



**MINUTES OF THE PUBLIC HEARING OF
MONDAY, APRIL 6, 2015
AT 200 HIGHLANDS BOULEVARD DRIVE
REGARDING A SPECIAL USE PERMIT REQUEST
FOR THE SALE OF APPAREL AND ACCESSORIES
AT 14396 MANCHESTER ROAD**

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

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

The following notice of the public hearing was then read:

“The City of Manchester Board of Aldermen shall hold a public hearing on Monday, April 6, 2015 at 7:00 p.m. at the Manchester Police Facility, 200 Highlands Boulevard Drive, to consider the following:

- A. CASE #15-SUP-004 – A request for a Special Use Permit has been made by Lindsey Darabacsek of Darby Designs for the sale of apparel and accessories (clothing store) at 14396 Manchester Road. The property is zoned PBD Planned Business Development District.”

City Attorney Gunn stated the applicant failed to appear at the Planning and Zoning meeting some weeks ago and, as a result, this matter has not been considered by Planning and Zoning, so the staff would ask that this public hearing be continued to April 20.

Mayor Willson closed the public hearing at 7:04 p.m.

Respectfully submitted,

Ruth E. Baker, MMC/MRCC-S
City Clerk

Note: This is a journal of the Public Hearing held Monday, April 6, 2015 regarding a Special Use Permit Request for the sale of apparel and accessories at 14396 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 6, 2015
AT 200 HIGHLANDS BOULEVARD DRIVE**

1. CALL TO ORDER

Mayor David L. Willson 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 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 March 16, 2015 Public Hearing regarding a Special Use Permit Request for the display and sale of temporary or seasonal items

Alderman Hamill made the motion to approve the Minutes of the March 16, 2015 Public Hearing regarding a Special Use Permit Request for the display and sale of temporary or seasonal items. The motion was seconded by Alderman Schrader and carried unanimously, without objection.

- b. Minutes of the March 16, 2015 Regular Board of Aldermen meeting

Alderman Clement made the motion to approve the Minutes of the March 16, 2015 Regular Board of Aldermen meeting. The motion was seconded by Alderman Ottenad and carried unanimously, without objection.

4. ESTABLISHMENT OF ORDER OF ITEMS ON THE AGENDA

Alderman Clement made the motion to approve the order of items on the agenda as submitted. The motion was seconded by Alderman Schrader and carried unanimously, without objection.

5. CONSIDERATION OF PETITIONS AND COMMENTS FROM THE PUBLIC

- a. Introduction of New Police Officer

Chief Timothy Walsh introduced Officer Timothy Chapman. Chief stated that Officer Chapman began working for the City of Manchester on March 30. Chief advised that Officer Chapman grew up in the City of St. Louis and then moved to Jefferson County. He received his police academy training at the Jefferson College Law Enforcement Training Academy and also earned an Associate's degree in Criminal Justice through Jefferson County.

b. Announcement of Police Officer Promotion

Chief Timothy Walsh announced that Police Officer David Ebert has been promoted to Sergeant. Dave has been with the Police Department for 25 years and has extensive background in traffic accident reconstruction. He has been very involved in the Citizens Police Academy, the Special Olympics Torch Run, National Night Out and the Community Emergency Response Team (CERT). He is currently assigned as the relief sergeant.

c. Comments from the Public

Ms. Pauline Bair, 305 Morewood Drive, asked if there are any lawsuits pending.

City Attorney Patrick R. Gunn answered the only lawsuit that is pending is a suit filed by the State of Missouri, with which the City of Manchester is joined, to seek control of the Harugari Cemetery property. That matter will be disposed of in about two weeks. He said it is a friendly claim filed on the Statutes on behalf of the Parks and Public Works Departments' work done to maintain that property. Once this matter is disposed of, the City of Manchester will then own the property.

Ms. Bair asked about street repair this year; she said streets are awful.

Director of Public Works Bob Ruck stated that the City recently went out for bid, and the bid received was higher than anticipated, so it was rejected. He said the City will be going out for bid again in May. In the meantime, City workers will be patching and milling and doing everything they can.

Ms. Bair asked if there is a list of the streets that need repair.

Director Ruck stated coming out of winter, many streets need to be repaired.

Ms. Bair asked about Culver's.

Director of Planning, Zoning and Economic Development Kathy Arnett answered that Culver's is closing on the property in the next few weeks. They will then need some asbestos abatement, and following will be the demolition and construction. They are hopefully starting demolition in April or early May.

Ms. Bair asked about the Chili's Restaurant building.

Director Arnett answered that Manchester does not have a formal application, but she has been in contact with someone who has secured a lease. There will be an application to the Planning and Zoning Commission in early May for a restaurant.

