



**MINUTES OF THE PUBLIC HEARING OF
MONDAY, FEBRUARY 3, 2020
AT 200 HIGHLANDS BOULEVARD DRIVE
REGARDING SPECIAL USE PERMIT REQUEST FOR A GROCERY STORE
AT 14373B AND 14375 MANCHESTER ROAD TO BE LOCATED IN THE C-1
COMMERCIAL ZONING DISTRICT**

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

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

“The City of Manchester Board of Aldermen shall hold a public hearing on Monday, February 3, 2020 at 7:00 p.m. at the Manchester Justice Center, 200 Highlands Boulevard Drive, to consider the following:

CASE #20-SUP-001 - Rashed H. Kazmi, of Mideast Market, applicant, on behalf of Mers Missouri Goodwill Industries, owner, has applied for approval of a Special Use Permit to allow a grocery store to be located at 14373B and 14375 Manchester Road, in the “C-1” Commercial Zoning District.”

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

Mr. Rashed Kazmi, owner of the Mideast Market, stated he has owned the market since 1998. His store currently is at 14345 Manchester Road and he would like to move next to the Goodwill Store. It will be 21,000 square feet. When he started 21 years ago, he had 1,000 square feet and then went to 7,000 and needs even more space. He said there is a bigger population now around this area. He has people coming from all around to shop at his store.

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

Alderman Huether stated that she is excited to see him have more space. He said they are ready for more space and that is exciting.

Alderman Hamill stated the Planning and Zoning Commission gave a favorable

recommendation to the Board of Aldermen.

Mayor Clement closed the public hearing at 7:03 p.m.

Respectfully submitted,

Michelle Melugin
Deputy City Clerk

Note: This is a journal of the Public Hearing from February 03, 2020 (summary); not a verbatim transcript regarding a Special Use Permit Request for a Grocery Store at 14373B and 14375 Manchester Road to be located in the C-1 Commercial Zoning District. If a recording of the public hearing is desired, please contact City Hall.



**MINUTES OF THE REGULAR BOARD OF ALDERMEN MEETING
OF MONDAY, FEBRUARY 03, 2020
AT 200 HIGHLANDS BOULEVARD DRIVE**

1. CALL TO ORDER

Mayor Mike Clement called the Regular Board of Aldermen meeting to order at 7:04 p.m.

2. ROLL CALL AND STATEMENT OF QUORUM

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

3. APPROVAL OF THE MINUTES

- a. Minutes of the Monday, January 20, 2020 Public Hearing Regarding a Proposed Text Amendment to Code Pertaining to Learning Centers and Tutoring Facilities

Alderman Hamill made the motion to approve the Minutes of the Monday, January 20, 2020 Public Hearing Regarding a Proposed Text Amendment to Code Pertaining to Learning Centers and Tutoring Facilities. The motion was seconded by Alderman Toben and carried unanimously, with no objections from any members of the Board of Aldermen.

- b. Minutes of the Monday, January 20, 2020 Regular Board of Aldermen meeting

Alderman Ottenad made the motion to approve the Minutes of the Monday, January 20, 2020 Regular Board of Aldermen meeting. The motion was seconded by Alderman Hamill and carried unanimously, with no objections from any members of the Board of Aldermen.

4. ESTABLISHMENT OF ORDER OF ITEMS ON THE AGENDA

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

5. CONSIDERATION OF PETITIONS AND COMMENTS FROM THE PUBLIC

a. Swearing in of City Clerk Justin Klocke

Deputy City Clerk Michelle Melugin gave City Clerk Justin Klocke his Oath of Office.

b. Introduction of New Police Officer Lowell Moore

Chief Scott Will introduced Police Officer Lowell Moore. Police Officer Moore graduated from the Eastern Missouri Police Academy in **2006**. He has 13 years in law enforcement. He joins us from the Calverton Park Department. In 2016 P.O. Moore received the (Traffic Officer of the Year Award) through the St. Louis County Traffic **Counsel**. In 2017 Police Officer Moore received a lifesaving award, and in 2019 P.O. Moore received the (LETSAC Officer of the Year Award) through the Missouri Department of Public Safety Traffic Division.

