



**MINUTES OF THE CONTINUED PUBLIC HEARING
OF MONDAY, MARCH 21, 2016
HELD ON MONDAY, APRIL 4, 2016
AT 200 HIGHLANDS BOULEVARD DRIVE
REGARDING A SPECIAL USE PERMIT
FOR A FENCE EXTENSION AND NEW SHELTER
AT 948 CARMAN 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 Baumann, Alderman Diehl, Mayor Willson and Attorney Gunn. A quorum was present.

The following notice of the continued public hearing was then read:

“The City of Manchester Board of Aldermen shall hold a public hearing on Monday, March 21, 2016 at 7:00 p.m. at the Manchester Police Facility, 200 Highlands Boulevard Drive, to consider the following:

CASE #16-SUP-001 – A request for a Special Use Permit has been made by IHC Construction, LLC on behalf of Metro State Transportation to extend the existing chain link fence and construct new shelter for communication equipment at 948 Carman Road. The property is zoned R-2A Single Family Residential.”

Mayor Willson 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 and the Planning and Zoning Commission.

Mr. Ty Kepler, project manager of IHC Construction, said that basically all they are doing is extending the fence four feet out from the existing fence. He said there are three properties that have telecommunication shelters already on the property and there are different landlords and tenants, and there is also a water tank on a property in that location. He said this would make it look different because they would have a wooden fence around the existing structure. They will be extending the existing fence to include some new cabinets, he said it is an extension of four feet and there will be a new 10 foot by 10 foot shelter for the Metro State Transportation for a radio upgrade of their system.

There were no comments from the public or from opponents.

Director of Planning, Zoning, and Economic Development Erika Kennett said when this tower first originated, the property was not under the jurisdiction of the City of Manchester, but now that the area has been annexed, they are required to have a Special Use Permit, as all telecommunication towers are required to have a Special Use Permit. Since they are modifying their tower, that is the need for a Special Use Permit. She said that chain link fences are generally not encouraged through the Ordinance, but with approval of the Board, it can be allowed.

Alderman Hamill asked if there were time restraints.

Director Kennett answered they had requested that it be done quickly, and on the previous Agenda there was a request for emergency legislation, but since he was not at the last meeting, she didn't know if that would carry forward.

Mr. Kepler then asked for emergency legislation.

Alderman Clement stated the Planning and Zoning Commission unanimously recommended it to the Board of Aldermen.

Mayor Willson closed the public hearing at 7:07 p.m.

Respectfully submitted,

Ruth E. Baker, MMC/MPCC
City Clerk

***Note:** This is a journal of the Public Hearing held Monday, April 4, 2016 regarding a Special Use Permit Request regarding a fence extension and new shelter at 948 Carman Road , (summary); not a verbatim transcript. If a recording of the public hearing is desired, please contact City Hall.*



**MINUTES OF THE PUBLIC HEARING OF
MONDAY, APRIL 4, 2016
AT 200 HIGHLANDS BOULEVARD DRIVE REGARDING
THE PROPOSED LAFAYETTE CENTER COMMUNITY IMPROVEMENT DISTRICT**

Mayor David L. Willson called the Public Hearing of the Board of Aldermen to order at 7:07 p.m.

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

The following notice of the public hearing was then read:

“Notice of Public Hearing – Board of Aldermen of the City of Manchester, Missouri

Please take notice that at 7:00 p.m. on April 4, 2016 at 200 Highlands Boulevard Drive, Manchester, Missouri 63011, the Board of Aldermen of the City of Manchester, Missouri (the “City”) will hold a public hearing pursuant to the Community Improvement District Act, Sections 67.1401 through 67.1571 of the Revised Statutes of Missouri, as amended (the “Act”). The purpose of the hearing is to consider the approval by the Board of Aldermen of a petition to establish a community improvement district pursuant to the Act to be known as the “Lafayette Center Community Improvement District” (the “Petition”).”

Mayor Willson 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. Shannon Creighton, an attorney with Gilmore and Bell, stated they are representing the City as special counsel with regard to the creation of this district. The Community Improvement District is being requested by the property owner within the Lafayette Center Shopping Plaza. The district is being created to finance approximately \$4.8 million dollars of improvements to the shopping center. With this, there will be reimbursement to the City for approximately \$98,000 for repairs done to the east access bridge to the center several years ago.

