



**MINUTES OF THE PUBLIC HEARING OF  
MONDAY, JUNE 6, 2016  
AT 200 HIGHLANDS BOULEVARD DRIVE  
REGARDING A SPECIAL USE PERMIT REQUEST  
TO OPERATE A GROCERY STORE  
AT 14244 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 Ottenad, Alderman Baumann, Alderman Diehl, Mayor Willson and Attorney Gunn. Alderman Hamill was absent. 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, June 6, 2016 at 7:00 p.m. at the Manchester Police Facility, 200 Highlands Boulevard Drive, to consider the following:

CASE #16-SUP-004 – A request for a Special Use Permit has been made by Pan Asian Market II, LLC. to allow the use of a Grocery store exceeding ten thousand (10,000) square feet at 14244 Manchester Road. The property is zoned C-1 Commercial 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, and then a recommendation from the Planning and Zoning Commission.

Mr. Nick Garavaglia of CBRE Brokerage Services, the proponent, stated that the request is for a 24,000 square foot grocery store. He advised that the client is out of Omaha, where they have a similar location that has been there for 6 years and has been successful. He stated that most recently they opened a similar location in Overland Park, Kansas. He said it primarily caters to an Asian specialty type market. He said they did a market study and they took him through all the thoroughfares, and his target is a higher-end demographic that has a lot of diversity to it.

There were no opponents or comments from the public.

Alderman Clement asked for an explanation of the request for the Emergency Legislation.

Mr. Garavaglia explained that in the lease with the owner, there were some stringent guidelines, and in order to get the deal done, that they had to commit to those guidelines, and one of them was they had to get in there within 30 days of the lease signing, which they did. He said there is a requirement within 90 days to be moving forward with the building permits and everything else. He said that is a function of the stringent timeline.

Alderman Clement asked what the timeline is to start renovation of the building.

Mr. Garavaglia replied that they plan to open in February of next year. He further explained that the landlord estimates that for their portion of the work (demolition and cleaning) they are giving an estimate of 45 to 60 days. He said his client thinks it will be around 120 days. He said with Academy Sports opening, they are trying to schedule their opening around the same time.

Alderman Ottenad asked what chemicals will be in the store. He said the information referred to cleaning products.

Mr. Garavaglia explained that from what he understands, it is like a typical grocery store with house cleaning supplies.

Alderman Clement stated that the Planning and Zoning Commission was unanimous in their decision to recommend this Special Use Permit for consideration by the Board of Aldermen.

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

Respectfully submitted,

Ruth E. Baker, MMC/MPCC  
City Clerk

*Note: This is a journal of the Public Hearing held June 6, 2016 regarding the Special Use Permit Request to operate a Grocery Store at 14244 Manchester 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, JUNE 6, 2016  
AT 200 HIGHLANDS BOULEVARD DRIVE  
REGARDING ALLOCATION OF COMMUNITY  
DEVELOPMENT BLOCK GRANT FUNDS**

Mayor David L. Willson called the Public Hearing of the Board of Aldermen to order at 7:05 p.m.

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

The following notice of the public hearing was then read:

“The City of Manchester will hold a public hearing to discuss the allocation of \$24,300.00 in Community Development Block Grant Funds which will become available on or after January 1, 2017. The public hearing will be held at 7:00 p.m. on June 6, 2016 at the City of Manchester Police Facility at 200 Highlands Boulevard Drive, Manchester, MO 63011.”

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 of Planning, Zoning, and Economic Development Erika Kennett spoke as a proponent, and stated that this is the 30th year in a row that the City has made application with the Community Development Block Grant Funding Program. She said the program is coordinated by St. Louis County and funds have been used for rehabilitation of private residences. Director Kennett said it is a once-in-a-lifetime participation, and it is a five-year forgivable loan, as long as the owner lives in the house for five years, otherwise, they will have to pay back a sum as prorated. She asked for a motion approving the application for the Community Development Block Grant in the amount of \$24,300.

Alderman Clement asked if the amount is the same amount as previous years.