Chief Will stated Officer Moore is married to his wife Lauren, and they have a 10-year-old daughter named Layla.

Chief Will said Officer Moore is being joined by his wife Lauren, sister-in-law Liz, father and mother-in-law Gary and Carol Fine.

c. Introduction of New Public Works Maintenance Workers

a. Jack Smith

Assistant Director of Public Works Dave Pracht introduced Jack Smith. Jack graduated from Eureka High School. Jack has a landscaping and grounds keeping background. It fits in nicely with a lot of the things we do in Public Works. Jack recently came from a seasonal position with the City of Kirkwood Public Works. In Jack's free time he likes to play indoor soccer and spend time with his friends and family.

b. Isaac Buford

Assistant Director of Public Works Dave Pracht introduced Isaac Buford. Isaac graduated from South County Tech High School where he studied Automotive maintenance. Isaac came from a construction background specifically demolition. In his free time, he likes to work on houses and old cars. Another talent of his is that he cuts hair.

d. Appointments to the Manchester Veterans Commission

- a. Ruth Baker
- b. Julie Nguyen
- c. James Francis
- d. Bonnie Krueger
- e. Bill Pinkston
- f. Susan DeWitt
- g. Bud Niebling
- h. Bob Bell
- i. Kay Bell
- j. Megan Huether

- k. Larry Perney
- l. Mayor Mike Clement

Mayor Clement stated the City places a lot of emphasis on Veterans and our treatment of Veterans. This is another big step the City needs to take. The City has a very large, very active planning team. That team will continue to exist. We can use both groups working together. The Veterans commission is the formal structured commission. It will eventually have a chairperson.

Alderman Ottenad made the motion to approve the 12 appointments to the Manchester Veterans Commission. The motion was seconded by Alderman Baumann and carried 6 - 0, with no objections from the Board.

6. REPORTS FROM THE MAYOR

a. Mayoral Report

Mayor Clement wanted to remind everyone that received the West Newsmagazine that the last issue of the month comes out with a list of Community Events for Older Adults. It is a huge opportunity for senior adults. Manchester is a very active partner in this relationship with other local municipalities in West County. The Parks department will say when this 2-page spread comes out, the next couple days after their department is flooded with calls.

The City now has 5 Tree City USA signs posted around the City.

The newest addition of the Manchester Message should be hitting homes this week. There is a front-page article about the Sewer Lateral program tax increase.

Mayor Clement stated he also wants to remind everyone of the Veterans Resource Event coming up on February 27. He hopes everyone can get the word to all Veterans that could use this event.

Mayor Clement wanted everyone to know that the Citizen's Police Academy is starting on February 4.

Mayor Clement stated that Manchester has a lot of opportunity from our Parks Department on Summer programming. Everyone should look at the program guide.

7. REPORTS FROM THE CITY ADMINISTRATOR

a. List of Paid Bills (Warrant dates of January 5, 2020 - January 15, 2020)

There were no questions.

City Administrator Larry Perney read a letter that was sent to him from a resident regarding their appreciation of the sewer lateral program, also a great job of the company Manchester uses.

8. REPORTS FROM COMMITTEES

a. Planning and Zoning Commission

Alderman Hamill stated they met to discuss three different items. One was a site plan for a new home going on Connie Lane, which was approved. One was an amended site plan for the Care Home Project, which was also approved. The last item of discussion was a sign permit for Community Christian Church, which was approved.