Ms. Creighton stated that the District when created would be a separate political subdivision of the State of Missouri and be governed by a five-member Board of Directors; three members

would be members appointed by the developer, and City Administrator Andy Hixson and Director Erika Kennett would be two of the directors, representing the City. She stated once the District is created, it would impose a 1% sales tax within the shopping center. The tax would be used to pay off obligations issued by the District and can be in place no longer than 25 years, but the tax expires after 25 years, if the debt is not paid off within the 25 year period.

Alderman Hamill asked if the debt could be paid off in less than 25 years.

Ms. Creighton answered it is expected that it will be paid off before the 25 years; many of the terms used to do those projections are dependent upon bank terms, the “market rate”, and that we don’t know. The developer is willing to put behind that debt a personal guarantee to make sure that rate is as low as possible, and they are interested in paying off that debt as soon as possible, as well.

Alderman Clement asked about the \$25,000 for the administrative and operation fees. He feels that is a lot of money for administration and operation, he said if they play it out over 25 years, it is another \$500,000 which is added onto the overall cost.

Ms. Creighton answered that the annual operating fund is financed with the sales tax every year, the \$25,000 deposit. To the extent they don’t spend that \$25,000, it rolls over so they only fund up to the \$25,000, so it is credited up to the next year. Any funds that are still available can be used to pay down the debt if they do not need the monies for operating expenses. This year it shows the expense at around \$15,000, which she believes it would be on an annual basis.

Alderman Clement asked how we can know that sum of money won’t become a catch basin for small expenditures the developer may want to run on through. He wondered how they know that \$25,000 is a good number, that could be up to \$500,000 to \$600,000 more that could be on top of that. He wanted to know if there is a definition of what constitutes the administrative and operational costs.

Ms. Creighton answered there is a definition of operating cost within the Development Agreement. She said it is intended to pay for liability insurance, independent audit, administrative costs like budgeting and things of that nature and any expenses of the City in administrating the District on an annual basis. She said it does allow for funds to be used to pay down the debt. If they only use \$15,000 of the \$25,000 budget this year, they only get \$10,000 next year; they do not receive another \$25,000. She said the Board has hired Development Dynamics out of O’Fallon to administer their District.

Alderman Clement asked if Development Dynamics is a third-party administrator.

Ms. Creighton answered that is true, and it is very common to have a third-party administrator.

Alderman Clement asked about the sums for general conditions, such as overhead and contingency, he said that was a broad term.

Ms. Creighton answered she doesn’t have details of the budget and won’t be able to answer those questions. She said she can’t imagine what those could be because the center is operating and they are not talking about demolition of any structure.

Alderman Hamill asked that because they are members of the body, whether they get information as to how those funds are spent each year.

Ms. Creighton answered that is true. She said that each year the District is required to submit to them an annual budget for their review prior to their approval. There will also be an annual report of any resolutions adopted. The City Administrator and Planning and Zoning Director will be on the Board and can update as needed. In addition, any expenditure for the project would require the City Administrator's approval prior to being reimbursed.

Alderman Clement asked if the meetings were public, Ms. Creighton answered yes.

Alderman Clement said under the "annual operating fund project", it talks about CPI increase and accumulated, he asked for her to explain.

Ms. Creighton stated in the initial year, the deposit to the operating fund would be \$25,000; and then in 2017 the deposit would be any amount necessary to bring it back to \$25,000 plus a CPI increase. That increase is based on that year prior. Each year that number rolls over.

City Attorney Patrick Gunn stated the maximum would be \$25,000 a year, but there could be years where the amount is zero or at least a lot less than \$25,000 a year.

Alderman Ottenad asked about the no-revenue limitations and petitioner does not seek limitations on the revenue generations of the District, she wanted to know if they are referring to the 1% or the general revenue of the whole store.

Ms. Creighton answered it is based on the funding mechanisms of the District itself. There is no revenue limitation of the amount the 1% sales tax can generate. They are, under the Petition, not permitted to impose any other assessment, property tax, additional sales tax, or any other fees.