Director Kennett answered that over the last two years, the same amount of funds were made available.

Alderman Clement made the motion that the Board of Aldermen approve the Community Development Block Grant Funding Program application for 2017 in the amount of \$24,300. The motion was seconded by Alderman Baumann and carried unanimously, without objection.

Mayor Willson closed the public hearing at 7:09 p.m.

Respectfully submitted,

Ruth E. Baker, MMC/MPCC  
City Clerk

***Note:** The “Public Hearing” handout regarding the Community Development Block Grant Program was distributed to attendees of the Public Hearing, along with a copy of the meeting Agenda. This is a journal of the Public Hearing held Monday, June 6, 2016 regarding allocation of the Community Development Block Grant Fund (summary), not a verbatim transcript. If a recording of the public hearing is desired, please call City Hall.*



**MINUTES OF THE REGULAR BOARD OF ALDERMEN MEETING  
OF MONDAY, JUNE 6, 2016  
AT 200 HIGHLANDS BOULEVARD DRIVE**

1. CALL TO ORDER

Mayor David L. Willson called the Regular Board of Aldermen meeting to order at 7:09 p.m.

2. ROLL CALL AND STATEMENT OF QUORUM

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

3. APPROVAL OF THE MINUTES

a. Minutes of the Regular Board of Aldermen meeting of Monday, May 16, 2016

Alderman Baumann made the motion to approve the Minutes of Monday, May 16, 2016 Regular Board of Alderman meeting. The motion was seconded by Alderman Ottenad and carried unanimously, without objection.

4. ESTABLISHMENT OF ORDER OF ITEMS ON THE AGENDA

Mayor Willson advised he would be introducing some boy scouts.

Mayor Willson stated item 9 (a) would be deferred until the next meeting by the request of Parkway School District so they can speak to the residents located around the scoreboard.

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

5. CONSIDERATION OF PETITIONS AND COMMENTS FROM THE PUBLIC

a. Liquor License Renewals:

Alderman Stevens and Alderman Ottenad simultaneously made the motion to approve the following liquor license renewal applications. The motion was seconded by Alderman Clement and carried unanimously, without objection.

1. Costco Wholesale
2. Debz Corner
3. Dierberg's, with wine tasting permit
4. Discount Liquors
5. El Maguey
6. El Nopal
7. Joey B's Food and Drink
8. Lazy River Grill
9. Little Toyko
10. Manchester Athletic Association
11. Manee Thai
12. Monsoon
13. Petro Mart – Manchester Road
14. Petro Mart # 73 – Meramec Station Road
15. Randall's Wine and Spirits, with wine tasting permit
16. St. Joseph Church
17. Tucker's Place West
18. Walgreens
19. Walmart
20. Walter Le Pere American Legion Post 208, including licenses for booths at the Annual Homecoming Festival
21. Westchester Tennis & Sports Center

b. Discussion pertaining to scoreboard Ordinance

Attorney Gunn explained that this item was included on the Agenda for the purpose of allowing the public to come in and speak or ask questions.

Mr. Chris Khoury, 1512 Carmen Glen Court, said he is happy with the City, and he is proud when the City accomplishes great things; he is happy when his taxes do not go up; he is happy when the trash trucks are on time; happy when people reach out to the scouts, and happy when they do most things that they do. He is proud when the City accomplishes great things, such as what was done to protect against military funeral protestors, rather than the mundane stuff. He said that was outstanding and way beyond what most municipalities could accomplish.

Mr. Khoury said his comments at the last meeting were meant to be encouraging, not condemning. He is not 100 percent sure that it was taken that way. He said he still favors the scoreboard; he feels it will be an improvement for the school and the community. He said he cannot speak to what happened prior to the last meeting because he doesn't know. He said it is easy for him to say that his position hasn't changed and he hopes the Board can come to a quick resolution. If they can share any information about how they got to this point, that would go a long way towards calming some of the people who were here with him at the last meeting. He said he didn't know what was going on.