9. ACTION ON OLD BILLS

a. BILL AMENDING THE CODE OF ORDINANCES BY ADDING A NEW SECTION PERTAINING TO POSSESSION OF PROHIBITED THEFT DEVICES

Alderman Baumann read for the second time Bill #20-2401, entitled: "AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF MANCHESTER, MISSOURI, CHAPTER 210: OFFENSES, ARTICLE VII, OFFENSES CONCERNING PROPERTY, BY ADDING NEW SECTION 210.1205 PERTAINING TO THE POSSESSION OF PROHIBITED THEFT DEVICES", by title only.

Alderman Ottenad made the motion that Bill #20-2401 become Ordinance #20-2286. The motion was seconded by Alderman Nolte.

A poll of the Board showed:

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

Mayor Clement announced that the motion passed 6 - 0, with no objections from any members of the Board of Aldermen.

b. SUBSTITUTE BILL TO AMEND THE 2019 BUDGET

Alderman Nolte introduced substitute bill #20-2402, entitled: "AN ORDINANCE AMENDING ORDINANCE NO. 18-2241 THAT ADOPTED AND APPROVED THE BUDGET FOR THE CITY OF MANCHESTER FOR THE YEAR JANUARY 1, 2019 THROUGH DECEMBER 31, 2019, AND ORDINANCE 20-2281 THAT AMENDED THE 2019 BUDGET BY INCREASING REVENUES BY \$205,000 AND EXPENSES BY \$405,000", by title only.

Director of Finance Don Yucuis stated from the first reading to the second reading which would have been tonight he analyzed our weekly accounts payables and compared those to the budget and a couple of the funds were pushed over the amended budget. By state law we need to amend the budget to make sure the budget exceeds or equals the expenses. The fund difference was in the Prop S and the General Fund.

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

Alderman Nolte read for the second time Bill #20-2402, entitled: "AN ORDINANCE AMENDING ORDINANCE NO. 18-2241 THAT ADOPTED AND APPROVED THE BUDGET FOR THE CITY OF MANCHESTER FOR THE YEAR JANUARY 1, 2019 THROUGH DECEMBER 31, 2019, AND ORDINANCE 20-2281 THAT AMENDED THE 2019 BUDGET BY INCREASING REVENUES BY \$205,000 AND EXPENSES BY \$405,000", by title only.

Alderman Nolte made the motion that Bill #20-2402 become Ordinance #20-2287. The motion was seconded by Alderman Hamill.

A poll of the Board showed:

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

Mayor Clement announced that the motion passed 6 - 0, with no objections from any members of the Board of Aldermen.

10. INTRODUCTION OF NEW BILLS

a. RESOLUTION ACCEPTING THE PROPOSAL OF BRANDBUILDERS, LLC FOR THE PURCHASE OF BACKYARD COMPOSTING KITS

Alderman Huether read Proposed Resolution #20-0720, entitled: "A RESOLUTION ACCEPTING THE PROPOSAL OF BRANDBUILDERS, LLC IN THE AMOUNT OF SIXTEEN THOUSAND TWO HUNDRED FORTY-SEVEN DOLLARS AND FIFTY CENTS (\$16,247.50) FOR THE PURCHASE OF TWO HUNDRED FIFTY (250) BACKYARD COMPOSTING KITS AND AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF MANCHESTER TO ISSUE A PURCHASE ORDER THEREFORE," by title only.

Alderman Huether stated this is just a logistical step that is part of the grant process through St. Louis County Department of Public Health. Manchester is coming up on the Composting class, so we are getting the online store ready.

Alderman Huether made the motion for approval of Resolution #20-0720. The motion was seconded by Alderman Ottenad and carried unanimously, without any objections from any members of the Board of Aldermen.

b. BILL APPROVING A SPECIAL USE PERMIT REQUEST FOR A GROCERY STORE AT 14373B AND 14375 MANCHESTER ROAD

Alderman Toben introduced Bill #20-2403, entitled: "AN ORDINANCE CREATING A SPECIAL USE PERMIT AND GRANTING THE SAME TO MIDEAST MARKET, TO OPERATE GROCERY STORE EXCEEDING TEN THOUSAND (10,000) SQUARE FEET LOCATED AT 14373B AND 14375 MANCHESTER ROAD AS PROVIDED FOR IN SECTION 405.240 OF THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER", by title only.