Alderman Ottenad asked when they get the tax from the 1%, if it is put in a separate account.

Ms. Creighton answered that is true; it is collected by the Department of Revenue and it is remitted to the District on a monthly basis. They have a trust fund where they will put those dollars, and they would set aside their operating account amount and the remaining portion goes to pay down debt.

Alderman Ottenad asked about a statement under "purposes", where it says maintaining an improvement is part of the project. She used the example that if they replace the parking lot after year one, and 10 years down the road they want to replace it again, could they do it again under this purpose.

Ms. Creighton stated this is an item of discussion in the Petition where there is a general framework of what the District is authorized to do. The Development Agreement limits them to the projects that they can finance. It limits the amount of projects that they can finance up to the \$4.8 million. They couldn't do the same project twice if they want to be reimbursed for it.

Alderman Ottenad asked about changing the color on a building if they didn't like the color.

Ms. Creighton answered there are funds and their operating account. They don't have the ability to do another project.

City Attorney Gunn clarified that it would be a different project, and they cannot devote this 1% to a different project.

Alderman Ottenad asked about the deteriorated parking lot, etc. Has any of this been done before, or is this the condition of the outside since 1978?

Ms. Creighton stated she can't answer that question.

City Attorney Gunn asked Director Bob Ruck if they have replaced the parking lot.

Director of Public Works Bob Ruck answered that he does not remember that being done since 1978.

Alderman Ottenad asked about having to maintain records, etc, but when they send for reimbursement, she wanted to know if they have to include proof.

Ms. Creighton answered there are two categories of cost discussed in the Development Agreement: the hard costs and soft costs as listed in exhibit "c". Those are the costs that are going to be submitted to the City Administrator under the Certificate of Reimbursement project costs. There are other costs, there is no Certificate needed, but they do need to maintain evidence that they have incurred those costs. If the sales tax cannot fund the \$25,000, the developer covers that cost. There is a cost accrued to the interest on the construction loan.

Alderman Ottenad asked if they just place a phone call.

Ms. Creighton answered many of these costs are going to be evidenced by the construction loan. There is evidence is the Agreement. They can see all of that before the loan going into place.

Alderman Ottenad asked if they do not send any invoice or anything.

City Attorney Gunn commented that it doesn't cost the City any money; it does not cost the taxpayers anything, but it does cost the people who shop in the Center.

Alderman Clement asked in going back to the 5-year management plan, he wanted to know the total outside the administrative and operational costs, which was up to \$25,000. He said the total was \$4,758,670, so at the end of five years, the cost for this District will not exceed that amount. He said the only amount that might vary would be the \$25,000.

Ms. Creighton agreed with Alderman Clement and stated that is correct.

Alderman Clement stated the Planning and Zoning Commission unanimously recommended it to the Board of Aldermen.

Mayor Willson closed the public hearing at 7:28 p.m.

Respectfully submitted,

Ruth E. Baker, MMC/MPCC
City Clerk

***Note:** This is a journal of the Public Hearing held Monday, April 4, 2016 regarding the Proposed Lafayette Center Community Improvement District (summary); not a verbatim transcript. If a recording of the public hearing is desired, please contact City Hall.*



**MINUTES OF THE PUBLIC HEARING OF
MONDAY, APRIL 4, 2016
AT 200 HIGHLANDS BOULEVARD DRIVE
REGARDING A SPECIAL USE PERMIT REQUEST
FOR A RESALE CLOTHING BOUTIQUE AT
801 SECOND STREET**

Mayor David L. Willson called the Public Hearing of the Board of Aldermen to order at 7:28 p.m.

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

The following notice of the public hearing was then read:

“The City of Manchester Board of Aldermen shall hold a public hearing on Monday, April 4, 2016 at 7:00 p.m. at the Manchester Police Facility, 200 Highlands Boulevard Drive, to consider the following:

CASE #16-SUP-002 – A request for a Special Use Permit has been made by Ketrill Blanton of Back on the Rack Consignment Boutique to allow the use of resale clothing at 801 Second Street. The property is zoned PBD – Planned Business Development District.”