Ms. Bair asked about the furniture buildings down Manchester Road.

Director Arnett stated she has not received any applications but she is receiving calls.

6. REPORTS FROM THE MAYOR

a. Reappointment of Members of the Board of Adjustment and the Planning and Zoning Commission

Mayor Willson stated that the following individuals are due for reappointment as indicated. He said they have been contacted and they are all willing to serve.

1. Dan Miller – Board of Adjustment
2. Fred Mayer – Board of Adjustment
3. Jack Fluchel – Planning and Zoning

Alderman Clement made the motion for reappointment of the members to the Board of Adjustment and the Planning and Zoning Commission. The motion was seconded by Alderman Hamill and carried unanimously, without objection.

b. Mayoral Report

Mayor Willson stated that on March 16, there was a meeting at Creve Coeur Avenue in regard to the street renaming; he said there is a nice event planned for May 23 at 1:00 p.m.

Alderman Clement interjected that it will be a really nice event, he suspects there will be around 400 to 500 American Flags, provided by Mr. Rick Randall, lining the streets. Alderman Ottenad added that everyone is welcome and there will be speakers, too.

Mayor Willson reported that on March 20, he attended the Lafayette Area Mayors' Organization (LAMO) meeting with state legislators; on March 23, he attended the Planning and Zoning Commission meeting; on March 25, he attended the staff meeting; on March 26, he attended the Planning and Zoning Commission dinner; on March 27, along with Director Bob Ruck, he attended the Metropolitan Sewer District "Project Clear" meeting in Maryland Heights; on March 27, the Adult Easter Egg Hunt was held and there were 229 people participating; on April 1, the City hosted the teenagers' Easter Egg Hunt with 50 in attendance, and they also enjoyed pizza and bingo; on April 2, he attended the staff meeting, and also City Administrator Hixson and he attended the Leadership Program which was held at Barrett's School.

Mayor Willson stated that as of April 1, City Attorney Gunn has been with the City of Manchester for 39 years.

Mayor Willson stated that Mr. Dan Fox from the West News Magazine was at the meeting to present City Clerk Ruth Baker with the Civil Servant of the Year award that is recognized by the West Newsmagazine.

In closing, Mayor Willson reminded all to vote the next day.

7. REPORTS FROM THE CITY ADMINISTRATOR

a. List of Paid Bills (Warrant dates of March 6 – April 2, 2015)

There were no questions.

8. REPORTS FROM COMMITTEES

a. Planning and Zoning Commission

Alderman Clement stated they did have an applicant from Darby Designs for a Special Use Permit, but she failed to show at the last meeting. He said they did have their annual Planning and Zoning Commission dinner at Tucker's, and it was a very special evening.

b. Manchester Homecoming Committee

Alderman Ottenad advised that the next meeting will be in May.

c. Manchester Arts

1. Presentation of Manchester Arts Strategic Plan

Alderman Stevens informed everyone that on April 17 there will be a reception for the "Focus Photography" show at Manchester United Methodist Church. The show will be Friday, Saturday, and Sunday, April 17, 18 and 19. She said that today there were more than 200 entries, and today was the first day. This is more than they had in the first year and also last year.

Alderman Stevens stated she wanted to present to the Board of Aldermen the "Manchester Arts Strategic Plan". Alderman Stevens stated there was a picture of a three-legged stool, which is the foundation of Manchester Arts, and that stands for the Mission, Vision, and Core Values in the plan but the legs are community program events, volunteer support and financial resources. They all have equal importance to have the Arts function well, and if any of those legs have less participation, things begin to become unsteady.

Alderman Stevens stated that parts of the Strategic Plan for 2015 to 2017, specifically the mission and vision, are straight from the Master Plan. She said they recently developed goals and strategies on the direction to keep them on course. The strategies and goals will help the Board make decisions about programs and events they want to do.

9. ACTION ON OLD BILLS

a. There were none.

10. INTRODUCTION OF NEW BILLS

a. RESOLUTION APPROVING PURCHASE OF MOWER FOR THE PARKS AND RECREATION DEPARTMENT

Alderman Schrader read proposed Resolution # 15-0521, entitled: "A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF MANCHESTER TO ISSUE A PURCHASE ORDER FOR AND PAY THE SUM OF THIRTEEN THOUSAND EIGHT HUNDRED DOLLARS (\$13,800.00) TO MTI DISTRIBUTING, INC. FOR THE PURCHASE OF ONE (1) TORO MODEL NUMBER 74274 MASTER PROFESSION ZERO TURN MOWER

72.3” SIDE DISCHARGE, 25 HORSEPOWER DIESEL AND RECYCLING KIT FOR USE BY THE MANCHESTER PARKS AND RECREATION DEPARTMENT”, by title only.