Nothing further at this time.

c. RESOLUTION AUTHORIZING EXTENSION OF SPECIAL USE PERMIT AND SITE DEVELOPMENT PLAN FOR 14401 MANCHESTER ROAD

Alderman Ottenad read Proposed Resolution #20-0721, entitled: "A RESOLUTION AUTHORIZING AN EXTENSION OF TIME FOR THE EXPIRATION OF A SPECIAL USE PERMIT FOR 14401 MANCHESTER ROAD", by title only.

Director of Planning, Zoning and Economic Development Melanie Rippetoe stated the site plan was approved in August 2018 and the special use permit in October 2018. After a year they both essentially would expire without extensions. They have been granted an extension on the site plan and the special use permit as well. They are back for another extension on the special use permit. It says the board can approve it for a maximum of 90 days. They will have to come back every 90 days in order to get another extension until a business license has been issued.

Director Rippetoe stated as far as where the plans are at currently, she spoke with Mr. Green earlier today and he forwarded an email to her from MSD. Essentially, they are much closer with MSD approval. From the MSD email, she saw a list of items still required by them. Manchester still has not received improvement bonds or landscaping bonds.

Alderman Hamill asked if Manchester needs the finalized plans from MSD in order to get numbers for the bond.

Director Rippetoe answered they need the MSD approval for Manchester to order the building permit. She said she has had building permits applied for, but it is her understanding that they have revised the site plan because of MSD requirements. She will then need the new site plan.

Alderman Hamill asked if MSD's approval impacts Manchester's ability to determine the bond amount.

Director Rippetoe answered the bond amount is based on returning it to green space so it has nothing to do with MSD approval. The bond amount is the cost of returning it back to the green space. It is essentially a maintenance bond.

Mayor Clement asked what the City would need and what are we looking to get from them.

Director Rippetoe answered the same thing as the last extension, MSD approval, MSD approved plans, a landscaping bond and improvement bond.

Mayor Clement stated Suntrup was here in September and then again in December. Director Rippetoe agreed.

Mr. Druce Kramer stated that he has spoken with MSD and they are waiting on two things: a letter of approval from the City and the BMP report. They just had drain solutions out a week and half ago and MoDOT has approved. The plans have all been submitted to

St. Louis County and has reviewed them and are awaiting a response from their engineers with any of their questions. They have been submitted and reviewed by St. Louis County. Basically, Jennifer at MSD says they need a City of Manchester approval letter and updated signed maintenance agreement.

Director Rippetoe stated she did see that email and she is unsure what approval they are waiting on from Manchester. She has never had MSD approval before unless it is just the site plan approval, if that is it the Board gave approval August of 2018. They should have that.

Director Rippetoe said she will be in contact and work that out. She has never done any type of approval letter for MSD.

Mr. Kramer stated they still need the updated and signed maintenance agreement on the surveys and the new plans that were submitted through St. Louis County. He said St. Louis County has reviewed them. St. Louis County has a couple of questions for the engineers to finalize them.

Mayor Clement asked what the questions are. Mr. Kramer answered he doesn't know; he hasn't spoken to St. Louis County. He feels if they are anxious, they would be calling and finding out what the questions are.

Alderman Hamill inquired what the BMP report. He asked if it is Best Management Practices. Mr. Kramer answered yes that is what BMP stands for. Alderman Hamill asked if it is developed by the engineers. Mr. Kramer said it is being sent through another drain company or Drain Solution and it is just a report that must be sent to MSD. It has not been reviewed by MSD.

Alderman Toben stated that last time Mr. Green stated that he was in the last stages of that process. He asked where they are at now.