Mr. Don Early, 805 Phaeton, said he lives directly behind Parkway South High School. He doesn't believe too much of what is happening with the scoreboard, but he does know it is supposed to be 40 feet high and 30 feet wide and it is in his backyard. He said the lights on the field that are there right now, especially at 9:00 in the evening during the winter, take care of the whole street, so no street lights are needed. He said he is interested in the cost of the scoreboard, and he doesn't really know the price of it, but he has heard it is pretty extravagant. He said he wonders if he gets the figures from the Board of Aldermen or the School Board. He said he is a taxpayer like everyone else here, and he would like to see more math and biology teachers over there rather than the scoreboard.

Alderman Ottenad asked if it is known whether this will be voted on at the next meeting.

City Attorney Patrick Gunn stated that he doesn't know that for sure yet. He said that is not controlled by the City. He said it is understood that there is some time sensitivity for the school district. They want to be sure this is done right.

c. Comments from the Public

Mr. Jerry Meyer, 620 Applecross Court, speaking as a trustee for his subdivision, asked for clarification of the height requirement in the Ordinance, listed as item 10 (c), pertaining to the trucks.

City Attorney Gunn asked Mr. Meyer if he owns one of the trucks, and Mr. Meyer answered that he does not, but several individuals in his subdivision do.

City Attorney Gunn said these are extra large panel vans, and they think 84 inches is a good height for the full truck. He said when the City staff started this process, it was because there were the jumbo panel vans that were becoming a concern. He said they are really big, and they were in a residential area.

Mr. Meyer explained that a normal General Motors or Ford panel van is 84 inches tall. If the Board passes the Ordinance with the height of the van before ladders are on top, these panel vans would be a violation. He said that with the ladders on top of the vans, they would probably be about 92 inches tall.

6. REPORTS FROM THE MAYOR

a. Introduction of Boy Scouts

Mayor Willson introduced Boy Scouts Ghabriel Letizia-Brunelle and Giordan Letizia-Brunelle, both with Troop 751 sponsored by St. Joseph's Church and School. They are working on their Citizenship Merit Badges.

b. Mayoral Report

Mayor Willson reported that on May 19 he attended the City Clerks' luncheon; there were 51 people in attendance and he gave out M&M's, and it was catered by Joey B's. He said that on May 20 he attended the Government Affairs and Transportation meeting at the Missouri Department of Transportation (MoDOT) building; he also attended the city picnic that day. On May 24 City Administrator Hixson and he were invited to the Public Works luncheon at Joey B's, and on May 25 City Administrator Hixson and he had a brief meeting with St. Louis Area Insurance Trust (SLAIT). On May 26 he attended the Muni Award dinner, and received an award for collaboration, in conjunction with Des Peres and other cities; on May 28 he attended an Eagle Scout Ceremony and presented a Proclamation. On May 31 Alderman Clement hosted the Arts Council dinner. Mayor Willson attended the Torch Run dinner at Tucker's on June 2. He reported that today he was at the Callaway Nuclear Plant with Ameren for a very nice tour; very impressive, it was a three-hour walk.

7. REPORTS FROM THE CITY ADMINISTRATOR

a. List of Paid Bills (Warrant dates of May 15 – June 4, 2016)

There were none.

b. Presentation of Audit Report

Director of Finance Dave Tuberty introduced Mr. Eric Stopp from Stopp & Vanhoy, formerly Nicholas, Stopp and Vanhoy.

Mr. Stopp stated there was a delay with St. Louis County getting information to get the audit done and complete. The audit report is in draft form right now, but he will be signing it and will be sending out the final report.

Mr. Stopp stated there are three opinion categories, and they are "unmodified", "modified" and "adverse" opinions.

Mr. Stopp stated that Manchester received an unmodified opinion, which is the best report possible. He said the Homecoming Fund was collapsed into the General Fund. There has always been a little bit of question on whether it was considered an actual special revenue fund and it came in like this past year that it is not a special revenue fund.

Mr. Stopp stated in the introductory pages of the report is the unaudited sections of the audit prepared by management. He said they review them to make sure there are no major discrepancies that they note off the top of their head.