Alderman Schrader made the motion that Resolution # 15-0521 be approved. The motion was seconded by Alderman Clement, with no objections.

b. BILL REGARDING DISTRIBUTION OF SALES TAX REVENUES IN ST. LOUIS COUNTY

Alderman Hamill introduced Bill # 15-2216, entitled: “AN ORDINANCE AUTHORIZING ACTIONS TO PROTECT THE CITY’S RIGHTS UNDER THE CURRENT SYSTEM OF DISTRIBUTING SALES TAX REVENUES IN ST. LOUIS COUNTY, INCLUDING, BUT NOT LIMITED TO, INTERVENTION INTO A LAWSUIT PENDING IN COLE COUNTY AND RETAINING SPECIAL COUNSEL AND AUTHORIZING ACTIONS RELATED THERETO”, by title only.

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

Alderman Hamill read for the second time Bill # 15-2216, entitled: “AN ORDINANCE AUTHORIZING ACTIONS TO PROTECT THE CITY’S RIGHTS UNDER THE CURRENT SYSTEM OF DISTRIBUTING SALES TAX REVENUES IN ST. LOUIS COUNTY, INCLUDING, BUT NOT LIMITED TO, INTERVENTION INTO A LAWSUIT PENDING IN COLE COUNTY AND RETAINING SPECIAL COUNSEL AND AUTHORIZING ACTIONS RELATED THERETO”, by title only.

Attorney Gunn explained that this Bill would authorize the City to bring in special counsel to represent the City in a matter involving the City of Chesterfield case where the City of Chesterfield is challenging the Statutes as to the distribution of sales tax revenues between A and B cities. He said he is unaware of how many cities have joined at this moment, but he believes there are at least seven or eight, because the cities’ positions should be protected and special counsel is representing all of those cities that are joining together.

Alderman Hamill stated that as he understands it, the fees are capped at \$5,000 right now, but could be lower if more cities join. He asked for verification that the City has potentially a loss of \$600,000 annually if Chesterfield gets what they want.

Alderman Hamill made the motion that Bill # 15-2216 become Ordinance # 15-2102. The motion was seconded by Alderman Clement.

A poll of the Board showed:

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

Mayor Willson announced the Bill passed with a vote of 6 - 0, with no objections.

c. BILL AMENDING THE CODE RELATING TO PARKING ON UNPAVED SURFACES

Attorney Gunn explained that the City has a situation where there is a violation of what was believed to still be in the Code of Ordinances relating to parking of vehicles on unpaved surfaces, but when the Code was examined, it was realized that there is no such provision in our current Ordinances. He said further research determined that when an Ordinance was enacted some years ago, some provisions that should have stayed in the Code were removed, when the purpose was actually to enhance the Ordinance.

Alderman Ottenad introduced Bill # 15-2217, entitled: “AN ORDINANCE AMENDING SECTION 355.010(H)(18) OF THE CODE OF ORDINANCES RELATING TO PARKING ON UNPAVED SURFACES”, by title only.

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

Alderman Ottenad read for the second time Bill # 15-2217, entitled: “AN ORDINANCE AMENDING SECTION 355.010(H)(18) OF THE CODE OF ORDINANCES RELATING TO PARKING ON UNPAVED SURFACES”, by title only.

Alderman Ottenad made the motion that Bill # 15-2217 become Ordinance # 15- 2103. The motion was seconded by Alderman Clement.

A poll of the Board showed:

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

Mayor Willson announced the Bill passed with a vote of 6 - 0, with no objections.

11. MISCELLANEOUS

a. Comments from the Public

Mr. Dan O’Brien, 512 Glan Tai Drive, congratulated City Clerk Ruth Baker on receiving the recognition from West Newsmagazine.

Mr. O’Brien praised the City for the snow plowing, and he congratulated City Attorney Patrick Gunn. Mr. O’Brien said you hear about things when things are bad, but not when things are good, and things are relatively good in Manchester. He said things are flowing, no problems, and you need to take good with bad.

13. ADJOURNMENT

At 7:40 p.m., there being no further business, Alderman Clement made the motion to adjourn. The motion was seconded by Alderman Schrader and carried unanimously, without objection. The meeting adjourned at 7:40 p.m.

Respectfully submitted,

Ruth E. Baker, MMC/MRCC-S
City Clerk

Note: This is a journal of the Board of Aldermen meeting held April 6, 2015 (summary); not a verbatim transcript. If a recording of the meeting is desired, please contact City Hall.