Mr. Kramer stated he has equipment sitting on the lot right now to move everything out of it. The plans are, in the next two weeks, we will have that cleared. They are just waiting, and the banks are just waiting to release. It is expensive and the money is just sitting there, but the bank doesn't want to release the money to move forward with the project until they have everything approved.

Alderman Toben asked for an estimation on when MSD will approve. Mr. Kramer answered within the next week to week and half. He said he will have the property cleaned off in the next two weeks.

Mayor Clement wanted to make sure that Mr. Kramer is going to be moving forward and everything is moved, and the soil will be a level lot. Mr. Kramer stated that all the concrete there currently will be removed within the next two weeks.

Alderman Hamill asked if he needs St. Louis County's approval. They apparently have questions about the plans. Mr. Kramer does not know how in depth they are. Mr. Kramer answered they must approve the site plan but regardless he must clear that lot. He said even if he must take it back to green space, but he doesn't anticipate that. He said either way he will be clearing that lot.

Alderman Baumann asked about the wait between December and now to clear the lot.

Mr. Kramer answered a lot of it was the bank, but they decided they are going to just move forward. He said he lost a week and half with weather.

Attorney Paul Rost discussed the Resolution has basically 5 conditions. A few of the conditions are as follows:

- a. Developer is to post maintenance bond with Manchester, so we know that things are going to get done.
- b. The approval of the extension of the SUP is specially and expressly subject to contingency on getting the debris cleaned up
- c. The Resolution would have in it a requirement that it would be done by February 26. The date was chosen mainly because that will be the Wednesday before the first meeting in March. That would give the Board time to see if it happened or not.

It does have an option in there that the developer of the site could basically return the site to green space by that same February 26 date.

Alderman Ottenad made the motion for approval of Resolution # 20-0721. The motion was seconded by Alderman Toben and carried unanimously, without any objections from any members of the Board of Aldermen.

d. RESOLUTION ACCEPTING AGREEMENT GUARANTEEING
INSTALLATION OF COMMERCIAL IMPROVEMENTS SUBMITTED BY
COIL CONSTRUCTION

Alderman Baumann read Proposed Resolution #20-0722, entitled: "A RESOLUTION ACCEPTING AN AGREEMENT GUARANTEEING INSTALLATION OF COMMERCIAL IMPROVEMENTS SUBMITTED BY COIL CONSTRUCTION, INC., ON BEHALF OF ST. LOUIS CAR WASH PROPERTIES, LLC FOR A CARWASH FACILITY AT 110 ENCHANTED PARKWAY AND AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF MANCHESTER TO EXECUTE SAME", by title only.

Alderman Baumann made the motion for approval of Resolution #20-0722. The motion was seconded by Alderman Ottenad and carried unanimously, without any objections from any members of the Board of Aldermen.

11. MISCELLANEOUS

- a. Comments from the Public

There were none.

12. EXECUTIVE SESSION

Alderman Hamill made the motion to go into "Closed Session: Pursuant to Section 610.021 (1) of the Revised Statutes of the State of Missouri pertaining to legal actions, causes of action or litigation involving a public governmental body and any confidential or

privileged communications between a public governmental body or its representatives and its attorneys.”

The motion was seconded by Alderman Toben.

A poll of the Board showed:

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

Mayor Clement stated that the motion passed by a vote of 6 - 0, with no objections from members of the Board of Aldermen.

13. ADJOURNMENT

At 8:18 p.m., after the Executive Session, there being no further business, Alderman Hamill made the motion to adjourn. The motion was seconded by Alderman Baumann and carried unanimously, without objection from any members of the Board of Aldermen. The meeting adjourned at 8:18 p.m.

Respectfully submitted,

Michelle Melugin
Deputy City Clerk

Note: This is a journal of the Board of Aldermen meeting held Monday, February 03, 2020, (summary); not a verbatim transcript. If a recording of the meeting is desired, please contact City Hall.