Mayor Willson 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. Ketrill Blanton, owner of Back on the Rack Consignment Boutique, stated she would like to sell women’s retail clothing and accessories and other items. When she moved from her store in Brentwood, she sold high end designer shoes, clothing, and other items under resale. In Manchester, they decided to include antique furniture and décor. They have a permit to sell antique furniture and décor, but need a Special Use Permit to sell women’s consignment. Currently, the larger part of their sales is the consignment shop. She had to lay off employees because they do not have the sales to generate the revenue to keep them employed, so she is hoping the Permit would be approved so they can get their sales back to the level as when they were in Brentwood.

Alderman Diehl asked if there were any parking issues on this business.

Ms. Blanton answered they have a parking lot that has enough spaces.

Alderman Clement asked how they find their consignment merchandise and antiques.

Ms. Blanton answered she has been purchasing the antique pieces herself. The consignment database has about 7,800 consigners that they have collected over 24-25 years. A lot of the customers sign with them every season, some annually. They market directly to that database of clients. She said there is even a woman in Kansas City who brings her inventory.

There were no comments from proponents and from the public.

Alderman Clement stated the Planning and Zoning Commission unanimously recommended approval of this Special Use Permit.

The Public Hearing was closed at 7:32 p.m.

Respectfully submitted,

Ruth E. Baker, MMC/MPCC
City Clerk

Note: This is a journal of the Public Hearing held Monday, April 4, 2016 regarding the proposed resale shop at 801 Second Street (summary); not a verbatim transcript. If a recording of the public hearing is desired, please contact City Hall.



**MINUTES OF THE PUBLIC HEARING OF
MONDAY, APRIL 4, 2016
AT 200 HIGHLANDS BOULEVARD DRIVE
REGARDING A TEXT AMENDMENT TO THE CITY'S CODE
REGARDING FENCING IN RESIDENTIAL DISTRICTS**

Mayor David L. Willson called the Public Hearing of the Board of Aldermen to order at 7:32 p.m.

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

The following notice of the public hearing was then read:

“The City of Manchester Board of Aldermen shall hold a public hearing on Monday, April 4, 2016 at 7:00 p.m. at the Manchester Police Facility, 200 Highlands Boulevard Drive, to consider the following:

CASE #16-TXT-001 – A text amendment is proposed to Section 405.610 of the City of Manchester’s Zoning Code to modify the Fence Types and Height in Residential Zoning Districts.”

Mayor Willson 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.

City Attorney Patrick Gunn spoke as a proponent. He stated the Board enacted an ordinance which created a “site distance triangle” which is an area which you can’t build at intersections of streets because it impedes the site distance. In reviewing our subdivision regulations they noticed that there is no such provision that relates to fences. All this ordinance does is modify the last sentence so that it would now read “On a corner lot, a fence may not extend beyond the building line on either side of the yards adjacent to the two (2) streets and may not encroach upon the sight distance triangle as defined in Section 405.060 of this Code.”

City Attorney Gunn stated this is a housekeeping ordinance that brings fences into compliance with other structures.

There were no comments from the public and no opponents.

Alderman Clement stated that the Planning and Zoning Commission recommended this text amendment unanimously to the Board of Aldermen.

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

Respectfully submitted,

Ruth E. Baker, MMC/MPCC
City Clerk

Note: This is a journal of the Public Hearing held Monday, April 4, 2016 to modify the Zoning code regarding Fence Type and Height requirements(summary); not a verbatim transcript. If a recording of the public hearing is desired, please contact City Hall.



**MINUTES OF THE PUBLIC HEARING OF
MONDAY, APRIL 4, 2016
AT 200 HIGHLANDS BOULEVARD DRIVE
REGARDING A TEXT AMENDMENT TO THE
CITY'S CODE ALLOWING FOR A SPECIAL USE PERMIT
FOR FINANCIAL INSTITUTIONS**

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

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

The following notice of the public hearing was then read:

“The City of Manchester Board of Aldermen shall hold a public hearing on Monday, April 4, 2016 at 7:00 p.m. at the Manchester Police Facility, 200 Highlands Boulevard Drive, to consider the following:

CASE #16-TXT-002 – A text amendment is proposed to Section 405.285 (C) (18) of the City of Manchester’s Zoning Code to allow for a Special Use Permit for Financial Institutions.”

