.50) FOR THE PURCHASE OF LIGHT EMITTING DIODE RETROFIT LAMPS FOR THE RE-LAMPING OF THE MANCHESTER ROAD HISTORIC DISTRICT STREET LIGHTS, AND AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF MANCHESTER TO ISSUE A PURCHASE ORDER THEREFOR”, by title only.

Alderman Diehl made the motion that Resolution # 13-0468 be approved. The motion was seconded by Alderman Clement and carried 6 – 0, with no objections.

b. BILL APPROVING USER AGREEMENT WITH ST. LOUIS COUNTY EMERGENCY COMMUNICATIONS COMMISSION FOR RADIO EQUIPMENT

Alderman Schrader introduced Bill # 13-2184, entitled: “AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A USER AGREEMENT WITH THE ST. LOUIS COUNTY EMERGENCY COMMUNICATIONS COMMISSION FOR SUBSCRIBER RADIOS FOR AN INTEROPERABLE RADIO SYSTEM FOR THE CITY OF MANCHESTER, MISSOURI”, by title only.

Alderman Ottenad asked if each car will get a radio. She asked about a warranty for the first year, and how repairs are paid for after the first year.

Chief Walsh stated that the warranty is six years on walkie-talkies, and there is a warranty on the batteries. He advised that everything is paid for by the sales tax approved by voters for E-911, so as equipment fails or is needed, it will be replaced. He added that the E-911 tax covers everything to do with emergency management, sirens, the new center being built just south of the City, the new Emergency Operations Center which covers radios for police, fire, and eventually public works and parks. These radios will be replacements for those we already have, not

additional radios.

No further action at this time.

c. BILL UPDATING BUSINESS LICENSE FEES

This item has been postponed.

d. RESOLUTION ESTABLISHING ZONING APPROVAL FEES

Alderman Stevens read proposed Resolution # 13-0469, entitled: "A RESOLUTION ESTABLISHING CERTAIN ZONING APPROVAL FEES FOR THE CITY OF MANCHESTER", by title only.

Alderman Stevens made the motion for approval of Resolution # 13-0469. The motion was seconded by Alderman Hamill and carried unanimously, without objection.

11. MISCELLANEOUS

a. Comments from the Public

Ms. Pauline Bair, 305 Morewood Drive, asked about pending lawsuits.

City Attorney Patrick R. Gunn responded that there is only one case pending at this time. The City of Manchester is named as a party in the case, but the City is not actively participating in the defense of the case. All other cases have been resolved.

Mayor Willson stated that 2013 has been a terrific year. The City has a Board of Aldermen that works together, and the City has a fine Police Department, Public Works Department, Parks Department, Planning and Zoning Department, Finance Department and Administration. He stated that Manchester Arts is established and there were three concerts in the park and a wonderful photography show. It was also a monumental year for Homecoming and the July 4 Party in the Park, as well as many other events. There is good interaction with other mayors and administrators, and the City does many good things for the constituents. He said it has been a fine year, and he is proud to be Mayor! He wished everyone Happy Holidays. He asked that everyone be safe and have a good time during the holidays.

12. ADJOURNMENT

At 7:46 p.m., there being no further business, Alderman Hamill made the motion to adjourn. The motion was seconded by Alderman Clement and carried unanimously, without objection. The meeting adjourned at 7:46 p.m.

Respectfully submitted,

Ruth E. Baker, CMC/MRCC
City Clerk