Mr. Stopp stated this is the second year the City has prepared a Comprehensive Annual Financial Report, a “CAFR Report”, He is very proud to say the City received a separate certificate of achievement from the Government Finance Officers’ Association.

Mr. Stopp stated there were no major changes in accounting principles that affected the City this year. There are a few major changes that have come down the pike that have affected a lot of other cities, but Manchester doesn’t have any of those. There are a few changes coming down the road which he believes will add some more pages of disclosures and notes.

Mr. Stopp stated the cash increased \$945,000 this year, and there is a reduction of Tax Increment Financing “TIF” bonds by \$3.2 million. He said that sales tax is shown as being up by \$1.2 million, but actually, \$300,000 is the sales tax increase, and the \$900,000 is a reclassification of sales tax. The property tax revenue is in line with the last ten years. Expenses overall have been relatively flat for the past nine years. As far as the General Obligation Bonds; the City has paid off a lot of those. The TIF bonds have had a big chunk paid off.

Mr. Stopp stated that in the audit adjustments, there were two: reclassifications of cash from the Capital Improvement Funds to the General Fund. He said the way Manchester handles cash internally is a pooled account, so there is one account that all the funds pull out of, but they do track cash separately. He said that because we have healthy investment accounts in Manchester, the Finance Director likes to keep as much money in the investments that he can to earn return on it.

Mr. Stopp stated there are borrowed funds from one account to another, and management makes that decision.

Mr. Stopp stated staff is trying to hold cash down and receive higher investment returns.

Mr. Stopp stated the last adjustment is reporting delinquent property taxes. He said this is something that comes from the County, and no one can make that entry until they get the confirmation from the County. There are no significant deficiencies or material weakness.

Mr. Stopp stated his two recommendations that he continues to suggest. One is to get a formal internal accounting policies and procedures manual put in place. He also recommends stronger controls over the administrative rights with the accounting software.

Alderman Ottenad asked who would write the formal policies.

Mr. Stopp answered that Director Tuberty or City Administrator Hixson has the capabilities of writing the policy, it is very time consuming. He said there are consultants that could write a policy for Manchester, but they are expensive.

Alderman Stevens asked who would be other people in the City's structure that could be assigned to it.

Mr. Stopp answered that it could be outsourced to an external Information Technology Company, possibly even the software vender. He said really what he is working on is that Director Tuberty is the Finance Director and Andy Hixson is the City Administrator, and they both sign checks. He said he doesn't want either one of them to be able to put either name on a check or approve a vender for another person. He said that is not happening currently, but the City doesn't have the preventive control that it couldn't be done.

Mr. Stopp stated there are some other minor recommendations that the firm would like the City to put in place. These will be listed in the "other matters" letter once the audit has been approved and issued. These are minor suggestions on minor issues.

## 8. REPORTS FROM COMMITTEES

### a. Homecoming Committee

Alderman Ottenad advised that the next meeting will be on June 8 at Schroeder Park. They will meet at 6:00 p.m. for pictures and then a potluck dinner.

### b. Manchester Arts

Alderman Stevens talked about "A Little Opera" which was a free concert to the public and around 400 people were in attendance. It was another sample of the diverse kind of art that is being presented.

Alderman Clement thanked the Mayor and the City for funding the Board banquet. He said it was a lot of fun and they wanted to thank everyone.

Alderman Stevens said there was an opportunity to work with Ameren, and there are two electrical boxes that are being painted. One is actually four boxes all together and being treated as one by the log cabin in the park, and the other will be behind the pool by the walking path. She said those are sponsored by Manchester Arts.

### c. Planning and Zoning Commission

Alderman Clement stated the Planning and Zoning Commission did not meet, but there is an agenda for next Monday.

9. ACTION ON OLD BILLS

- a. SUBSTITUTE BILL # 16-2263 – AN ORDINANCE AMENDING THE CODE OF ORDINANCES TO INCLUDE A PROVISION FOR SCOREBOARDS IN RESIDENTIAL DISTRICTS

This item was deferred to the June 20 meeting.