Mayor Willson 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.

Director Kennett stated that the Planned Business District is the only District in the City that does not allow for a financial institution. This amendment would allow for financial institutions, under a Special Use Permit, to come into the district with or without drive-through facilities.

There were no comments from the public or opponents.

Alderman Clement stated the Planning and Zoning Commission recommended it to the Board of the Aldermen unanimously.

Mayor Willson closed the public hearing at 7:37 p.m.

Respectfully submitted,

Ruth E. Baker, MMC/MPCC
City Clerk

Note: This is a journal of the Public Hearing held Monday, April 4, 2016 for a Text Amendment to allow Financial institutions(summary); not a verbatim transcript. If a recording of the public hearing is desired, please contact City Hall.



**MINUTES OF THE PUBLIC HEARING OF
MONDAY, APRIL 4, 2016
AT 200 HIGHLANDS BOULEVARD DRIVE
REGARDING A SPECIAL USE PERMIT REQUEST
FOR A FINANCIAL INSTITUTION WITH DRIVE THRU
AT 14422 MANCHESTER ROAD**

Mayor David L. Willson called the Public Hearing of the Board of Aldermen to order at 7:37 p.m.

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

The following notice of the public hearing was then read:

“The City of Manchester Board of Aldermen shall hold a public hearing on Monday, April 4, 2016 at 7:00 p.m. at the Manchester Police Facility, 200 Highlands Boulevard Drive, to consider the following:

CASE #16-SUP-003 – A request for a Special Use Permit has been made by Gary Follman of Follman Real Estate to allow a Financial Institution with a Drive Thru to be located at 14422 Manchester Road. The property is zoned PBD – Planned Business Development District.”

Mayor Willson 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.

Mr. Gary Follman, Follman Real Estate, identified that he was at the meeting representing Neighbors Credit Union.

City Attorney Patrick Gunn asked if this was going to be a credit union that is going to be on Manchester Road in the Planned Business District, with standard operation. Mr. Follman stated that was correct.

Alderman Diehl asked if there is a building there currently.

Mr. Follman stated there is a building there now that will be taken down. The building is currently a Hair Salon next to the Volvo dealership.

Alderman Clement asked if this is a stand alone or part of a larger organization.

Mr. Follman answered this is part of a larger organization. This will be one branch of about seven, and there is a headquarters facility that is on South Lindbergh. They have been a client of his for about 35 years and he has represented them in every one of their current locations.

There were no comments from the public or opponents.

Alderman Clement stated the Planning and Zoning Commission unanimously recommended this Special Use Permit to the Board.

Mayor Willson closed the public hearing at 7:41 p.m.

Respectfully submitted,

Ruth E. Baker, MMC/MPCC
City Clerk

Note: This is a journal of the Public Hearing held Monday, April 4, 2016 for a Special Use Permit to allow a Financial Institution to be located at 14422 Manchester Road(summary); not a verbatim transcript. If a recording of the public hearing is desired, please contact City Hall.



**MINUTES OF THE REGULAR BOARD OF ALDERMEN MEETING
OF MONDAY, APRIL 4, 2016
AT 200 HIGHLANDS BOULEVARD DRIVE**

1. CALL TO ORDER

Mayor David L. Willson called the Regular Board of Aldermen meeting to order at 7:41 p.m.

2. ROLL CALL AND STATEMENT OF QUORUM

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

3. APPROVAL OF THE MINUTES

- a. Minutes of the Public Hearing regarding the fence extension and new shelter at 948 Carman Road which was held on Monday, March 21, 2016

Alderman Clement made the motion to approve the Minutes of the Public Hearing of Monday, March 21, 2016. The motion was seconded by Alderman Hamill and carried unanimously, without objection.

- b. Minutes of the Regular Board of Aldermen meeting held on Monday, March 21, 2016

Alderman Hamill made the motion to approve the Minutes of the Regular Board of Aldermen meeting of Monday, March 7, 2016. The motion was seconded by Alderman Clement and carried unanimously, without objection.

4. ESTABLISHMENT OF ORDER OF ITEMS ON THE AGENDA

Alderman Clement is going to request Emergency Legislation for 10 (a).

Alderman Hamill made the motion to approve the Order of Items on the Agenda as amended. The motion was seconded by Alderman Clement and carried unanimously, with no objection.

5. CONSIDERATION OF PETITIONS AND COMMENTS FROM THE PUBLIC

a. Comments from the Public

Mr. James Bottorff, 580 Larksmore Court, stated Ballwin and Ellisville have signs identifying the blocks of Manchester Road. He wondered if Manchester was going to do the same because it is a good idea when drivers are figuring out exactly where they are on Manchester Road.

6. REPORTS FROM THE MAYOR

a. Mayoral Report

Mayor Willson reported that on March 23, he attended the Planning and Zoning dinner; on March 24, he attended the staff meeting and also attended the Municipal League meeting in Black Jack; on March 31, he attended a staff meeting, and on April 1, he went to the FOCUS with Manchester Arts at Manchester United Methodist Church.

Mayor Willson stated that on April 1, Attorney Patrick Gunn had his 40th anniversary as a City Attorney for the City of Manchester.

7. REPORTS FROM THE CITY ADMINISTRATOR

a. List of Paid Bills (Warrant dates of 3/20/2016 – 4/2/2016)

There were no questions.

8. REPORTS FROM COMMITTEES

a. Planning and Zoning Commission

Alderman Clement stated they did not meet last week but there is an agenda for a week from tonight.

b. Homecoming Committee

Alderman Ottenad stated the next meeting is May 11th at the Legion Hall.

c. Manchester Arts

Alderman Stevens stated the Arts FOCUS is in their 4th year and they have had over 200 photographers come. The winning entries from the FOCUS 2016 are currently on display in the Board room. This show was for all levels of expertise.

Alderman Stevens spoke about when the pool opens, visitors will be able to see another Manchester Arts public art display on the pool fences; the display is called “Fish on the Fence”. There will be some aquatic animals.

9. ACTION ON OLD BILLS

a. AN ORDINANCE APPROVING CREATION FOR LAFAYETTE CENTER COMMUNITY IMPROVEMENT DISTRICT

Alderman Baumann read for the second time Bill #16-2251, entitled: “AN ORDINANCE ESTABLISHING THE LAFAYETTE CENTER COMMUNITY IMPROVEMENT DISTRICT; DESIGNATING A PORTION OF THE CITY OF MANCHESTER, MISSOURI, AS A BLIGHTED AREA PURSUANT TO THE COMMUNITY IMPROVEMENT DISTRICT ACT, SECTIONS 67.1401 TO 67.1571 OF THE REVISED STATUTES OF MISSOURI, AS AMENDED; APPROVING THE APPOINTMENT OF THE INITIAL BOARD OF DIRECTORS TO THE DISTRICT; AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH”, by title only.

Alderman Baumann made the motion that Bill #16-2251 become Ordinance #16-2135. 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 Baumann – aye

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

b. AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT FOR LAFAYETTE CENTER

Alderman Stevens read for the second time Bill #16-2252, entitled: “AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BY AND AMONG THE CITY OF MANCHESTER, MISSOURI, THE LAFAYETTE CENTER COMMUNITY IMPROVEMENT DISTRICT AND CAPLACO SIX, INC., AND DIRECTING AND AUTHORIZING CITY OFFICIALS TO TAKE CERTAIN ACTIONS RELATED TO THE SAME”, by title only.

Alderman Stevens made the motion that Bill #16-2252 become Ordinance #16-2136. The motion was seconded by Alderman Clement.

A poll of the Board showed:

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

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

c. AN ORDINANCE AMENDING THE CODE OF ORDINANCES RELATING TO COMMERCIAL OUTDOOR COOKING

Alderman Clement read for the second time Bill #16-2253, entitled: “AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER, MISSOURI, BY ADDING A NEW SECTION 215.155 RELATING TO OUTDOOR COMMERCIAL COOKING”, by title only.