10. INTRODUCTION OF NEW BILLS

- a. RESOLUTION APPROVING AGREEMENT WITH PARKWAY SCHOOL DISTRICT TO CONTINUE THE SCHOOL RESOURCE OFFICER PROGRAM

Alderman Diehl read Proposed Resolution # 16-0565, entitled: “A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF MANCHESTER TO ENTER INTO A TWO-YEAR AGREEMENT WITH THE PARKWAY SCHOOL DISTRICT RELATING TO THE SCHOOL RESOURCE OFFICER PROGRAM”, by title only.

Alderman Diehl made the motion to approve Resolution #16-0565. The motion was seconded by Alderman Ottenad and carried unanimously, without objection.

- b. BILL APPROVING SPECIAL USE PERMIT FOR A GROCERY STORE AT 14244 MANCHESTER ROAD

Alderman Clement introduced Bill # 16-2266, entitled: “AN ORDINANCE CREATING A SPECIAL USE PERMIT AND GRANTING THE SAME TO PAN-ASIA MARKET II, LLC TO OPERATE A GROCERY STORE EXCEEDING 10,000 SQUARE FEET IN AREA AT 14244-14264 MANCHESTER ROAD, AS PROVIDED FOR IN SECTION 405.240 (C) (4) (g) 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 Ottenad, and carried unanimously.

Alderman Clement read for the second time Bill # 16-2266, entitled: “AN ORDINANCE CREATING A SPECIAL USE PERMIT AND GRANTING THE SAME TO PAN-ASIA MARKET II, LLC TO OPERATE A GROCERY STORE EXCEEDING 10,000 SQUARE FEET IN AREA AT 14244-14264 MANCHESTER ROAD, AS PROVIDED FOR IN SECTION 405.240 (C) (4) (g) OF THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER”, by title only.

Alderman Clement made the motion that Bill # 16-2266 become Ordinance # 16-2149. The motion was seconded by Alderman Ottenad.

A poll of the Board showed:

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

Mayor Willson announced the motion passed 5 – 0, with no objections and one absentee.

c. **BILL AMENDING THE CODE RELATING TO PARKING OF  
COMMERCIAL VEHICLES IN RESIDENTIAL DISTRICTS**

Alderman Stevens introduced Bill # 16-2267, entitled: “AN ORDINANCE AMENDING SECTION 355.180 OF THE CODE OF ORDINANCES RELATING TO THE PARKING OF COMMERCIAL VEHICLES IN THE RESIDENTIAL DISTRICTS OF THE CITY”, by title only.

Alderman Ottenad asked for clarification as to why this is being considered.

City Attorney Patrick Gunn stated the staff has received numerous complaints about extra large panel vans in the residential districts.

Nothing further action at this time.

d. **BILL PROVIDING FOR DISCLOSURE OF POTENTIAL CONFLICTS OF  
INTEREST AND SUBSTANTIAL INTEREST FOR CERTAIN CITY  
OFFICIALS**

Alderman Baumann introduced Bill # 16-2268, entitled: “AN ORDINANCE RE-AFFIRMING THE PROVISIONS OF SECTIONS 120.010 THROUGH 120.070 OF THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER, WHICH SECTIONS ESTABLISH A PROCEDURE TO PROVIDE FOR THE DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST AND SUBSTANTIAL INTEREST FOR CERTAIN MUNICIPAL OFFICIALS OF THE CITY OF MANCHESTER”, by title only.

Nothing further action at this time.

11. **MISCELLANEOUS**

a. **Comments from the Public**

12. ADJOURNMENT

At 7:54 p.m., there being no further business, Alderman Clement made the motion to adjourn. The motion was seconded by Alderman Ottenad and carried unanimously, without objection. The meeting adjourned at 7:54 p.m.

Respectfully submitted,

Ruth E. Baker, MMC/MPCC  
City Clerk

***Note:** This is a journal of the Board of Aldermen meeting held June 6, 2016 (summary); not a verbatim transcript. If a recording of the meeting is desired, please contact City Hall.*