Alderman Clement made the motion that Bill #16-2253 become Ordinance #16-2137. The motion was seconded by Alderman Ottenad.

A poll of the Board showed:

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

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

- d. AN ORDINANCE AUTHORIZING RELEASE OF ESCROW DEPOSIT FOR TUSCAN VALLEY

Alderman Hamill read for the second time Bill #16-2254, entitled: “AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF MANCHESTER TO RELEASE ALL FUNDS GUARANTEEING CERTAIN IMPROVEMENTS TO THE PROPERTY NOW KNOWN AS TUSCAN VALLEY CREEK SUBDIVISION AND ACCEPTING THE DEDICATION OF CERTAIN RIGHT-OF-WAY WITHIN TUSCAN VALLEY CREEK SUBDIVISION, ALL AS MORE SPECIFICALLY SHOWN ON EXHIBIT “A” ATTACHED HERETO”, by title only.

Alderman Hamill made the motion that Bill #16-2254 become Ordinance #16-2138. The motion was seconded by Alderman Clement.

A poll of the Board showed:

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

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

10. INTRODUCTION OF NEW BILLS

- a. BILL APPROVING SPECIAL USE PERMIT FOR FENCE EXTENSION AND NEW SHELTER AT 948 CARMAN ROAD

Alderman Clement introduced Bill #16-2255, entitled: “AN ORDINANCE CREATING A SPECIAL USE PERMIT AND GRANTING THE SAME TO AMERICAN TOWER CORPORATION TO EXTEND THE EXISTING CHAIN LINK FENCE AND CONSTRUCT A NEW SHELTER FOR COMMUNICATION EQUIPMENT AT 948 CARMAN ROAD, AS PROVIDED FOR IN SECTION 405, ARTICLE IX OF THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER”, by title only.

Alderman Clement made a motion for approval of emergency legislation. The motion was seconded by Alderman Hamill, and carried unanimously, without objection.

Alderman Clement read for the second time Bill #16-2255, entitled: AN ORDINANCE CREATING A SPECIAL USE PERMIT AND GRANTING THE SAME TO AMERICAN TOWER CORPORATION TO EXTEND THE EXISTING CHAIN LINK FENCE AND CONSTRUCT A NEW SHELTER FOR COMMUNICATION EQUIPMENT AT 948 CARMAN ROAD, AS PROVIDED FOR IN SECTION 405, ARTICLE IX OF THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER”, by title only.

Alderman Clement made the motion that Bill #16-2255 become Ordinance #16-2139. The motion was seconded by Alderman Hamill.

A poll of the Board showed:

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

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

b. BILL APPROVING A SPECIAL USE PERMIT FOR A RESALE CLOTHING BOUTIQUE AT 801 SECOND STREET

Alderman Stevens introduced Bill #16-2256, entitled: “AN ORDINANCE CREATING A SPECIAL USE PERMIT AND GRANTING THE SAME TO BOTR, LLC, DOING BUSINESS AS BACK ON THE RACK, TO OPERATE A USED APPAREL AND ACCESSORY STORE, SUBJECT TO CERTAIN CONDITIONS, AT 801 SECOND STREET, AS PROVIDED FOR IN SECTION 405.285(C) (2) OF THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER”, by title only.

Alderman Stevens made a motion for approval of emergency legislation. The motion was seconded by Alderman Hamill.

Alderman Stevens read for the second time Bill #16-2256, entitled: “AN ORDINANCE CREATING A SPECIAL USE PERMIT AND GRANTING THE SAME TO BOTR, LLC, DOING BUSINESS AS BACK ON THE RACK, TO OPERATE A USED APPAREL AND ACCESSORY STORE, SUBJECT TO CERTAIN CONDITIONS, AT 801 SECOND STREET, AS PROVIDED FOR IN SECTION 405.285(C) (2) OF THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER”, by title only.

Alderman Stevens made the motion that Bill #16-2256 become Ordinance #16-2140. The motion was seconded by Alderman Hamill.

A poll of the Board showed:

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

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

- c. BILL APPROVING A TEXT AMENDMENT TO THE CITY’S CODE OF ORDINANCES REGARDING FENCE TYPES AND HEIGHTS IN RESIDENTIAL DISTRICTS

Alderman Hamill introduced Bill #16-2257, entitled: “AN ORDINANCE AMENDING SECTION 405.610(A) OF THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER RELATING TO THE CONSTRUCTION OF FENCES ON CORNER LOTS IN THE RESIDENTIAL ZONING DISTRICTS OF THE CITY OF MANCHESTER” by title only.

No further action at this time.

- d. BILL APPROVING A TEXT AMENDMENT TO THE CITY’S CODE OF ORDINANCES REGARDING SPECIAL USES OF FINANCIAL INSTITUTIONS

Alderman Ottenad introduced Bill #16-2258, entitled: “AN ORDINANCE AMENDING SECTION 405.285.C OF THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER BY ADDING THERETO A NEW SUB-SECTION (18) PERMITTING FINANCIAL INSTITUTIONS IN THE PLANNED BUSINESS DISTRICT OF THE CITY OF MANCHESTER WITH A SPECIAL USE PERMIT”, by title only.

No further action required at this time.

- e. BILL APPROVING A SPECIAL USE PERMIT FOR A FINANCIAL INSTITUTION WITH A DRIVE THRU AT 14422 MANCHESTER ROAD

Alderman Ottenad introduced Bill #16-2259, entitled: “AN ORDINANCE CREATING A SPECIAL USE PERMIT AND GRANTING THE SAME TO NEIGHBORS CREDIT UNION TO OPERATE A BANKING INSTITUTION, WITH DRIVE-THROUGH FACILITY, AT 14422 MANCHESTER ROAD AS PROVIDED FOR IN 405.285 (C) (18) OF THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER, COMMONLY KNOWN AS “THE ZONING ORDINANCE OF THE CITY OF MANCHESTER”, by title only.

No further action required at this time.

f. RESOLUTION APPROVING CONTRACT WITH HORNER & SHIFRIN, INC. FOR SURVEYING AND ENGINEERING DESIGN SERVICES FOR THE SPRING MEADOWS DRIVE BRIDGE REPLACEMENT PROJECT

Alderman Bauman proposed Resolution #16-0559, 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 TWO HUNDRED FIVE THOUSAND EIGHT HUNDRED TWENTY-ONE DOLLARS AND NINETY-ONE CENTS (\$205,821.91) TO PROVIDE THE CITY WITH PLANNING, DESIGN AND CONSTRUCTION INSPECTION SERVICES FOR THE SPRING MEADOWS DRIVE BRIDGE REPLACEMENT PROJECT IN THE CITY OF MANCHESTER", by title only.

Alderman Ottenad asked Director Ruck to explain what he plans on doing as part of the project. She wondered about the planning design and construction inspection.

Director of Public Works Bob Ruck said the manual calls for a responsible party to represent the City so Bob Ruck is responsible for the City's portion. Everything needs to come to him; he is the pass thru and approver.

Alderman Baumann made the motion to approve Resolution # 16-0559. The motion was seconded by Alderman Ottenad and carried unanimously, without objection.

11. MISCELLANEOUS

a. Comments from the Public

Mr. Jerry Meyer, 620 Applecross Court, commented that he wanted to ask about the issue brought up by Mr. Bottorff during the first "Comments from the Public". He said that when the enhancements on Manchester Road through an agreement with the other cities was going through, and the City of Manchester decided not to be a part of the taxing agreement, it was also stated at the time that Manchester could do these improvements themselves. He said that now that the other cities have done it he wondered if Manchester thought of doing these upgrades.

City Attorney Gunn said staff has done some consideration for some time. He said it is a big process, and funding for it needs to be put it in the budget.

12. ADJOURNMENT

At 8:07 p.m., there being no further business, Alderman Clement made the motion to adjourn. The motion was seconded by Alderman Hamill and carried unanimously, without objection. The meeting adjourned at 8:07 p.m.

Respectfully submitted,

Ruth E. Baker, MMC/MPCC
City Clerk

Note: This is a journal of the Board of Aldermen meeting held April 4, 2016 (summary); not a verbatim transcript. If a recording of the meeting is desired, please contact City Hall.